



DOA:.....Bork, BB0306 - Redistricting

**FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION**

*Insert*

*changes based on a compare w/ 2062/P2*

*# Nonpartisan Redistricting*

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**ELECTIONS**

This bill creates a new procedure for the preparation of legislative and congressional redistricting plans. The bill directs the LRB to draw redistricting plans based upon standards specified in the bill and establishes a Redistricting Advisory Commission to oversee the LRB's work in drawing redistricting plans and to perform certain tasks in the redistricting process. The commission consists of five members. The speaker and minority leader of the assembly and the majority and minority leaders of the senate must each appoint one person to serve on the commission. The four appointed commissioners then select a fifth commissioner to serve as chairperson. The bill prohibits all of the following individuals from being commission members: individuals who are not eligible electors of this state at the time of the appointment, individuals who hold partisan public office or political party office, and individuals who are a relative of or are employed by a member of the legislature or of Congress or are employed directly by the legislature or Congress.

If requested to do so by the LRB, the commission must provide direction to the LRB concerning any decision the LRB must make in preparing a redistricting plan. The bill permits the commission to establish policies limiting the information that the LRB may provide to persons outside of LRB staff concerning any redistricting plan. However, the bill also provides that any draft maps, along with the data sets used to create them, that the LRB produces in the course of preparing a redistricting

The bill further provides that in preparing a redistricting plan, the LRB must test the efficiency gap and competitiveness of each district and make the test results available to the public including on its internet site

plan must be open to the public and made available on the Internet site of the LRB as soon as they are produced.

In preparing the plan, the LRB must be strictly nonpartisan. No district may be drawn for the purpose of favoring a political party, incumbent legislator or member of Congress, or other person or group, or, except to the extent necessary to meet the requirements of the Voting Rights Act, for the purpose of augmenting or diluting the voting strength of a language or racial minority group. The LRB may not use residence addresses of incumbent legislators or members of Congress, political affiliations of registered voters, previous election results, or, except as necessary to meet the requirements of the Voting Rights Act, demographic information.

After the LRB submits a plan to the legislature, the commission must hold public hearings on the plan and submit a report to the legislature summarizing information and testimony received at the hearings. The bill requires either the assembly or the senate to bring the redistricting plan to a vote expeditiously, but not less than seven days after the report of the commission is received and made available to the members of the legislature. That plan may not be amended. If the first plan fails to pass, the legislature must submit to the LRB the reasons for why the plan failed. The LRB then must submit a second plan that also may not be amended. If the second plan fails, the LRB must produce a third plan. The third plan may be amended, but the plan and all amendments to it may be passed only with the approval of three-fourths of all the members elected in each house.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 3.002 (intro.) and (1m) of the statutes are consolidated, renumbered  
 2           3.002 and amended to read:

3           **3.002 Description of territory.** In this chapter: ~~(1m) Reference, reference~~  
 4           to any county or municipality means that county or municipality as its boundaries  
 5           exist on April 1 of the year of the federal decennial census ~~on which the districting~~  
 6           ~~plan described under subch. II is based.~~

7           **SECTION 2.** 3.002 (2) of the statutes is repealed.

8           **SECTION 3.** 3.004 (2) of the statutes is amended to read:



1           **4.002 Political subdivision boundaries.** In this chapter, reference to any  
2 political subdivision means that political subdivision as its boundaries exist on April  
3 1 of the year of the federal decennial census.

4           **4.003 Legislative districts established.** This state is divided into 33 senate  
5 districts, each composed of 3 assembly districts. Each senate district may elect one  
6 member of the senate. Each assembly district may elect one representative to the  
7 assembly.

8           **4.004 Preparations for redistricting. (1)** The legislative reference bureau  
9 shall acquire appropriate information, review and evaluate available facilities, and  
10 develop programs and procedures in preparation for drawing congressional and  
11 legislative redistricting plans on the basis of each federal decennial census.

12           **(2)** By December 1 of the year of the decennial federal census, the legislative  
13 reference bureau shall obtain from the U.S. bureau of the census information  
14 regarding geographic and political units in this state for which federal census  
15 population data has been gathered and will be tabulated. The legislative reference  
16 bureau shall use the information to do all of the following:

17           (a) Prepare necessary descriptions of geographic and political units for which  
18 census data will be reported and that are suitable for use as components of legislative  
19 districts.

