



**City
of
Milwaukee**

MEMORANDUM

To: Ronald Leonhardt, City Clerk
From: Barry Zalben, Manager, Legislative Reference Bureau
Date: April 23, 2009
Re: Assembly Substitute Amendment to Assembly Bill 145

I have reviewed Assembly Substitute Amendment to Assembly Bill 145 relating to redistricting. My comments are related to those provisions impacting city redistricting procedures and activities.

State Legislative and Congressional Redistricting

One of the objectives of Assembly Substitute Amendment to Assembly Bill 145 is to facilitate the legislative and congressional process by directing municipalities to revise their ward plans to reflect any state legislative act establishing a state legislative or congressional district boundary that does not coincide with a ward boundary.

The State Legislature uses municipal wards to create state legislative and congressional districts. Currently no statutory provision exists for the revision of municipal ward boundaries in instances where those district lines cut through ward boundaries. For example in 1991, the Common Council redrew Milwaukee's existing ward boundaries resulting in 327 wards. The State Legislature then drew the congressional district boundaries, and split a number of wards internally between the 4th and 5th congressional districts. The State Elections Board then ordered the City of Milwaukee to modify certain ward boundaries to accommodate congressional redistricting, thereby increasing the number of city wards by 8 from 327 to 335.

Local Redistricting

Assembly Substitute Amendment to Assembly Bill 145 is more likely to impact the Milwaukee redistricting process and those of other municipalities in terms of state legislative review of and changes to election ward boundaries. These election wards are used not only to

form municipal aldermanic districts, but also all Wisconsin county supervisory districts and Milwaukee Public Schools' board member districts.

This assembly substitute amendment retains the current 180-day timeframe for redistricting, but shortens the period for formation of wards, and aldermanic, supervisory and school board districts by inserting a state legislative review period of proposed ward boundaries as follows:

Current	Proposed
1. 60 days – tentative county supervisory districts	1. 45 days – tentative county supervisory districts
2. 60 days – municipal ward boundaries	2. 45 days – municipal ward boundaries
3. 60 days – county, municipal, school board district boundaries	3. 45 days – state legislative review
	4. 45 days – county, municipal, school board district boundaries

The 45-day period under item #3, per the bill, permits the Legislature to review ward plans and make changes if desired, which a municipality must then incorporate into its original plan.

The shortening of the initial period for counties and cities in preparation of tentative supervisory districts and municipal wards could have an impact on LRB staff in making changes to municipal ward boundaries. In 2001, within the 60-day period specified for changes in municipal ward boundaries based on Milwaukee County's tentative plan, LRB staff made boundary changes to 139 of the existing 335 wards, resulting in a reduction in the number of wards by 21, from 335 to 314. Milwaukee County's tentative supervisory plan required 108 of those changes; city changes, mostly Council member requests, a few by LRB staff, totaled 31. Approximately 25 of the 139 changes were finalized in the last 10 days of the 60-day period. Perhaps communities with a smaller number of wards could accommodate ward boundary changes within 45 days with respect to a tentative supervisory district plan; I do not believe this to be the case with Milwaukee County and the City of Milwaukee.

Finally, I do not believe it is desirable to have the State Legislature review municipal ward boundaries. There are 190 municipalities which would be impacted by Assembly Substitute Amendment to Assembly Bill 145. The number of municipal wards which would be subject to review would number in excess of 1,000; I can't see how a legislative committee or the State Legislature could conduct a meaningful review of these boundaries. Also, there might be the potential for the adjustment of boundaries such that the boundaries are not "compact and do not observe the community of interest of existing neighborhoods" (I am quoting s. 5.15 (1) (a) 3. (b), Wis. Stats.).

BJZ/sd