

RESOLUTION NO. [resolution #] RE: Providing for an advisory referendum on the November 3, 2020, election ballot to measure public opinion on whether the Wisconsin Legislature should create a nonpartisan procedure for the preparation of Legislative and Congressional district plans and maps

WHEREAS, the current procedure allows the legislature of the majority party to prepare redistricting plans and maps that may result in unfair partisan plans and maps, allowing the legislature to choose its voters rather than voters choosing their representatives, which is commonly called gerrymandering.

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

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

WHEREAS, the current procedure allows the majority party holding power over the Legislature to redistrict legislative boundaries which result in unfair partisan maps, allowing the legislature to choose its voters rather than the people choosing their representatives as in a proper democracy; and

WHEREAS, the United States Supreme Court declined to uphold fair elections in No. 18-422, 588 U.S. *Rucho v. Common Cause* (2019), and in the dissenting words of Supreme Court Justice Elena Kagan, “If left unchecked, gerrymanders like the ones here may irreparably damage our system of government. And checking them is not beyond the courts. The majority’s abdication comes just when courts across the country, including those below, have coalesced around manageable judicial standards to resolve partisan gerrymandering claims.”; and

WHEREAS, pursuant to Article IV, Section 3 of the Wisconsin Constitution, the Wisconsin Legislature is directed to redistrict state legislative districts “according to the number of inhabitants” at its next session following the decennial federal census. The legislature also reapportions congressional districts at the same interval pursuant to federal law; and

WHEREAS, since the 2011 redistricting of Wisconsin, 47 of 72 Wisconsin Counties, representing approximately 75 percent of the State population, including the Racine County (COUNTY RESOLUTION NO. 2018-46), have passed resolutions favoring a nonpartisan redistricting process for Legislative and Congressional redistricting plans; and

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

WHEREAS, there are numerous indicators that the citizens of Wisconsin are concerned about the practice of redistricting by whichever party holds the majority, because it may stifle political participation and competition, discourage collaboration and compromise, and lack the fairness necessary to our democratic process, by undermining the principle of one-person-one vote.

WHEREAS, the current procedure allows the legislature of the majority party to prepare redistricting plans and maps that may result in unfair partisan plans and maps, allowing the legislature to choose its voters rather than the voters choosing their representatives, which is commonly called gerrymandering.

NOW, THEREFORE, BE IT RESOLVED, that the City of Racine Common Council, in legal session assembled, does hereby approve that the following question be placed on the November 3, 2020 ballot as an advisory referendum question:

Question: Should the Wisconsin legislature create a nonpartisan procedure for the preparation of legislative and congressional district plans and maps?

YES \_\_\_\_\_ NO \_\_\_\_\_

AND BE IT FURTHER RESOLVED, that the City Attorney prepare a Notice of Referendum to be published by the Clerk of the City of Racine in accordance with statutory requirements;

AND BE IT FURTHER RESOLVED, that this resolution and the referendum shall be filed with the Racine County Clerk no later than 70 days prior to the November 3, 2020 election at which the question will appear on the ballot.

AND BE IT FURTHER RESOLVED, that the City Clerk is directed to send results of the referendum to the Governor of the State of Wisconsin, the Wisconsin Counties Association, the Wisconsin Towns Association, the Wisconsin League of Municipalities, all members of the State Legislature, and to each Wisconsin County Board.