

# HOUSE JOINT RESOLUTION X

May 23, 2006, Introduced by Rep. Ward and referred to the Committee on House Oversight, Elections, and Ethics.

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 2, 3, and 6 of article IV, to base legislative apportionment and districting on the number of citizens of this state.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to base legislative apportionment and districting on the number of citizens of this state, is proposed, agreed to, and submitted to the people of the state:

## ARTICLE IV

Sec. 2. The senate shall consist of 38 members to be elected from single member districts at the same election as the governor

1 for four-year terms concurrent with the term of office of the  
2 governor.

3 In districting ~~the~~ **THIS** state for the purpose of electing  
4 senators after the official publication of the total ~~population~~  
5 **CITIZENSHIP** count of each federal decennial census, each county  
6 shall be assigned apportionment factors equal to the sum of its  
7 percentage of the ~~state's population~~ **NUMBER OF CITIZENS OF THIS**  
8 **STATE** as shown by the last regular federal decennial census  
9 computed to the nearest one-one hundredth of one percent multiplied  
10 by four and its percentage of the state's land area computed to the  
11 nearest one-one hundredth of one percent.

12 In arranging the state into senatorial districts, the  
13 apportionment commission shall be governed by the following rules:

14 (1) Counties with 13 or more apportionment factors shall be  
15 entitled as a class to senators in the proportion that the total  
16 apportionment factors of such counties bear to the total  
17 apportionment factors of the state computed to the nearest whole  
18 number. After each such county has been allocated one senator, the  
19 remaining senators to which this class of counties is entitled  
20 shall be distributed among such counties by the method of equal  
21 proportions applied to the apportionment factors.

22 (2) Counties having less than 13 apportionment factors shall  
23 be entitled as a class to senators in the proportion that the total  
24 apportionment factors of such counties bear to the total  
25 apportionment factors of the state computed to the nearest whole  
26 number. ~~Such~~ **THESE** counties shall ~~thereafter~~ be arranged into  
27 senatorial districts that are compact, convenient, and contiguous

1 by land, as rectangular in shape as possible, and having as nearly  
 2 as possible 13 apportionment factors, but in no event less than 10  
 3 or more than 16. Insofar as possible, existing senatorial districts  
 4 at the time of reapportionment shall not be altered unless there is  
 5 a failure to comply with the above standards.

6 (3) Counties entitled to two or more senators shall be divided  
 7 into single member districts. The ~~population~~ **NUMBER OF CITIZENS**  
 8 of ~~such~~ **THESE** districts shall be as nearly equal as possible but  
 9 shall not be less than 75 percent nor more than 125 percent of a  
 10 number determined by dividing the ~~population~~ **NUMBER OF CITIZENS**  
 11 of the county by the number of senators to which it is entitled.  
 12 Each such district shall follow incorporated city or township  
 13 boundary lines to the extent possible and shall be compact,  
 14 contiguous, and as nearly uniform in shape as possible.

15 Sec. 3. The house of representatives shall consist of 110  
 16 members elected for two-year terms from single member districts  
 17 apportioned on a basis of ~~population~~ **THE NUMBER OF CITIZENS** as  
 18 provided in this article. The districts shall consist of compact  
 19 and convenient territory contiguous by land.

20 Each county which has a population of not less than seven-  
 21 tenths of one percent of the ~~population~~ **NUMBER OF CITIZENS** of  
 22 ~~the~~ **THIS** state shall constitute a separate representative area.  
 23 Each county having less than seven-tenths of one percent of the  
 24 ~~population~~ **NUMBER OF CITIZENS** of ~~the~~ **THIS** state shall be  
 25 combined with another county or counties to form a representative  
 26 area of not less than seven-tenths of one percent of the  
 27 ~~population~~ **NUMBER OF CITIZENS** of ~~the~~ **THIS** state. Any county

1 which is isolated under the initial allocation as provided in this  
2 section shall be joined with that contiguous representative area  
3 having the smallest percentage of the state's population. Each such  
4 representative area shall be entitled initially to one  
5 representative.

6 After the assignment of one representative to each of the  
7 representative areas, the remaining house seats shall be  
8 apportioned among the representative areas on the basis of  
9 ~~population~~ **THE NUMBER OF CITIZENS** by the method of equal  
10 proportions.

11 Any county comprising a representative area entitled to two or  
12 more representatives shall be divided into single member  
13 representative districts as follows:

14 (1) The ~~population~~ **NUMBER OF CITIZENS** of ~~such~~ **THESE**  
15 districts shall be as nearly equal as possible but shall not be  
16 less than 75 percent nor more than 125 percent of a number  
17 determined by dividing the ~~population~~ **NUMBER OF CITIZENS** of the  
18 representative area by the number of representatives to which it is  
19 entitled.

