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3
4 **A RESOLUTION**

5
6 **Providing for an advisory referendum on the April 7, 2020, election ballot to**
7 **measure public opinion on whether the Wisconsin Legislature should create a**
8 **nonpartisan procedure for the preparation of Legislative and Congressional**
9 **district plans and maps**
10

11
12 WHEREAS, gerrymandering is the practice of manipulating legislative
13 boundaries for partisan gain by either “cracking” or diluting voters of one party across
14 several districts, ensuring a majority is impossible, or “packing” districts so voters of one
15 party are so concentrated in a minority of districts there are insufficient numbers of them
16 to win a majority of districts; and
17

18 WHEREAS, across the United States, Democrats and Republicans in different
19 states where holding their respective majorities, have gerrymandered to entrench their
20 power at the expense of the other party and fair democratic elections; and
21

22 WHEREAS, the practice of redistricting by the majority party in the Legislature
23 stifles political participation and competition, discourages collaboration and
24 compromise, ensures continued control by the party in power, and lacks the fairness
25 necessary to our democratic process by undermining the principle of one-person, one
26 vote; and
27

28 WHEREAS, the current procedure allows the majority party holding power over
29 the Legislature to redistrict legislative boundaries which result in unfair partisan maps,
30 allowing the legislature to choose its voters rather than the people choosing their
31 representatives as in a proper democracy; and
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33 WHEREAS, in File No. 14-231, Milwaukee County established the policy of “any
34 new redistricting plan involving the Milwaukee County Board of Supervisory Districts
35 shall be developed by an Independent Redistricting Panel that redraws Supervisory
36 districts in the best interest of the citizens of Milwaukee County” which was followed by
37 an ordinance change in File No 15-691 which implemented the policy; and
38

39 WHEREAS, the United States Supreme Court declined to uphold fair elections in
40 *No. 18-422, 588 U.S. Rucho v. Common Cause (2019)*, and in the dissenting words of
41 Supreme Court Justice Elena Kagan, “If left unchecked, gerrymanders like the ones

42 here may irreparably damage our system of government. And checking them is *not*
43 beyond the courts. The majority’s abdication comes just when courts across the
44 country, including those below, have coalesced around manageable judicial standards
45 to resolve partisan gerrymandering claims.”; and

46
47 WHEREAS, Article IV, Section 3 of the Wisconsin Constitution directs the
48 Wisconsin Legislature to apportion State legislative and Congressional districts, “At its
49 first session after each enumeration made by the authority of the United States, the
50 legislature shall apportion and district anew the members of the senate and assembly,
51 according to the number of inhabitants”; and

52
53 WHEREAS, since the 2011 redistricting of Wisconsin, 47 of 72 Wisconsin
54 Counties, representing approximately 75 percent of the State population, including
55 Milwaukee County (File No. 17-423), have passed resolutions favoring a nonpartisan
56 redistricting process for Legislative and Congressional redistricting plans; and

57
58 WHEREAS, since the 2011 redistricting of Wisconsin, eight Counties and one
59 Town have passed referenda with voters approving overwhelmingly that the State of
60 Wisconsin ought to adopt a nonpartisan reapportionment procedure:

- 61
- Dane, 82 percent in favor
 - Eau Claire, 74 percent in favor
 - La Crosse, 77 percent in favor
 - Lincoln, 65 percent in favor
 - Outagamie, 72 percent in favor
 - Sauk, 72 percent in favor
 - Vernon, 71 percent in favor
 - Winnebago, 69 percent in favor
 - Town of Newbold, Oneida County, 69 percent in favor

62
63 ; and

64
65 WHEREAS, without fair elections the legitimacy of our republican form of
66 government is imperiled, betraying this country’s founding principles as written in the
67 Declaration of Independence, “Governments are instituted among Men, deriving their
68 just powers from the consent of the governed,” now, therefore,

69
70 BE IT RESOLVED, by the County Board of Supervisors of Milwaukee County,
71 Wisconsin, as follows:

72
73 Section 1. Referendum Election. The County Clerk is hereby directed to call an
74 advisory referendum election to be held in the County at the regularly scheduled
75 election to be held on April 7, 2020, for the purpose of submitting to the qualified
76 electors of the County the proposition of whether the State of Wisconsin should create a
77 nonpartisan procedure for the preparation of Legislative and Congressional district

78 plans and maps. The referendum shall be held, noticed, and conducted following the
79 procedures set forth in §59.52(25) of the Wisconsin Statutes.

80

81 Section 2. Official Referendum Ballot Form. The ballot to be used at the
82 referendum election shall be prepared in accordance with the provisions of sections
83 §5.64(2) and §7.08(1)(a) of the Wisconsin Statutes. The ballot shall be substantially in
84 the form attached hereto as Exhibit A.

85

86 ; and

87

88 BE IT FURTHER RESOLVED, the Department of Administrative Services is
89 authorized and directed to process an appropriation transfer of \$X from Org. Unit 1800-
90 1945 – Appropriation for Contingencies to an allocated contingency account within the
91 same org. unit to reserve monies for the Election Commission to offset the additional
92 costs of the advisory referendum; and

93

94 BE IT FURTHER RESOLVED, the County Clerk may request the transfer of
95 these funds through an appropriation transfer after the actual referendum expenses are
96 calculated and a determination as to whether the additional funds are necessary for the
97 Election Commission to achieve a balanced budget for 2020.

EXHIBIT A
OFFICIAL REFERENDUM BALLOT

April 7, 2020

ADVISORY REFERENDUM

Should the Wisconsin Legislature create a nonpartisan procedure for the preparation of Legislative and Congressional district plans and maps?

Yes

No