20           (b) Prepare maps of geographic and political units within the state which may  
21 be used to illustrate the locations of district boundaries proposed in plans prepared  
22 in accordance with s. 4.007.

23           **(3)** As soon as possible after receiving from the U.S. bureau of the census the  
24 population data needed for legislative redistricting that the U.S. bureau of the  
25 census is required to provide this state under P.L. 94-171, the legislative reference

1 bureau shall use that data to assign a population figure based upon certified federal  
2 census data to each geographic or political unit described under sub. (2) (b). The  
3 legislative reference bureau shall prepare and publish an analysis describing the  
4 population of current legislative and congressional districts and the extent to which  
5 the districts may violate the standards under s. 4.007. Upon satisfying these  
6 requirements, the legislative reference bureau shall begin the preparation of  
7 congressional and legislative redistricting plans as required under s. 4.006.

8 (4) None of the 4 selecting authorities, as defined in s. 13.49 (1) (b), may assign  
9 or hire any person to work with the legislative reference bureau to prepare for  
10 redistricting under this section, to prepare plans under s. 4.006, or to oversee either  
11 process.

12 **4.005 Use of municipal ward plans.** After receipt of a division ordinance or  
13 resolution under s. 5.15 (4) (b), the legislative reference bureau shall use the data  
14 obtained from the U.S. bureau of the census under s. 4.004 (3) to assign a population  
15 figure based upon certified federal census data to each ward established in the  
16 division ordinance or resolution. The legislative reference bureau shall use each  
17 ward to which a population figure is assigned in preparing congressional and  
18 legislative redistricting plans as required under s. 4.006.

19 **4.006 Preparation of redistricting plans. (1)** Not later than January 1 of  
20 the 2nd year following the decennial federal census, the legislative reference bureau  
21 shall deliver to the majority leader of the senate and speaker of the assembly  
22 identical bills creating plans of legislative and congressional redistricting, prepared  
23 in accordance with s. 4.007. Either the assembly or the senate shall bring the bill to  
24 a vote expeditiously, but not less than 7 days after the commission report under s.  
25 13.49 (3) (d) 2. is received and made available to the members of the legislature. The

1 vote shall be under a procedure or rule permitting no amendments except those of  
2 a purely corrective nature. If the bill is approved by the first house in which it is  
3 considered, the bill shall expeditiously be brought to a vote in the 2nd house under  
4 a similar procedure or rule.

5 (2) If neither of the bills delivered by the legislative reference bureau under  
6 sub. (1) is approved by both the assembly and the senate, the chief clerk of the house  
7 that failed to approve the bill shall immediately transmit to the legislative reference  
8 bureau information that the house may direct regarding reasons why the plan was  
9 not approved. The legislative reference bureau shall prepare identical bills  
10 embodying a 2nd plan of legislative and congressional redistricting prepared in  
11 accordance with s. 4.007, taking into account the reasons transmitted to the  
12 legislative reference bureau under this subsection insofar as it is possible to do so  
13 within the requirements of s. 4.007. The legislative reference bureau shall deliver  
14 the bills to the majority leader of the senate and the speaker of the assembly no later  
15 than 21 days after the date of the vote by which the senate or the assembly failed to  
16 approve the bill submitted under sub. (1). Any bill delivered by the legislative  
17 reference bureau under this subsection shall be expeditiously introduced and  
18 brought to a vote not less than 7 days after the date of introduction, in the same  
19 manner as prescribed for the bill required under sub. (1).

20 (3) If neither of the bills delivered by the legislative reference bureau under  
21 sub. (2) is approved by both the assembly and the senate, the same procedure as  
22 prescribed by sub. (2) shall be followed. If a 3rd plan is required under this  
23 subsection, the legislative reference bureau shall deliver the bills to the majority  
24 leader of the senate and the speaker of the assembly no later than 21 days after the  
25 date of the vote by which the senate or the assembly failed to approve the bill

1 submitted under sub. (2). Any bill delivered by the legislative reference bureau  
2 under this subsection shall be expeditiously introduced and brought to a vote not less  
3 than 7 days after the date of introduction and shall be subject to amendment in the  
4 same manner as other bills. Any bill delivered under this subsection, and any  
5 amendment to such a bill, may be passed only with the approval of three-fourths of  
6 all the members elected in each house.

