

HOUSE BILL No. 6114

May 22, 2002, Introduced by Reps. Daniels, McConico, Williams, Whitmer, Jamnick, Clarke, Garza, Kolb, Adamini, Pestka, Sheltroun, Bob Brown, Lipsey, Rich Brown, Wojno, O'Neil, Bovin, Mans, Zelenko, Lockwood, Stallworth, Rocca, Stamas, Caul, Gilbert, Bishop, Faunce, Koetje, Phillips and Lemmons and referred to the Committee on Civil Law and the Judiciary.

A bill to amend 1909 PA 279, entitled
"The home rule city act,"
(MCL 117.1 to 117.38) by adding section 3a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

SEC. 3A. (1) 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 9 AT-LARGE COUNCIL MEMBERS SHALL
PLACE A QUESTION IN SUBSTANTIALLY THE FOLLOWING FORM ON THE
BALLOT AT THE GENERAL PRIMARY ELECTION HELD ON THE TUESDAY SUC-
CEEDING THE FIRST MONDAY IN AUGUST, BEGINNING IN 2002 AND EVERY 4
YEARS THEREAFTER:

"SHALL THE EXISTING 9-MEMBER AT-LARGE CITY COUNCIL
BE ABOLISHED, SHALL THE CITY BE REAPPORTIONED INTO
9 SINGLE-MEMBER ELECTION DISTRICTS, AND SHALL

1 DISTRICT RESIDENCY REQUIREMENTS BE IMPOSED ON
2 CANDIDATES FOR THE CITY COUNCIL?

3 YES (_____)

4 NO (_____) . " .

5 (2) THE RESULT OF THE VOTE SHALL BE CANVASSED BY THE LOCAL
6 BOARD OF CANVASSERS UNDER THE MICHIGAN ELECTION LAW, 1954 PA 116,
7 MCL 168.1 TO 168.992.

8 (3) IF THE QUESTION PRESENTED PURSUANT TO SUBSECTION (1) IS
9 APPROVED, THE 9-MEMBER AT-LARGE CITY COUNCIL IS ABOLISHED ON THE
10 JANUARY 1, 2 YEARS AFTER THE YEAR IN WHICH THAT QUESTION IS
11 APPROVED AND SHALL BE REPLACED BY A CITY COUNCIL OF 9 MEMBERS
12 ELECTED FROM SINGLE-MEMBER ELECTION DISTRICTS AT REGULAR MUNICI-
13 PAL ELECTIONS BEGINNING WITH THE MUNICIPAL PRIMARY ELECTION IN
14 THE YEAR IMMEDIATELY SUCCEEDING THE YEAR IN WHICH THAT QUESTION
15 IS APPROVED. ANY CHARTER PROVISION TO THE CONTRARY NOTWITHSTAND-
16 ING, THE PRESIDENT OF THE CITY COUNCIL SHALL BE DETERMINED BY A
17 MAJORITY VOTE OF THE CITY COUNCIL MEMBERS ELECTED AND SERVING
18 FROM SINGLE-MEMBER ELECTION DISTRICTS.

19 (4) WITHIN 30 DAYS AFTER THE QUESTION PRESENTED PURSUANT TO
20 SUBSECTION (1) IS APPROVED, THE CITY REDISTRICTING COMMISSION
21 SHALL MEET AS THE APPORTIONMENT COMMISSION AND ADOPT AN APPOR-
22 TIONMENT PLAN. THE CITY REDISTRICTING COMMISSION SHALL CONSIST
23 OF 3 MEMBERS, 2 OF WHOM ARE APPOINTED BY THE MAYOR AND 1 OF WHOM
24 IS APPOINTED BY THE CITY COUNCIL. THE CITY REDISTRICTING COMMIS-
25 SION SHALL THEREAFTER MEET WITHIN 30 DAYS AFTER THE PUBLICATION
26 OF THE LATEST OFFICIAL FIGURES OF THE FEDERAL DECENNIAL CENSUS TO
27 REAPPORTION THE CITY. TO THE EXTENT CONSISTENT WITH THIS ACT,