20 (2) ~~Such~~ **THESE** single member districts shall follow city and  
21 township boundaries where applicable and shall be composed of  
22 compact and contiguous territory as nearly square in shape as  
23 possible.

24 Any representative area consisting of more than one county,  
25 entitled to more than one representative, shall be divided into  
26 single member districts as equal as possible in ~~population~~ **THE**  
27 **NUMBER OF CITIZENS**, adhering to county lines.

1       Sec. 6. A commission on legislative apportionment is ~~hereby~~  
2   established consisting of eight electors, four of whom shall be  
3   selected by the state organizations of each of the two political  
4   parties whose candidates for governor received the highest vote at  
5   the last general election at which a governor was elected preceding  
6   each apportionment. If a candidate for governor of a third  
7   political party has received at such election more than 25 percent  
8   of such gubernatorial vote, the commission shall consist of 12  
9   members, four of whom shall be selected by the state organization  
10   of the third political party. One resident of each of the following  
11   four regions shall be selected by each political party  
12   organization: (1) the upper peninsula; (2) the northern part of the  
13   lower peninsula, north of a line drawn along the northern  
14   boundaries of the counties of Bay, Midland, Isabella, Mecosta,  
15   Newaygo and Oceana; (3) southwestern Michigan, those counties south  
16   of region (2) and west of a line drawn along the western boundaries  
17   of the counties of Bay, Saginaw, Shiawassee, Ingham, Jackson and  
18   Hillsdale; (4) southeastern Michigan, the remaining counties of  
19   ~~the~~ **THIS** state.

20       No officers or employees of the federal, state, or local  
21   governments, excepting notaries public and members of the armed  
22   forces reserve, shall be eligible for membership on the commission.  
23   Members of the commission shall not be eligible for election to the  
24   legislature until two years after the apportionment in which they  
25   participated becomes effective.

26       The commission shall be appointed immediately after the  
27   adoption of this constitution and whenever apportionment or

1 districting of the legislature is required by the provisions of  
2 this constitution. Members of the commission shall hold office  
3 until each apportionment or districting plan becomes effective.  
4 Vacancies shall be filled in the same manner as for original  
5 appointment.

6 The secretary of state shall be secretary of the commission  
7 without vote, and in that capacity shall furnish, under the  
8 direction of the commission, all necessary technical services. The  
9 commission shall elect its own ~~chairman~~ **CHAIRPERSON**, shall make  
10 its own rules of procedure, and shall receive compensation provided  
11 by law. The legislature shall appropriate funds to enable the  
12 commission to carry out its activities.

13 Within 30 days after the adoption of this constitution, and  
14 after the official total ~~population~~ **CITIZENSHIP** count of each  
15 federal decennial census of ~~the~~ **THIS** state and its political  
16 subdivisions is available, the secretary of state shall issue a  
17 call convening the commission not less than 30 nor more than 45  
18 days thereafter. The commission shall complete its work within 180  
19 days after all necessary census information is available. The  
20 commission shall proceed to district and apportion the senate and  
21 house of representatives according to the provisions of this  
22 constitution. All final decisions shall require the concurrence of  
23 a majority of the members of the commission. The commission shall  
24 hold public hearings as may be provided by law.

25 Each final apportionment and districting plan shall be  
26 published as provided by law within 30 days from the date of its  
27 adoption and shall become law 60 days after publication. The

1 secretary of state shall keep a public record of all the  
2 proceedings of the commission and shall be responsible for the  
3 publication and distribution of each plan.

4 If a majority of the commission cannot agree on a plan, each  
5 member of the commission, individually or jointly with other  
6 members, may submit a proposed plan to the supreme court. The  
7 supreme court shall determine which plan complies most accurately  
8 with the constitutional requirements and shall direct that it be  
9 adopted by the commission and published as provided in this  
10 section.

11 Upon the application of any elector filed not later than 60  
12 days after final publication of the plan, the supreme court, in the  
13 exercise of original jurisdiction, shall direct the secretary of  
14 state or the commission to perform their duties, may review any  
15 final plan adopted by the commission, and shall remand ~~such~~ **THE**  
16 plan to the commission for further action if it fails to comply  
17 with the requirements of this constitution.

18 Resolved further, That the foregoing amendment shall be  
19 submitted to the people of the state at the next general election  
20 in the manner provided by law.