7 (4) Notwithstanding subs. (1) to (3):

8 (a) If certified federal census data that is sufficient to permit preparation of a  
9 congressional redistricting plan becomes available at an earlier time than the  
10 population data needed to permit preparation of a legislative redistricting plan in  
11 accordance with s. 4.007, the legislative reference bureau shall so inform the  
12 majority leader of the senate and the speaker of the assembly. If the majority leader  
13 of the senate and the speaker of the assembly jointly direct, the legislative reference  
14 bureau shall prepare a separate bill establishing congressional districts and deliver  
15 it separately from the bill establishing legislative districts. The legislature shall  
16 proceed to consider the congressional redistricting bill in substantially the manner  
17 prescribed by subs. (1) to (3).

18 (b) If the population data for legislative redistricting that the U.S. bureau of  
19 the census is required to provide this state under P.L. 94-171 and, if used by the  
20 legislative reference bureau, the corresponding topologically integrated geographic  
21 encoding and referencing data file for that population data are not available to the  
22 legislative reference bureau on or before April 1 of the first year following the  
23 decennial federal census, the deadlines set forth in this section shall be extended by  
24 a number of days equal to the number of days after April 1 of the first year following  
25 the decennial federal census that the population data and the topologically

1 integrated geographic encoding and referencing data file for legislative redistricting  
2 become available.

3 **4.007 Redistricting standards.** (1) Legislative and congressional districts  
4 shall be established on the basis of population requirements imposed under the  
5 Wisconsin Constitution and the U.S. Constitution and requirements imposed under  
6 Section 2 of the Voting Rights Act.

7 (2) Senate and assembly districts, respectively, shall satisfy the population  
8 standards established in this subsection. The quotient, obtained by dividing the sum  
9 of the absolute values of the deviations of all district populations from the applicable  
10 ideal district population by the number of districts established, may not exceed 1  
11 percent of the applicable ideal district population, unless necessary to maintain  
12 compliance with Section 2 of the Voting Rights Act. For purposes of this subsection,  
13 the ideal district population is determined by dividing the population of the state  
14 reported in the most recent federal decennial census by the number of districts to be  
15 established. No senate district may have a population that exceeds that of any other  
16 senate district by more than 10 percent and no assembly district may have a  
17 population that exceeds that of any other assembly district by more than 10 percent,  
18 unless necessary to maintain compliance with Section 2 of the Voting Rights Act.

19 (3) Congressional districts shall each have a population as nearly equal as  
20 practicable to the ideal district population, derived as prescribed in sub. (2), while  
21 maintaining compliance with Section 2 of the Voting Rights Act. No congressional  
22 district may have a population which varies by more than 1 percent from the  
23 applicable ideal district population, unless necessary to comply with Section 2 of the  
24 Voting Rights Act.



1           (4) District boundaries shall coincide with ward boundaries and, to the extent  
2 consistent with sub. (1), shall coincide with the boundaries of political subdivisions.  
3 The number of political subdivisions divided among more than one district shall be  
4 as small as possible. When there is a choice among political subdivisions to divide,  
5 the more populous political subdivisions shall be divided before the less populous,  
6 except that this requirement does not apply to a legislative district boundary drawn  
7 along a county boundary which passes through a city with territory in more than one  
8 county.

9           (5) Districts shall be composed of convenient contiguous territory. Areas which  
10 meet only at the points of adjoining corners are not contiguous.

11           (6) Districts shall not be drawn with the intent or result of denying or abridging  
12 the equal opportunity of racial or language minorities to participate in the political  
13 process or diminishing their ability to elect representatives of their choice, whether  
14 by themselves or by voting in concert with other persons.

15           (7) (a) In this subsection:

16           1. "Geographic unit center" means that point within a population data unit  
17 approximately equidistant from the northern and southern extremities and also  
18 approximately equidistant from the eastern and western extremities of the  
19 population data unit. This point shall be determined by visual observation of a map  
20 of the population data unit, unless it is otherwise determined within the context of  
21 an appropriate coordinate system developed by the federal government or another  
22 source that the legislative reference bureau determines is qualified and objective and  
23 is obtained for use in this state with prior approval of the joint committee on  
24 legislative organization.

1           2. "Population data unit" means a ward, census enumeration district, block, or  
2 other unit of territory having clearly identified geographic boundaries and for which  
3 a total population figure is included in or can be derived directly from certified  
4 federal census data.

5           3. "X-coordinate" means the relative location of a point along the east-west  
6 axis of the state. Unless otherwise measured within the context of an appropriate  
7 coordinate system obtained for use as permitted by subd. 1., the x-coordinate shall  
8 be measured along a line drawn due east from a due north and south line running  
9 through the point which is the western extremity of this state, to the point to be  
10 located.

