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BILL ANALYSIS



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House Bill 5187 (Substitute H-3 as passed by the House)
Sponsor: Representative Bradford Jacobsen
House Committee: Government Operations
Senate Committee: Government Operations

Date Completed: 12-13-11

CONTENT

The bill would amend Public Act 261 of 1966, which provides for the apportionment of county boards of commissioners, to do the following:

- **Reduce from 35 to 21 the maximum number of county commissioner districts in any county.**
- **Limit to 21 the maximum number of county commissioners in any county with a population of more than 50,000.**
- **Require a county that was not in compliance with the limit on commissioners to reapportion the county within 30 days after the bill's effective date.**
- **Designate the county board of commissioners as the county apportionment commission in Oakland County.**

Maximum Number of Commissioners & Reapportionment

Under the Act, within 60 days after the publication of the latest official U.S. decennial census, the county apportionment commission in each county must apportion the county into not less than five or more than 35 county commissioner districts of as nearly equal population as is practicable and within limitations laid out in Section 2 of the Act. Under the bill, the maximum number of county commissioner districts would be 21.

Section 2 of the Act specifies the maximum number of commissioners for counties, based on a county's population. Currently, a county with a population of 50,001 to 600,000 may have a maximum of 21 commissioners; a county with a population of 600,001 to 1.0 million may have 17 to 35 commissioners; and a county with a population of more than 1.0 million may have 25 to 35 commissioners. Under the bill, any county with a population of more than 50,000 could have not more than 21 commissioners.

If a county were not in compliance with Section 2 on the bill's effective date, the bill would require the county apportionment commission, within 30 days, to apportion the county in compliance with Section 2. For subsequent apportionments in such a county, the apportionment commission would have to comply with general apportionment requirements described above.

County Apportionment Commission

Under the Act, the county apportionment commission consists of the county clerk, the county treasurer, the prosecuting attorney, and the statutory county chairperson of each of

the two political parties receiving the greatest number of votes cast for Secretary of State in the last general election. If a county does not have a statutory chairperson of a political party, the two additional members must be party representatives from each of the two political parties, appointed by the chairperson of the State Central Committee for each of those parties. Three members of the apportionment committee constitute a quorum, and all action of the apportionment committee must be by majority vote.

Under the bill, in a county with a population of at least 1.0 million that has adopted an optional unified form of county government under Public Act 139 of 1973, with an elected county executive (i.e., Oakland County), the county apportionment commission would be the county board of commissioners. A majority of the members of the apportionment commission would constitute a quorum.

MCL 46.401-46.403

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would potentially reduce local unit expenditures by an unknown and likely minimal amount in counties with more than 21 county commission districts, by reducing the number of commissioners.

Fiscal Analyst: David Zin

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.