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FOR IMMEDIATE RELEASE

May 23, 2017

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MINIMIZE PARTISANSHIP AND TAXPAYER DOLLARS WITH NONPARTISAN REDISTRICTING

By Andrea Kaminski and Lindsay Dorff

MADISON – In a victory for voters last fall, a federal court ruled Wisconsin’s legislative districts unconstitutional and ordered the Wisconsin legislature to redraw voting districts. With the deadline for the new maps now just five months off, Attorney General Schimel has asked the U.S. Supreme Court for a stay of the requirement to draw new voting maps, saying that Wisconsin should not have to “invest the considerable time, effort and taxpayer resources” to comply with the order.

Actually, Wisconsin taxpayers have already “invested” more than \$2.1 million dollars to have the unconstitutional districts drawn in secret by a private law firm and then litigated through two lawsuits. The costs continue to spiral now that the case is in the U.S. Supreme Court. We learned recently that taxpayers are on the hook for an additional \$175,000 to have private law firms write amicus briefs defending the maps in the Supreme Court.

Meanwhile our neighbors in Iowa have had a legislative agency draw their voting maps since the 1980s at a small fraction of what Wisconsin taxpayers have “invested.” The Iowa maps produced this way have not been challenged in the courts because they have not been drawn to favor one party or the other. This saves taxpayers millions of dollars.

As in Iowa, our state constitution gives the legislature the responsibility of redistricting, which takes place every ten years after the census. Unfortunately, when you have one-party rule, as was the case in Wisconsin in 2011, majority legislators get to “choose their voters” by drawing meandering district boundaries designed to include some voters and exclude others.

The Wisconsin legislature should adopt a plan similar to that in Iowa. Further, lawmakers should apply the Iowa plan now to redraw the unconstitutional districts.

There are currently proposals before the Wisconsin legislature, Senate Bill 13 and Assembly Bill 44, that would have our Legislative Reference Bureau, the nonpartisan service agency which drafts all legislation, to create new maps. The LRB would have to follow the usual districting criteria mandated by state and federal law, such as compactness, contiguity, respect for existing municipal boundaries, and non-dilution of minority voting power. The plan also provides for public input, requiring the LRB to hold at least three public hearings about the plan and report on the hearings to the legislature. The legislature would then bring the redistricting bill to a vote shortly after receiving the report, with only corrective amendments allowed. If the initial plan is rejected, the agency must submit a second version in a timely manner. Again, the legislature votes, with only corrective amendments allowed.

Since its creation in 1980, this process in Iowa has operated smoothly and with the support of both parties. Each decade the legislature has enacted the first or second proposed plan. The result in Iowa is some of the most

competitive districts in the nation. In Wisconsin, by contrast, none of our congressional districts are considered competitive, and Common Cause in Wisconsin reported in 2016 that just one in ten of our legislative districts could be considered competitive. That discourages good people from running for office and offers Wisconsin voters less choice on Election Day.

Proposals to adopt the Iowa plan have been introduced in the past three legislative sessions, but majority leaders in the Assembly and Senate have not even allowed a public hearing for these bills. These bills deserve a hearing and a vote.

It is high time for Wisconsin to adopt nonpartisan redistricting so that voters can have confidence that they are not being manipulated by politicians seeking an unfair partisan advantage. We encourage citizens to call their state representatives in support of SB13/AB44.

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