1 THE PROCEDURAL ASPECTS OF THE APPORTIONMENT PROCESS SHALL BE
2 GOVERNED BY THE SAME STATUTORY PROCEDURES AS THOSE PROVIDED FOR A
3 COUNTY CHARTER COMMISSION APPORTIONMENT PURSUANT TO SECTION 5(4),
4 (5), (6), AND (7) OF 1966 PA 293, MCL 45.505. ONE OF THE 2 MEM-
5 BERS APPOINTED BY THE MAYOR UNDER THIS SUBSECTION SHALL CONVENE
6 THE CITY REDISTRICTING COMMISSION, SITTING AS THE APPORTIONMENT
7 COMMISSION. AS THE APPORTIONMENT COMMISSION, THE CITY REDIS-
8 TRICTING COMMISSION SHALL ADOPT ITS OWN RULES OF PROCEDURE. TWO
9 MEMBERS SHALL CONSTITUTE A QUORUM AND ALL ACTIONS SHALL BE BY A
10 MAJORITY VOTE.

11 (5) THE CITY REDISTRICTING COMMISSION SHALL PROVIDE FOR
12 EQUAL REPRESENTATION FOR EACH SINGLE-MEMBER ELECTION DISTRICT,
13 AND EACH SINGLE-MEMBER ELECTION DISTRICT SHALL BE AS NEARLY EQUAL
14 IN POPULATION AND COMPACT AS IS PRACTICABLE BASED ON THE LATEST
15 FEDERAL DECENNIAL CENSUS. IN DEVELOPING AN APPORTIONMENT PLAN,
16 THE CITY REDISTRICTING COMMISSION SHALL FOLLOW THE LINES USED FOR
17 PLANNING SECTORS AND SUBCOMMITTEES AS PROVIDED BY THE CITY MASTER
18 PLAN AND CHARTER. IN SUBSEQUENT REAPPORTIONMENTS, THE CITY
19 REDISTRICTING COMMISSION APPORTIONMENT PLAN SHALL MAKE ONLY
20 INCREMENTAL CHANGES TO THE SINGLE-MEMBER ELECTION DISTRICT BOUND-
21 ARIES THAT ARE NECESSARY TO ACCOMMODATE POPULATION CHANGE
22 REQUIREMENTS. EACH SINGLE-MEMBER ELECTION DISTRICT SHALL BE DES-
23 IGNATED BY NAME AND NUMBER.

24 (6) EACH CANDIDATE FOR CITY COUNCIL SHALL BE A RESIDENT OF
25 THE SINGLE-MEMBER ELECTION DISTRICT HE OR SHE SEEKS TO
26 REPRESENT. A CITY COUNCIL MEMBER'S OFFICE IS VACATED IF THE

1 MEMBER MOVES HIS OR HER RESIDENCE OUTSIDE OF THE SINGLE-MEMBER
2 ELECTION DISTRICT THAT THE MEMBER REPRESENTS.

3 (7) TO COMPLY WITH AND IMPLEMENT THIS SECTION, THE CITY
4 CLERK SHALL PROMULGATE NECESSARY ELECTION RULES AND PROCEDURES
5 CONSISTENT WITH OTHER PROVISIONS OF THE CITY CHARTER. THE CITY
6 COUNCIL MAY AMEND THE CHARTER TO COMPLY WITH THE INTENT AND FIND-
7 INGS OF THIS SECTION IN THE SAME MANNER PROVIDED BY LAW AND
8 CHARTER FOR THE ADOPTION OF AN ORDINANCE. HOWEVER, ANY CHARTER
9 AMENDMENT TO COMPLY WITH THE INTENT AND FINDINGS OF THIS SECTION
10 SHALL TAKE EFFECT IMMEDIATELY UPON ADOPTION BY THE COUNCIL. THE
11 CITY CLERK SHALL FILE A COPY OF ANY CHARTER AMENDMENT WITH THE
12 SECRETARY OF STATE AND THE COUNTY CLERK OF THE COUNTY IN WHICH
13 THE CITY IS LOCATED. SECTIONS 21 TO 25 DO NOT APPLY TO THE
14 CHARTER AMENDMENT REQUIRED UNDER THIS SECTION.