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DETROIT: REAPPORTION COUNCIL INTO SINGLE-MEMBER ELECTION DISTRICTS

House Bill 6114

Sponsor: Rep. Ken Daniels

Committee: Civil Law and the Judiciary

Complete to 5-23-02

A SUMMARY OF HOUSE BILL 6114 AS INTRODUCED 5-22-02

House Bill 6114 would add a new section to the Home Rule City Act (MCL 117.3a) to place before Detroit voters, on the 2002 August primary election ballot, the question of replacing the present at-large city council with nine single-member election districts, as follows:

Ballot Question. The bill would require that a city with a population of not less than 750,000, as determined by the most recent federal decennial census, and a city council comprised of nine at-large members, would have to place a question in substantially the following form on the ballot at the primary election, held on the Tuesday succeeding the first Monday in August, beginning in 2002 and every four years thereafter:

“Shall the existing nine-member at-large city council be abolished, shall the city be reapportioned into nine single-member election districts, and shall district residency requirements be imposed on candidates for the city council?

YES (___)

NO (___)”

The bill would also specify that the local board of canvassers would canvas the result of the vote according to the provisions of the Michigan election law (MCL 168.1 to 168.992

City Council. The bill would specify that, if the ballot question was approved by the voters, then -- two years after the year in which the question was approved -- the nine-member at-large city council would be replaced by one consisting of nine members elected from single-member election districts. Members would be elected at regular municipal elections, beginning with the municipal primary election in the year immediately succeeding the year in which the ballot question was approved. Any charter provision to the contrary notwithstanding, the president of the city council would be determined by a majority vote of the city council members elected and serving from single-member election districts.

City Apportionment Commission. The bill would also require that the City Redistricting Commission meet within 30 days after the question presented to the voters was approved. It would meet as the Apportionment Commission to adopt an apportionment plan. It would consist of three members, two of whom would be appointed by the mayor, and one of whom would be

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appointed by the city council. The City Redistricting Commission would thereafter meet within 30 days after the publication of the latest official figures of the federal decennial census to reapportion the city. To the extent consistent with the act, the procedural aspects of the apportionment process would be governed by the same statutory procedures as those provided for a county charter commission apportionment under the provisions of the Charter Counties Act (MCL 45.505). One of the two members appointed by the mayor under these provisions would convene the City Redistricting Commission sitting as the Apportionment Commission. As that commission, the City Redistricting Commission would adopt its own rules of procedure. Two members would constitute a quorum and all actions would require a majority vote.

The bill would require that the City Redistricting Commission provide for equal representation for each single-member election district, and each single-member election would have to be as nearly equal in population and compact as was practicable, based on the latest federal decennial census. In developing an apportionment plan, the City Redistricting Commission would have to follow the lines used for planning sectors and subcommittees, as provided by the city master plan and charter. Moreover, in subsequent reapportionments, the City Redistricting Commission apportionment plan could only make incremental changes to the single-member election district boundaries that were necessary to accommodate changes in population. Each single-member election district would have to be designated by name and number.

City Council Candidates. Each candidate for city council would have to be a resident of the single-member district he or she sought to represent. If the member moved outside the district, the office would be vacated. Also, the bill would require that the city clerk promulgate necessary election rules and procedures consistent with other provisions of the city charter in order to comply with and implement these provisions. The city council could also amend the charter to comply with the intent and findings of the bill, in the same manner as required by law and charter to adopt an ordinance. However, the bill would specify that any charter amendment to comply with the intent and findings of the provisions of the bill could take effect immediately upon adoption by the council. The city clerk would be required to file a copy of any charter amendment with the secretary of state and the county clerk of the county in which the city was located. The bill would also specify that sections 21 to 25 of the act, pertaining to amendments, publication, filing, elections, and other provisions relating to charters, would not apply to the provisions of the bill.

Analyst: R. Young

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.