11           4. "Y-coordinate" means the relative location of a point along the north-south  
12 axis of the state. Unless otherwise measured within the context of an appropriate  
13 coordinate system obtained for use as permitted by subd. 1., the y-coordinate shall  
14 be measured along a line drawn due south from a due east and west line running  
15 through the point which is the northern extremity of this state, to the point to be  
16 located.

17           (b) To the extent consistent with subs. (1) to (3), districts shall be compact in  
18 form. Compact districts are those which are square, rectangular, or hexagonal in  
19 shape to the extent permitted by natural or political boundaries. When it is  
20 necessary to compare the relative compactness of 2 or more districts, or of 2 or more  
21 alternative redistricting plans, the tests prescribed by pars. (c) and (d) shall be used.  
22 Should the results of these 2 tests be contradictory, the standard under par. (c) shall  
23 be given greater weight than the standard under par. (d).

1 (c) 1. The compactness of a district is greatest when the length of the district  
2 and the width of the district are equal. The measure of a district's compactness is  
3 the absolute value of the difference between the length and the width of the district.

4 2. In measuring the compactness of a district by means of electronic data  
5 processing, the difference between the x-coordinates of the easternmost and the  
6 westernmost geographic unit centers included in the district shall be compared to the  
7 difference between the y-coordinates of the northernmost and southernmost  
8 geographic unit centers included in the district.

9 3. To determine the length and width of a district by manual measurement, the  
10 distance from the northernmost point or portion of the boundary of a district to the  
11 southernmost point or portion of the boundary of the same district and the distance  
12 from the westernmost point or portion of the boundary of the district to the  
13 easternmost point or portion of the boundary of the same district shall each be  
14 measured. If the northernmost or southernmost portion of the boundary, or each of  
15 these points, is a part of the boundary running due east and west, the line used to  
16 make the measurement required by this subdivision shall be drawn either due north  
17 and south or as nearly so as the configuration of the district permits. If the  
18 easternmost or westernmost portion of the boundary, or each of these points, is a part  
19 of the boundary running due north and south, a similar procedure shall be followed.  
20 The lines to be measured for the purpose of this subdivision shall each be drawn as  
21 required by this subdivision, even if some part of either or both lines lies outside the  
22 boundaries of the district which is being tested for compactness.

23 4. The absolute values computed for individual districts under this paragraph  
24 may be cumulated for all districts in a plan in order to compare the overall  
25 compactness of 2 or more alternative redistricting plans for the state or for a portion

1 of the state. However, it is not valid to cumulate or compare absolute values  
2 computed using the measurements under subd. 2. with those computed using the  
3 measurements under subd. 3.

4 (d) 1. The compactness of a district is greatest when the ratio of the dispersion  
5 of population about the population center of the district to the dispersion of  
6 population about the geographic center of the district is one to one.

7 2. The population dispersion about the population center of a district or about  
8 the geographic center of a district is computed as the sum of the products of the  
9 population of each population data unit included in the district multiplied by the  
10 square of the distance from the geographic unit center of that population data unit  
11 to the population center or the geographic center of the district, as the case may be.  
12 The geographic center of the district is defined by averaging the locations of all  
13 geographic unit centers which are included in the district. The population center of  
14 the district is defined by computing the population-weighted average of the  
15 x-coordinates and y-coordinates of each geographic unit center assigned to the  
16 district, it being assumed for the purpose of this calculation that each population  
17 data unit possesses uniform density of population.

18 3. The ratios computed for individual districts under this paragraph may be  
19 averaged for all districts in a plan in order to compare the overall compactness of 2  
20 or more alternative redistricting plans for the state or for a portion of the state.

21 (8) In preparing any redistricting plan, the legislative reference bureau shall  
22 be strictly nonpartisan. No district may be drawn for the purpose of favoring a  
23 political party, incumbent legislator or member of Congress, or other person or group  
24 or, except to the extent required under sub. (1), for the purpose of augmenting or

*Except as provided in sub. (10)*

1 diluting the voting strength of a language or racial minority group. In establishing  
2 districts, no use shall be made of any of the following data:

3 (a) The residence addresses of incumbent legislators or members of Congress.

4 (b) Political affiliations of registered voters.

5 (c) Previous election results, except that election results may be used to test the  
6 efficiency gap and fairness of any proposed plan.

