



Legislation Text

File #: 23301, **Version:** 2

Fiscal Note

No appropriation required.

Title

AMENDED Proclaiming opposition to the loss of local control, additional costs, and damage to the interests of the citizens of Madison as caused by changes to Wisconsin's redistricting statutes.

Body

WHEREAS, the US Constitution requires that every 10 years representative districts be redrawn, equalizing population to achieve the goal of "one person, one vote" at all levels of government; and,

WHEREAS, Federal and State law mandate that the new districts be compact and contiguous, respect existing municipal boundaries, and reflect communities of interest; and,

WHEREAS, between February 23, 2011 and July 19, 2011, the City of Madison's Ad Hoc Reapportionment and Redistricting Committee held a series of eight open, publicly noticed meetings and three community input meetings spread throughout the City; and,

WHEREAS, with that extensive public input and by following the law as written the Committee and City Staff have developed fourteen maps and numerous variations thereof; and,

WHEREAS, on July 19, 2011 the City of Madison has its first public hearing as required by state statute on the tentative ward map; and,

WHEREAS, on July 8, 2011, contained within Senate Bills 148 and 149 the Republican leadership of the State legislature released draft maps of Congressional, Senatorial, and Assembly Districts several months ahead of schedule and well before the deadline for municipal definition of wards; and,

WHEREAS, two private law firms were paid at least \$300k to create, in secret and without public knowledge or review, new Congressional and Legislative district maps allegedly using state and federal criteria; and,

WHEREAS, Senate Bill 150 was also released on July 8, 2011, which retroactively changes state statutes to allow the State Legislature to define its districts first and force municipalities to alter their ward boundaries with disregard toward what had been drafted and in some cases adopted by July 8, 2011; and,

WHEREAS, yet another "extraordinary session" has been called to pass SB 148, SB 149, and SB 150 with virtually no debate or time for consideration or reaction by municipalities; and,

WHEREAS, the week given for reaction to the new statutes and maps by municipalities and the public coincides with yearly training for municipal clerks who are responsible for running elections and thus are in many cases not available to provide feedback on how the statutory changes will increase the costs and difficulties of holding elections over the next decade; and,

WHEREAS, on July 13, 2011, at a hearing held jointly by the Assembly Committee on State Affairs and the Senate Committee on Government Operations, Senate Majority Leader Scott Fitzgerald's chief of staff, Tad Ottman, testified that the principles used for creation of their maps were: "equal population, sensitivity to

minority concerns and compact and contiguous districts”; and,

WHEREAS, the new, secretly-generated, gerrymandered maps force the immediate creation in Madison of twelve new wards, six of which are below the legal threshold of 1000 residents, incurring additional election costs for every election for 10 years; and,

WHEREAS, in Madison the new maps create a new ward containing only 31 people, making it probable that voters in that ward will not always be guaranteed a secret ballot; and,

WHEREAS, the new maps incur additional costs not only in Madison but in most municipalities by forcing modification of ward and district maps already drafted, as well as costs for new public hearings on draft ward maps as the changes to statute are occurring well after the deadline for proper public notice of the changes, if not after the hearings themselves; and,

WHEREAS, the new maps follow municipal boundaries strictly, creating dozens of “islands” in Dane County alone, areas disconnected from their districts, a characteristic that the current, court-drawn district maps do not have and one which violates the requirement that districts be compact and contiguous; and,

WHEREAS, by following those borders and creating those “islands” the new maps will force the creation of new, small wards when lands are added to cities under annexation agreements or by the desire of property owners, adding additional costs to elections to print ballots specifically for those wards and to manage them at the polls, as well as create a very real risk that the voters will not be guaranteed a secret ballot due to the small size of the wards and likely lack of population growth in those wards; and,

WHEREAS, the new maps renumber all Dane County Assembly districts such that most of our elected state representatives no longer live in their numbered districts; and,

WHEREAS, other communities around the state will be impacted even more severely by this preemptive redistricting at the state level, and in some cases will need to completely redraw their maps if these bills pass; and,

WHEREAS, the net effect of SB 148, SB 149, and SB 150 is to gut local control of the redistricting process to achieve a new district map prior to the State Senate recall elections on August 8, 2011, elections that may change the partisan balance of the State Senate;

NOW, THEREFORE BE IT RESOLVED the City of Madison decries the costly change to process being forced upon both it and the rest of Wisconsin for purely partisan ends; and,

BE IT FURTHER RESOLVED that the City of Madison will take all legal actions possible to fight the loss of local control and damage to our citizen’s interests that the actions of the Legislature have caused; and,

BE IT FURTHER RESOLVED that the Common Council of the City of Madison believes that the redistricting and reapportionment process should be conducted as it has been under existing state law, and in particular that municipalities should be responsible for determining ward lines before other units of government, including the state, set their districts, as municipalities are best equipped to identify and protect communities of interest; and,

BE IT FINALLY RESOLVED that the Legislature has broken the public trust by engaging in a secret and, under current law, illegal redistricting process, rushed so as to precede what may be the will of the people to change control of the State Senate, a possible action by the voting public that would likely prevent SB 148, SB 149, and SB 150 from being passed.