



**House  
Legislative  
Analysis  
Section**

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## CLEARLY OBSERVABLE PRECINCTS

**House Bill 6281 as passed by the House  
First Analysis (1-7-91)**

**Sponsor: Rep. Maxine Berman  
Committee: Elections**

### ***THE APPARENT PROBLEM:***

Election precincts often do not conform to geographical units used by the U.S. Bureau of the Census for collecting and reporting information. A recent study conducted cooperatively by the census bureau, the Michigan Department of Management and Budget, and the state legislature revealed that 54 percent of the 5,875 voting precincts in the state have boundaries demarked in accordance with the requirements of the census bureau. Of the other precincts, the study said, about 10 percent are "clearly observable" but are not recognized as block boundaries by the census bureau; about 20 percent require minor adjustments to conform to an "observable boundary" standard; and the remaining 16 percent require major adjustments to meet such a standard. Because census units are such a basic way for information to be exchanged and many people want information on a precinct basis, and because any redistricting plan that contains clearly defined precincts would be more defensible, it has been recommended that when precincts are redrawn by local clerks after the 1992 election, they be based on criteria similar to that used by the census bureau.

### ***THE CONTENT OF THE BILL:***

The bill would amend the Michigan Election Law to require that an election precinct be "composed as nearly as practicable of compact and contiguous territory" and have "clearly defined and clearly observable boundaries." Existing precincts that do not comply with the provision would have to be divided, consolidated, or otherwise be made to comply no later than 210 days before the primary proceeding the 1994 general November election.

As used in the bill, "clearly observable boundaries" includes one or more of the following: a named road or street; a road or highway that is part of the federal, state primary, or state secondary road system; a river, stream, or drainage feature that is 40 feet or more in width; a natural or constructed permanent physical feature that is shown on an official county, city, or township map issued by the Department of Transportation or a U.S. Geological Survey topographical map; an apartment building, dormitory, or other multiple-unit housing structure; and any line or demarcation that is clearly visible from the ground that meets the requirements of and is recognized by the U.S. Bureau of the Census.

MCL 168.654a

### ***BACKGROUND INFORMATION:***

The elections bureau of the Department of State has provided the following information on election precincts (in an analysis dated 11-28-90).

"Under Michigan election law an election precinct is a political subdivision wholly contained within the boundaries of a city or township. Not more than one polling place is provided for the registered and qualified electors residing within an election

precinct. An election precinct shall not exceed 400 voters in communities using paper ballots or 2,999 voters in communities using voting machines or electronic (punch card) systems. Further, election precincts shall be drawn so as not to be split between districts, as far as is practical. To some extent, congressional, state legislative and county commissioner district lines determine the drawing of election precincts. Beyond this criteria there are not specifications that define or determine the manner in which election precincts are to be drawn."

### ***FISCAL IMPLICATIONS:***

There is no information at present.

### ***ARGUMENTS:***

#### ***For:***

Making precinct boundaries consistent with census bureau groupings will facilitate the free flow of information. For information to be gathered and reported on a precinct basis, precincts need to conform more closely to census blocks. Further, any redistricting plan that makes use of districts based on such universally recognized population groupings is likely to be more legitimate and to be better able to withstand legal challenges. The bill gives local clerks plenty of time to adjust precinct boundaries.

#### ***POSITIONS:***

The Department of State supports the bill. (11-29-90)