7 (d) Demographic information except as necessary to meet the requirements of

8 *sub. (1) rule and (10)*

9 (9) The number of assembly districts in any redistricting plan may not be less  
10 than 54 nor more than 100. The number of senate districts in any redistricting plan  
11 may not be more than one-third nor less than one-fourth of the number of assembly  
12 districts. Each senate district shall contain only whole assembly districts. Except  
13 as otherwise provided in this subsection, to the extent possible, each congressional  
14 district shall contain only whole senate districts. The other standards specified in  
15 this section shall take precedence where a conflict arises between those standards  
16 and the requirement of including only whole senate districts within a congressional  
17 district.

*Insert 13-17*

18 **4.008 Required provisions in redistricting bills.** Each bill delivered under  
19 s. 4.006 shall provide all of the following:

20 (1) That, wherever territory is described in the bill by geographic boundaries,  
21 the following conventions are used:

22 (a) Each bound continues to the intersection with the bound next named, or to  
23 the intersection with a straight-line extension of such bound.

24 (b) If the bound is a street, it follows the center line of the street or the center  
25 line of the street extended.

1 (c) If the bound is a railroad right-of-way, it follows the center line of the  
2 railroad right-of-way.

3 (d) If the bound is a river or stream, it follows the center of the main channel  
4 of such river or stream.

5 (e) If the bound follows a municipal boundary, it coincides with such boundary.

6 (2) That the bill first applies, with respect to regular elections, to offices filled  
7 at the next occurring general election after the bill takes effect and, with respect to  
8 special or recall elections, to offices filled or contested on or after the date of that  
9 general election.

10 **4.0085 Challenge based on population inequality; burden of proof.** If  
11 an action is brought challenging a legislative redistricting plan under this  
12 subchapter on the basis of an excessive population variance among senate or  
13 assembly districts established in the plan, the legislature has the burden of  
14 justifying any variance in excess of 10 percent between the population of a senate or  
15 assembly district and the applicable ideal district population. If an action is brought  
16 challenging a congressional redistricting plan under this subchapter on the basis of  
17 an excessive population variance among congressional districts established in the  
18 plan, the legislature has the burden of justifying any variance in excess of 1 percent  
19 between the population of a congressional district and the applicable ideal district  
20 population.

21 **SECTION 5.** 5.15 (4) (a) of the statutes is amended to read:

22 5.15 (4) (a) Except as provided in par. (c), the division ordinance or resolution  
23 shall number all wards in the municipality with unique whole numbers in  
24 consecutive order, beginning with the number one, shall designate the polling place  
25 for each ward, and shall describe the boundaries of each ward consistent with the

1 conventions set forth in s. ~~4.003~~ 4.008 (1). The ordinance or resolution shall be  
2 accompanied by a list of the block numbers used by the U.S. bureau of the census that  
3 are wholly or partly contained within each ward, with any block numbers partly  
4 contained within a ward identified, and a map of the municipality which illustrates  
5 the revised ward boundaries. If the legislature, in an act redistricting legislative  
6 districts under article IV, section 3, of the constitution, or in redistricting  
7 congressional districts, establishes a district boundary within a municipality that  
8 does not coincide with the boundary of a ward established under the ordinance or  
9 resolution of the municipality, the municipal governing body shall, no later than  
10 April 10 of the 2nd year following the year of the federal decennial census on which  
11 the act is based, amend the ordinance or resolution to the extent required to effect  
12 the act. The amended ordinance or resolution shall designate the polling place for  
13 any ward that is created to effect the legislative act. Nothing in this paragraph shall  
14 be construed to compel a county or city to alter or redraw supervisory or aldermanic  
15 districts.

16 **SECTION 6.** 13.49 of the statutes is created to read:

17 **13.49 Redistricting advisory commission. (1) DEFINITIONS.** In this section:

18 (a) "Chief election officer" means the elections commission administrator.

19 (b) "Four selecting authorities" means all of the following:

- 20 1. The majority leader of the senate.
- 21 2. The minority leader of the senate.
- 22 3. The speaker of the assembly.
- 23 4. The minority leader of the assembly.

24 (c) "Partisan public office" means any of the following:

1           1. The office of governor, lieutenant governor, secretary of state, state treasurer,  
2 attorney general, state senator, or state representative to the assembly.

3           2. A county office that is filled by an election process involving nomination and  
4 election of candidates on a partisan basis.

