

# How are county commissioner districts created?

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## Proposal 2 of 2018 impacts redistricting only for Michigan Senate, Michigan House of Representatives, and U.S. House of Representatives

County commissioners serve districts where they live, geographic boundaries meant to ensure that the residents of each county have equal representation on their county board. There are currently 622 county commissioners serving Michigan's 83 counties. Their districts will be examined, and possibly changed, by county apportionment committees, following the 2020 census.

Proposal 2, the amendment to the Michigan Constitution on redistricting, passed in November 2018, specifically addressed re-districting for the Michigan Senate, Michigan House of Representatives, and the U.S. House of Representatives. It did not change the redistricting process used for county commission districts. This process, as we will discuss below, is written in Michigan law, and is not affected by the passage of Proposal 2.

In all but one of Michigan's 83 counties, the districts are designed, or apportioned, by the apportionment commission. An amendment to Michigan law, found in MCL 45.551-45.573, that took effect in 2012, provides a special process for any county that has over 1,000,000 in population, that has adopted the optional unified form of county government, and has an elected county executive. In counties meeting these requirements, the apportionment commission is the county board of commissioners. Oakland County is the only county currently fitting that description.

Michigan law, MCL 46.403, defines the process. The apportionment commission is made up of the county clerk, the county treasurer, the county prosecuting attorney and the county chairpersons of the two political parties receiving the greatest number of votes

cast for secretary of state in the last preceding general election. Since this law was written in 1966, following the U.S. Supreme Court's "one person, one vote" ruling, that has always been the Republican and Democratic parties.

Michigan law charges the apportionment commission with determining the number of districts within ranges prescribed in the law. The number of commissioners in each county ranges from 5-21, with the maximum number set for counties based on their total population, in MCL 46.402. The law also charges the commission to do their work within 60 days of the publication of the latest United States decennial census.

MCL 46.404 defines eight guidelines for apportionment and lists them in order of importance. The guidelines are:

1. Single member districts of "...as nearly of equal population as practicable."
2. Contiguous
3. Compact and "...as nearly square shape as is practicable."
4. Can't combine parts of a township and parts of a city unless "...needed to meet the population standard."
5. Can't divide townships, cities, or villages unless "...necessary to meet the population standard."
6. Voting precincts can only be divided if "...necessary to meet the population standard."
7. Residents of state institutions who can't register to vote are not to be included in the count.
8. "Districts shall not be drawn to effect partisan political advantage."

The law also gives registered voters the right to petition the court of appeals to review the plan to determine if it meets the requirements, and the findings of the appeals court may also be appealed to the Michigan Supreme Court.

The next apportionment process in Michigan will take place following the 2020 census, and will take effect for the 2022 elections.

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