

REPRINT

SUBSTITUTE FOR

HOUSE BILL NO. 6114

(As passed the House, May 29, 2002)
(As passed the Senate, June 5, 2002)

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:

1 SEC. 3A. (1) A CITY THAT HAS A POPULATION OF NOT LESS THAN
2 750,000 AS DETERMINED BY THE MOST RECENT FEDERAL DECENNIAL CENSUS
3 AND THAT HAS A CITY COUNCIL COMPOSED OF 9 AT-LARGE COUNCIL MEM-
4 BERS SHALL PLACE A QUESTION IN SUBSTANTIALLY THE FOLLOWING FORM
5 ON THE BALLOT AT THE GENERAL PRIMARY ELECTION HELD ON TUESDAY,
6 AUGUST 6, 2002:
7 "SHALL THE EXISTING 9-MEMBER AT-LARGE CITY COUNCIL
8 BE ABOLISHED, SHALL THE CITY BE REAPPORTIONED INTO
9 9 SINGLE-MEMBER ELECTION DISTRICTS, AND SHALL
10 DISTRICT RESIDENCY REQUIREMENTS BE IMPOSED ON
11 CANDIDATES FOR THE CITY COUNCIL?

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1 YES (____)

2 NO (____)." .

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

6 (3) IF THE QUESTION PRESENTED PURSUANT TO SUBSECTION (1) IS
7 APPROVED, THE 9-MEMBER AT-LARGE CITY COUNCIL IS ABOLISHED ON
8 JANUARY 1, 2006 AND SHALL BE REPLACED BY A CITY COUNCIL OF 9 MEM-
9 BERS ELECTED FROM SINGLE-MEMBER ELECTION DISTRICTS AT REGULAR
10 MUNICIPAL ELECTIONS BEGINNING WITH THE MUNICIPAL PRIMARY ELECTION
11 IN 2005. ANY CHARTER PROVISION TO THE CONTRARY NOTWITHSTANDING,
12 THE PRESIDENT OF THE CITY COUNCIL SHALL BE DETERMINED BY A MAJOR-
13 ITY VOTE OF THE CITY COUNCIL MEMBERS ELECTED AND SERVING FROM
14 SINGLE-MEMBER ELECTION DISTRICTS.

15 (4) WITHIN 30 DAYS AFTER THE QUESTION PRESENTED PURSUANT TO
16 SUBSECTION (1) IS APPROVED, THE CITY REDISTRICTING COMMISSION
17 SHALL MEET AS THE APPORTIONMENT COMMISSION AND ADOPT AN APPOR-
18 TIONMENT PLAN. THE CITY REDISTRICTING COMMISSION SHALL CONSIST
19 OF 3 MEMBERS, 2 OF WHOM ARE APPOINTED BY THE MAYOR AND 1 OF WHOM
20 IS APPOINTED BY THE CITY COUNCIL. THE CITY REDISTRICTING COMMIS-
21 SION SHALL THEREAFTER MEET WITHIN 30 DAYS AFTER THE PUBLICATION
22 OF THE LATEST OFFICIAL FIGURES OF THE FEDERAL DECENNIAL CENSUS TO
23 REAPPORTION THE CITY. TO THE EXTENT CONSISTENT WITH THIS ACT,
24 THE PROCEDURAL ASPECTS OF THE APPORTIONMENT PROCESS SHALL BE GOV-
25 ERNED BY THE SAME STATUTORY PROCEDURES AS THOSE PROVIDED FOR A
26 COUNTY CHARTER COMMISSION APPORTIONMENT PURSUANT TO SECTION 5(4),
27 (5), (6), AND (7) OF 1966 PA 293, MCL 45.505. ONE OF THE 2

1 MEMBERS APPOINTED BY THE MAYOR UNDER THIS SUBSECTION SHALL
2 CONVENE THE CITY REDISTRICTING COMMISSION, SITTING AS THE APPOR-
3 TIONMENT COMMISSION. AS THE APPORTIONMENT COMMISSION, THE CITY
4 REDISTRICTING COMMISSION SHALL ADOPT ITS OWN RULES OF PROCEDURE.
5 TWO MEMBERS SHALL CONSTITUTE A QUORUM AND ALL ACTIONS SHALL BE BY
6 A MAJORITY VOTE.

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

20 (6) EACH CANDIDATE FOR CITY COUNCIL SHALL BE A RESIDENT OF
21 THE SINGLE-MEMBER ELECTION DISTRICT HE OR SHE SEEKS TO
22 REPRESENT. A CITY COUNCIL MEMBER'S OFFICE IS VACATED IF THE
23 MEMBER MOVES HIS OR HER RESIDENCE OUTSIDE OF THE SINGLE-MEMBER
24 ELECTION DISTRICT THAT THE MEMBER REPRESENTS.

25 (7) TO COMPLY WITH AND IMPLEMENT THIS SECTION, THE CITY
26 CLERK SHALL PROMULGATE NECESSARY ELECTION RULES AND PROCEDURES
27 CONSISTENT WITH OTHER PROVISIONS OF THE CITY CHARTER. THE CITY

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1 COUNCIL MAY AMEND THE CHARTER TO COMPLY WITH THE INTENT AND
2 FINDINGS OF THIS SECTION IN THE SAME MANNER PROVIDED BY LAW AND
3 CHARTER FOR THE ADOPTION OF AN ORDINANCE. HOWEVER, ANY CHARTER
4 AMENDMENT TO COMPLY WITH THE INTENT AND FINDINGS OF THIS SECTION
5 SHALL TAKE EFFECT IMMEDIATELY UPON ADOPTION BY THE COUNCIL. THE
6 CITY CLERK SHALL FILE A COPY OF ANY CHARTER AMENDMENT WITH THE
7 SECRETARY OF STATE AND THE COUNTY CLERK OF THE COUNTY IN WHICH
8 THE CITY IS LOCATED. SECTIONS 21 TO 25 DO NOT APPLY TO THE
9 CHARTER AMENDMENT REQUIRED UNDER THIS SECTION.