5           (d) "Political party office" means an elective office in a political party, as defined  
6 in s. 11.0101 (26), or in a national political party.

7           (e) "Relative" means an individual who is related to the person in question as  
8 father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece,  
9 husband, wife, grandfather, grandmother, father-in-law, mother-in-law,  
10 son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather,  
11 stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half  
12 sister.

13           **(2) GENERAL PROVISIONS.** (a) Not later than February 15 of the first year  
14 following the decennial federal census, a temporary redistricting advisory  
15 commission is created consisting of 5 members. Each of the 4 selecting authorities  
16 shall certify to the chief election officer the selecting authority's appointment of a  
17 person to serve on the commission. Within 30 days after the last selecting authority  
18 has certified his or her appointment, but not later than February 15 of the first year  
19 following the decennial federal census, the 4 commission members so appointed shall  
20 select, by a vote of at least 3 members, and certify to the chief election officer the 5th  
21 commission member, who shall serve as chairperson.

22           (b) No individual may be appointed to the redistricting advisory commission  
23 who satisfies any of the following:

24           1. The individual is not an eligible elector of this state at the time of the  
25 appointment.



1           2. The individual holds partisan public office or political party office.

2           3. The individual is a relative of or is employed by a member of the legislature  
3 or of Congress or is employed directly by the legislature or Congress.

4           (c) Members of the redistricting advisory commission appointed by a selecting  
5 authority shall be reimbursed from the appropriation account under s. 20.765 (1) (a)  
6 or (b), depending upon the house in which that member's appointing authority holds  
7 office, for actual and necessary expenses incurred in performance of duties as a  
8 commission member. The member who is not appointed by a selecting authority  
9 shall be reimbursed from the appropriation under s. 20.765 (1) (a) for actual and  
10 necessary expenses incurred in performance of duties as a commission member.

11           (d) A vacancy on the redistricting advisory commission shall be filled as  
12 provided in s. 17.20 (1) within 15 days after the vacancy occurs.

13           (e) Each redistricting advisory commission terminates upon complying with  
14 sub. (3).

15           **(3) DUTIES.** The redistricting advisory commission shall do all of the following:

16           (a) If requested to do so by the legislative reference bureau, provide direction  
17 to the legislative reference bureau concerning any decision the legislative reference  
18 bureau must make in preparing a redistricting plan under subch. I of ch. 4 for which  
19 no clearly applicable guideline is provided under s. 4.007.

20           (b) Oversee the work of legislative reference bureau employees engaged in  
21 preparing a redistricting plan under subch. I of ch. 4. ~~The commission~~ <sup>and</sup> may enter into  
22 contracts for hiring experts to assist in the preparing of such plans. The commission  
23 may enter into a contract to retain experts for preparing a redistricting plan only  
24 with the approval of three-fourths of the members of the commission and may

1 terminate a contract employee only with the approval of three-fourths of the  
2 members of the commission.

3 (c) Upon delivery by the legislative reference bureau of a bill embodying a  
4 redistricting plan as required under s. 4.006, make available to the public at the  
5 earliest feasible time all of the following information:

6 1. Copies of the bill.

7 2. Maps illustrating the plan.

8 3. A summary of the standards prescribed under s. 4.007 for development of the  
9 plan.

10 4. A statement of the population of each district included in the plan and the  
11 relative deviation of each district population from the ideal district population.

12 (d) Upon delivery by the legislative reference bureau of an initial bill  
13 embodying a redistricting plan as required under s. 4.006 (1), do all of the following:

14 1. As expeditiously as reasonably possible, schedule and conduct public  
15 hearings, in different geographic regions of the state, on the plan embodied in the  
16 bill. No more than one public hearing may be held in the city of Madison, and at least  
17 one public hearing shall be held in each congressional district of the state. The  
18 commission shall hold public hearings on weekends whenever it is practicable.

19 2. Following the hearings held under subd. 1., promptly prepare and submit  
20 to the legislature in the manner provided under s. 13.172 (2) a report summarizing  
21 information and testimony received by the commission in the course of the hearings.  
22 The report may include any comments and conclusions that the commission's  
23 members deem appropriate concerning the information and testimony received at  
24 the hearings or otherwise presented to the commission. The report shall be treated  
25 in the same manner as a report submitted under s. 13.172 (2).

1           (4) CONFIDENTIALITY. (a) Except as provided in par. (b), the redistricting  
2 advisory commission may establish policies limiting the information that the  
3 legislative reference bureau may provide to persons outside of the bureau staff  
4 concerning any redistricting plan prepared under subch. I of ch. 4.

