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**SFA****BILL ANALYSIS**

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House Bill 6114 (Substitute H-2 as passed by the House)  
Sponsor: Representative Ken Daniels  
House Committee: Civil Law and the Judiciary  
Senate Committee: Government Operations

Date Completed: 6-4-02

### **CONTENT**

**The bill would amend the Home Rule City Act to require the Detroit City Council to place before the voters, at the August 6, 2002, primary election, a question of whether the existing city council should be abolished and replaced with members elected from districts. If approved, the existing city council would be abolished on January 1, 2006.**

Currently, the nine members of the Detroit City Council are elected on an at-large basis; that is, all members represent the entire city, rather than particular areas, and candidates are voted on by all of the city's electors. The bill would require the council to place a question on the ballot in substantially the following form:

Shall the existing 9-member at-large city council be abolished, shall the city be reapportioned into 9 single-member election districts, and shall district residency requirements be imposed on candidates for the city council?

The results of the vote would have to be canvassed by the local board of canvassers as provided in the Michigan Election Law. If the question were approved, the existing city council would be abolished on January 1, 2006, and replaced by a city council of nine members elected from single-member election districts at regular municipal elections, beginning with the municipal primary election in 2005. The president of the city council would have to be determined by a majority vote of the city council members elected and serving from single-member election districts.

Within 30 days after the question was approved, the city redistricting commission would have to meet as the apportionment commission and adopt an apportionment plan. The city redistricting commission would consist of three members, two appointed by the mayor and one appointed by the city council. The commission then would have to 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 pursuant to Section 5 of Public Act 293 of 1966. (Public Act 293 provides for the creation of charter counties and the election of charter commissions. Section 5, in part, prescribes requirements for filing, reviewing, challenging, and approving a charter county decennial apportionment plan.)

One of the two members appointed by the mayor would have to convene the city redistricting commission, sitting as the apportionment commission. As the apportionment commission, it would have to adopt its own rules of procedure. Two members would constitute a quorum and all actions would have to be by a majority vote.

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

Each candidate for city council would have to be a resident of the single-member election district he or she sought to represent. A city council member's office would be vacated if the member moved his or her residence outside of the single-member election district that the member represented.

To comply with and implement the bill, the city clerk would have to promulgate necessary election rules and procedures consistent with other provisions of the city charter. The city council could amend the charter to comply with the intent and findings of the bill in the same manner provided by law and charter for the adoption of an ordinance; however, any charter amendment to comply with the intent and findings would take effect immediately upon adoption by the council. The city clerk would have to file a copy of any charter amendment with the Secretary of State and the Wayne County clerk.

The bill provides that Sections 21 to 25 of the Act would not apply to a charter amendment required under the bill. (Sections 21 through 25 pertain to the development, submission, approval, and filing of charter amendments.)

Proposed MCL 117.3a

Legislative Analyst: George Towne

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: David Zin