



**House
Legislative
Analysis
Section**

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**POPULATION THRESHOLDS:
DETROIT**

**House Bill 4868 as introduced
Sponsor: Rep. Triette Reeves**

**House Bill 4869 as introduced
Sponsor: Rep. Patricia Birkholz**

**House Bill 4870 as introduced
Sponsor: Rep. Samuel Buzz Thomas**

**House Bill 4871 as introduced
Sponsor: Rep. Irma Clark**

**House Bill 4872 as introduced
Sponsor: Rep. Mike Kowall**

**House Bill 4873 (Substitute H-1)
Sponsor: Rep. Belda Garza**

**Committee: Local Government and
Urban Policy**

First Analysis (6-26-01)

House Bills 4868-4873 (6-26-01)

THE APPARENT PROBLEM:

Since 1850, Michigan has taken different approaches in addressing the needs of various locales in the state. Originally, local issues were addressed through the passage of local and special laws. This practice proved to be neither effective nor efficient, and in 1908, the newly adopted Constitution of the State of Michigan provided that the legislature could not pass a local or special act in any case where a general act could be applicable. This provision was later incorporated into the 1963 Constitution. However, it still remained that certain areas had unique needs or problems due to differing situations and circumstances, such as size or location. One way to address such needs but still operate within the constitutional provision of keeping legislation general in scope was through the use of population classifications.

One of the population classifications often used through the years in Michigan statutes classifies “a city with a population of more than 1,000,000”. This is generally accepted as a reference to the City of Detroit, since it has been the only city in the state to

reach the one million mark in population. In recent years, however, the city has seen a steady decline in population. The U.S. Census Bureau in its Census 2000 data has recently confirmed this population decrease. Detroit, which had 1.85 million people in 1950 and 1.03 million people in 1990, slipped to a population of 951,270 in 2000.

In light of the change in the population numbers for Detroit, it has been suggested that the population classification that has applied to Detroit be changed from 1,000,000 to 750,000. Legislation has been offered to amend some of the statutes with the one million population classification.

THE CONTENT OF THE BILLS:

A number of statutes contain references to “a city with a population of more than 1,000,000”; this is understood to refer to the City of Detroit. The bills would amend various acts to change this population threshold to 750,000.

House Bill 4868 would amend the Home Rule City Act (MCL 117.5i and 117.35a) to change the population threshold in provisions allowing the city to finance the provision of certain services by special assessment, and allowing the issuance of general obligation bonds.

House Bill 4869 would amend Public Act 344 of 1945 (MCL 125.74), which authorizes municipalities to adopt plans to prevent blight and to rehabilitate blighted areas. The bill would change the population threshold in a provision concerning the composition of citizen district councils.

House Bill 4870 would amend the Condominium Act (MCL 559.241). That act generally preempts local governments' ability to enact ordinances concerning conversion condominiums that conflict with the act, but there is an exception for the City of Detroit. The bill would change the population threshold in this provision.

House Bill 4871 would amend the City and Village Zoning Act (MCL 125.583b and 125.585) to change the population threshold in provisions concerning the allowable density of certain residential facilities, and concerning the number of votes necessary to reverse an order or decision of the zoning board of appeals.

House Bill 4872 would amend the Hertel-Law-T. Stopczynski Port Authority Act (MCL 120.105) to change the population threshold in a provision specifying the membership of the Wayne County port authority, where certain members are to be appointed by the mayor of the City of Detroit, and certain members are to be appointed by members of the county board of commissioners residing outside the city.

House Bill 4873 would amend the Michigan Liquor Control Code (MCL 436.1916) to change the city population threshold in a provision dealing with the issuance of an entertainment permit to a liquor licensee by the Liquor Control Commission.

BACKGROUND INFORMATION:

According to the 2000 Census data released by the U.S. Census Bureau, Detroit is the largest city in the state with a population of 951,270 (a 7.5 percent decrease from 1,027,974 in 1990). Seven other Michigan cities have a population of over 100,000 people: Grand Rapids with 197,800 (a 4.6 percent increase), Warren with 138,247 (a 4.6 percent decrease), Flint with 124,943 (an 11.2 percent decrease), Sterling Heights with 124,471 (a 5.7

percent increase), Lansing with 119,128 (a 6.4 percent decrease), Ann Arbor with 114,024 (a 4.0 percent increase), and Livonia with 100,545 people (a 0.3 percent decrease). Detroit was the only one of the ten most populous cities in the U. S. to fall below the one million population level.

FISCAL IMPLICATIONS:

The House Fiscal Agency reports that the bill package would have no fiscal impact on state or local units of governments. (6-25-01)

ARGUMENTS:

For:

It has been a long-standing practice in Michigan and many other states to craft legislation applicable to certain locales based on population classifications. When a law or a provision of law was meant to apply to the City of Detroit, it was often referenced as applying to "a city with a population of more than 1,000,000." (Of course, if any other city within the state were to reach the one million-population mark, these provisions would apply to that city, also.) Unfortunately, Detroit's population has been in a fifty-year decline, from a high in 1950 of 1.85 million, to now below the one million mark. Therefore, it is necessary to amend the various statutes with the one million-population reference. The bills would not make any substantive changes to current law; they would simply allow the laws to continue to apply to the City of Detroit.

Against:

Come people are concerned that these bills could have an effect on the distribution of revenue sharing funds.

Response:

The bill package would have no effect on revenue sharing. Public Act 532 of 1998 amended the State Revenue Sharing Act to 1) freeze payments to a city with a population of 750,000 for the period of October 1, 1998 through June 30, 2007, at certain levels; 2) place in statute a new formula, phased in over 8½ years, that weights equally three components, including unit type and population, taxable property value per capita, and yield equalization; and 3) effectively sunset the statutory revenue sharing formula after June 30, 2007. (For more information, see the House Legislative Analysis Section's analysis on House Bill 5989 dated 12-15-98.)

POSITIONS:

The City of Detroit supports the bills. (6-25-01)

Analyst: S. Stutzky

■ 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.