5           (b) Any policy established under par. (a) does not apply to a redistricting plan  
6 after a bill embodying that plan is delivered by the legislative reference bureau as  
7 required under s. 4.006 or to population data furnished to the legislative reference  
8 bureau by the U.S. bureau of the census. Notwithstanding s. 13.92 (1) (c), any draft  
9 maps, along with the data sets used to create them, that are produced by the  
10 legislative reference bureau in the course of its work in preparing a bill under s. 4.006  
11 shall be open to public inspection and copying under s. 19.35 (1) and made available  
12 on the Internet site of the legislative reference bureau as soon as they are produced.

13           **SECTION 7.** 20.765 (3) (bd) of the statutes is created to read:

14           20.765 (3) (bd) *Legislative reference bureau; redistricting.* For the legislative  
15 reference bureau, biennially, the amounts in the schedule for redistricting  
16 operations under subch. I of ch. 4.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

17           **SECTION 9312. Initial applicability; Elections Commission.**

18           (1) REDISTRICTING. The treatment of ss. 3.002 (intro.), (1m), and (2), 3.004 (2),  
19 subch. I of ch. 4, 5.15 (4) (a), 13.49, and 20.765 (3) (bd) first applies to redistricting  
20 plans based on the 2020 decennial federal census.

21                           (END)

## SECTION 4

1 political party, incumbent legislator or member of Congress, or other person or group  
2 or, except to the extent required under sub. (1), for the purpose of augmenting or  
3 diluting the voting strength of a language or racial minority group. Except as  
4 provided in sub. (10), in establishing districts, no use shall be made of any of the  
5 following data:

6 (a) The residence addresses of incumbent legislators or members of Congress.

7 (b) Political affiliations of registered voters.

8 (c) Previous election results.

9 (d) Demographic information except as necessary to meet the requirements of  
10 subs. (1) and (10).

11 **(9)** The number of assembly districts in any redistricting plan may not be less  
12 than 54 nor more than 100. The number of senate districts in any redistricting plan  
13 may not be more than one-third nor less than one-fourth of the number of assembly  
14 districts. Each senate district shall contain only whole assembly districts. Except  
15 as otherwise provided in this subsection, to the extent possible, each congressional  
16 district shall contain only whole senate districts. The other standards specified in  
17 this section shall take precedence where a conflict arises between those standards  
18 and the requirement of including only whole senate districts within a congressional  
19 district.

20 **(10)** In preparing any redistricting plan, the legislative reference bureau shall  
21 test the efficiency gap and competitiveness of each district and make the test results  
22 available to the public, including publishing the results on its Internet site, no later  
23 than 72 hours prior to the first public hearing on the proposed plan. The legislative  
24 reference bureau may use the data described under sub. (8) (b) to (d) to perform the  
25 tests under this subsection.

Insert 13-17



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-1860/P3  
JK:cjs&ahe

DOA:.....Bork, BB0306 - Redistricting

**FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION**

1 **AN ACT** ...; **relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**ELECTIONS**

***1. Nonpartisan redistricting***

This bill creates a new procedure for the preparation of legislative and congressional redistricting plans. The bill directs the LRB to draw redistricting plans based upon standards specified in the bill and establishes a Redistricting Advisory Commission to oversee the LRB's work in drawing redistricting plans and to perform certain tasks in the redistricting process. The commission consists of five members. The speaker and minority leader of the assembly and the majority and minority leaders of the senate must each appoint one person to serve on the commission. The four appointed commissioners then select a fifth commissioner to serve as chairperson. The bill prohibits all of the following individuals from being commission members: individuals who are not eligible electors of this state at the time of the appointment, individuals who hold partisan public office or political party office, and individuals who are a relative of or are employed by a member of the legislature or of Congress or are employed directly by the legislature or Congress.

If requested to do so by the LRB, the commission must provide direction to the LRB concerning any decision the LRB must make in preparing a redistricting plan. The bill permits the commission to establish policies limiting the information that the LRB may provide to persons outside of LRB staff concerning any redistricting plan. However, the bill also provides that any draft maps, along with the data sets

used to create them, that the LRB produces in the course of preparing a redistricting plan must be open to the public and made available on the Internet site of the LRB as soon as they are produced. The bill further provides that in preparing a redistricting plan, the LRB must test the efficiency gap and competitiveness of each district and make the test results available to the public, including on its Internet site.

