COMMISSION ON LEGISLATIVE APPORTIONMENT
Act 46 of 1963 (2nd Ex. Sess.)

AN ACT to provide for the organization and functions of the commission on legislative apportionment and the adoption of legislative apportionment and districting plans.

History: 1963, 2nd Ex. Sess., Act 46, Eff. Jan. 1, 1964.

The People of the State of Michigan enact:

4.11 Commission on legislative apportionment; number, selection, regional distribution.

Sec. 1. The commission on legislative apportionment established by the 1963 state constitution shall consist of 8 electors, 4 of whom shall be selected by the state central committee of each of the 2 political parties whose candidates for governor received the highest vote at the last general election at which a governor was elected preceding each apportionment. If a candidate for governor of a third political party has received at such election more than 25% of such gubernatorial vote, the commission shall consist of 12 members, 4 of whom shall be selected by the state central committee of the third political party. One resident of each of the following 4 regions shall be selected by each state central committee: (a) the Upper Peninsula; (b) the northern part of the Lower Peninsula, north of a line drawn along the northern boundaries of the counties of Bay, Midland, Isabella, Mecosta, Newaygo and Oceana; (c) southwestern Michigan, those counties south of region (b) and west of a line drawn along the western boundaries of the counties of Bay, Saginaw, Shiawassee, Ingham, Jackson and Hillsdale; and (d) southeastern Michigan, the remaining counties of the state.

History: 1963, 2nd Ex. Sess., Act 46, Eff. Jan. 1, 1964.

4.12 Commission on legislative apportionment; membership eligibility; ineligible for election to legislature.

Sec. 2. No officers or employees of the federal, state or local governments, excepting notaries public and members of the armed forces reserve, shall be eligible for membership on the commission. Members of the commission shall not be eligible for election to the legislature until 2 years after the apportionment in which they participated becomes effective.

History: 1963, 2nd Ex. Sess., Act 46, Eff. Jan. 1, 1964.

4.13 Commission on legislative apportionment; appointment, terms, vacancies.

Sec. 3. The commission shall be appointed immediately upon the effective date of this act and also whenever apportionment or districting of the legislature is required by the provisions of the constitution. Members of the commission shall hold office until each apportionment and districting plan becomes effective. Vacancies shall be filled in the same manner as for original appointment.

History: 1963, 2nd Ex. Sess., Act 46, Eff. Jan. 1, 1964.

4.14 Secretary of state as secretary of commission; duties; election of chairman or co-chairmen; rules; compensation; expenses.

Sec. 4. The secretary of state shall be secretary of the commission without vote and shall keep a public record of all its proceedings. He shall furnish, under the direction of the commission, all necessary technical services. The commission shall elect its own chairman or co-chairmen and make its own rules of procedure. The per diem compensation of the commission and the schedule for reimbursement of expenses shall be established annually by the legislature.

History: 1963, 2nd Ex. Sess., Act 46, Eff. Jan. 1, 1964;—Am. 1971, Act 137, Imd. Eff. Sept. 29, 1971;—Am. 1975, Act 53, Imd. Eff. May 20, 1975.

4.15 Commission; convening; completion of work; hearings; notice.

Sec. 5. Within 30 days after the official total population count of each federal decennial census of the state and its political subdivisions is available, the secretary of state shall issue a call convening the commission not less than 30 nor more than 45 days thereafter. The commission shall complete its work within 180 days after all necessary census information is available. The commission shall proceed to district and apportion the senate and house of representatives according to the provisions of the constitution. All final decisions shall require the concurrence of a majority of the members of the commission. The commission shall hold at least 1 public hearing in the state capitol and may hold such other public hearings as they deem appropriate. The commission shall issue appropriate notices of the hearings.

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History: 1963, 2nd Ex. Sess., Act 46, Eff. Jan. 1, 1964;—Am. 1971, Act 137, Imd. Eff. Sept. 29, 1971.

4.16 Publication of apportionment and districting plan; inclusion of plan in public acts.

Sec. 6. (1) The secretary of state shall publish in pamphlet form each final apportionment and districting plan within 30 days from the date of its adoption by the commission on legislative apportionment. The publications shall contain the plan, suitable maps and tables showing the population and area of each district, and the certificate of the secretary of state as to the date of publication. A final apportionment and districting plan shall become law 60 days after such date of publication.

(2) The secretary of state shall print a sufficient number of pamphlets to furnish:

(a) To the clerk of the house and the secretary of the senate, 500 copies each.

(b) To each county clerk, 10 copies plus an additional 10 copies for each senatorial or representative district to which the county is entitled under the plan.

(c) To the state central committee of each major political party, 100 copies.

(3) The department of administration shall include the plan in the bound volume of the public acts of the first regular session following the date on which the plan becomes law.

History: 1963, 2nd Ex. Sess., Act 46, Eff. Jan. 1, 1964;—Am. 1971, Act 137, Imd. Eff. Sept. 29, 1971.

4.17 Commission; disagreement on plan; submission to supreme court.

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

History: 1963, 2nd Ex. Sess., Act 46, Eff. Jan. 1, 1964.

4.18 Elector's application for review of plan, supreme court powers.

Sec. 8. Upon application of any elector filed not later than 60 days after final publication of a plan, the supreme court, in the exercise of original jurisdiction, shall direct the secretary of state or the commission to perform their duties, may review any final plan adopted by the commission, and shall remand such plan to the commission for further action if it fails to comply with the requirements of the constitution.

History: 1963, 2nd Ex. Sess., Act 46, Eff. Jan. 1, 1964.

4.19 Effective date.

Sec. 9. This act shall take effect on January 1, 1964.

History: 1963, 2nd Ex. Sess., Act 46, Eff. Jan. 1, 1964.

4.20 Repeal.

Sec. 10. Act No. 77 of the Public Acts of 1953, being sections 4.601 and 4.602 of the Compiled Laws of 1948, and Act No. 178 of the Public Acts of 1953, being section 4.31 of the Compiled Laws of 1948, are repealed.

History: 1963, 2nd Ex. Sess., Act 46, Eff. Jan. 1, 1964.

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