

CONGRESSIONAL APPORTIONMENT (EXCERPT)
Act 282 of 1964

***** 3.53.amended THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF
THE 2011 REGULAR SESSION SINE DIE *****

3.53.amended Map and legal description; preparation and conveyance by secretary of state; appropriation.

Sec. 3. (1) The secretary of state shall prepare a map and a legal description of each district constituted under this act. The legal description shall be in terms of political subdivisions, such as counties, cities, and townships; man-made features, such as streets, roads, highways, and railroads; and natural features, such as waterways, which political subdivisions and man-made and natural features form the boundaries of the district. The secretary of state shall convey the map and legal description of each district to the legislature and the governor.

(2) For the fiscal year ending September 30, 2012, there is appropriated for the department of state the sum of \$30,000.00 for the costs incurred by the secretary of state in complying with subsection (1).

History: Add. 2001, Act 115, Eff. Mar. 22, 2002;—Am. 2011, Act 128, Eff. (sine die).

Constitutionality: In an original action, plaintiffs challenged the plan for redistricting Michigan's fifteen seats in the U.S. House of Representatives adopted by 2001 PA 115. Plaintiffs claimed that the statute was not validly enacted because the bill passed by the Legislature was changed by the Secretary of the Senate before presentation to the Governor for his approval. Second, they contended that the redistricting plan failed to comply with Michigan statutory requirements for congressional redistricting established by 1999 PA 221.

The Michigan Supreme Court concluded: (1) 2001 PA 115 was validly enacted because the changes made before submission to the Governor were technical corrections that did not violate the provisions of the Michigan Constitution regarding enactment of legislation; (2) the redistricting guidelines of MCL 3.63 (c), as enacted by 1999 PA 211, were not binding on the Legislature's redistricting of Michigan's congressional seats in 2001; and (3) the reference to the 1999 guidelines in the 2001 redistricting act did not indicate legislative intent to make the redistricting plan reviewable using those guidelines. The Court denied plaintiff's application for review of the congressional redistricting plan. LeRoux v Secretary of State, 465 Mich 594 (2002).