In preparing the plan, the LRB must be strictly nonpartisan. No district may be drawn for the purpose of favoring a political party, incumbent legislator or member of Congress, or other person or group, or, except to the extent necessary to meet the requirements of the Voting Rights Act, for the purpose of augmenting or diluting the voting strength of a language or racial minority group. The LRB may not use residence addresses of incumbent legislators or members of Congress, political affiliations of registered voters, previous election results, or, except as necessary to meet the requirements of the Voting Rights Act, demographic information.

After the LRB submits a plan to the legislature, the commission must hold public hearings on the plan and submit a report to the legislature summarizing information and testimony received at the hearings. The bill requires either the assembly or the senate to bring the redistricting plan to a vote expeditiously, but not less than seven days after the report of the commission is received and made available to the members of the legislature. That plan may not be amended. If the first plan fails to pass, the legislature must submit to the LRB the reasons for why the plan failed. The LRB then must submit a second plan that also may not be amended. If the second plan fails, the LRB must produce a third plan. The third plan may be amended, but the plan and all amendments to it may be passed only with the approval of three-fourths of all the members elected in each house.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 3.002 (intro.) and (1m) of the statutes are consolidated, renumbered  
2           3.002 and amended to read:

3           **3.002 Description of territory.** In this chapter: ~~(1m) Reference, reference~~  
4           to any county or municipality means that county or municipality as its boundaries  
5           exist on April 1 of the year of the federal decennial census ~~on which the districting~~  
6           ~~plan described under subch. II is based.~~

7           **SECTION 2.** 3.002 (2) of the statutes is repealed.



1           **4.002 Political subdivision boundaries.** In this chapter, reference to any  
2 political subdivision means that political subdivision as its boundaries exist on April  
3 1 of the year of the federal decennial census.

4           **4.003 Legislative districts established.** This state is divided into 33 senate  
5 districts, each composed of 3 assembly districts. Each senate district may elect one  
6 member of the senate. Each assembly district may elect one representative to the  
7 assembly.

8           **4.004 Preparations for redistricting. (1)** The legislative reference bureau  
9 shall acquire appropriate information, review and evaluate available facilities, and  
10 develop programs and procedures in preparation for drawing congressional and  
11 legislative redistricting plans on the basis of each federal decennial census.

12           **(2)** By December 1 of the year of the decennial federal census, the legislative  
13 reference bureau shall obtain from the U.S. bureau of the census information  
14 regarding geographic and political units in this state for which federal census  
15 population data has been gathered and will be tabulated. The legislative reference  
16 bureau shall use the information to do all of the following:

17           (a) Prepare necessary descriptions of geographic and political units for which  
18 census data will be reported and that are suitable for use as components of legislative  
19 districts.

20           (b) Prepare maps of geographic and political units within the state which may  
21 be used to illustrate the locations of district boundaries proposed in plans prepared  
22 in accordance with s. 4.007.

23           **(3)** As soon as possible after receiving from the U.S. bureau of the census the  
24 population data needed for legislative redistricting that the U.S. bureau of the  
25 census is required to provide this state under P.L. 94-171, the legislative reference



1 bureau shall use that data to assign a population figure based upon certified federal  
2 census data to each geographic or political unit described under sub. (2) (b). The  
3 legislative reference bureau shall prepare and publish an analysis describing the  
4 population of current legislative and congressional districts and the extent to which  
5 the districts may violate the standards under s. 4.007. Upon satisfying these  
6 requirements, the legislative reference bureau shall begin the preparation of  
7 congressional and legislative redistricting plans as required under s. 4.006.

8 (4) None of the 4 selecting authorities, as defined in s. 13.49 (1) (b), may assign  
9 or hire any person to work with the legislative reference bureau to prepare for  
10 redistricting under this section, to prepare plans under s. 4.006, or to oversee either  
11 process.

12 **4.005 Use of municipal ward plans.** After receipt of a division ordinance or  
13 resolution under s. 5.15 (4) (b), the legislative reference bureau shall use the data  
14 obtained from the U.S. bureau of the census under s. 4.004 (3) to assign a population  
15 figure based upon certified federal census data to each ward established in the  
16 division ordinance or resolution. The legislative reference bureau shall use each  
17 ward to which a population figure is assigned in preparing congressional and  
18 legislative redistricting plans as required under s. 4.006.

19 **4.006 Preparation of redistricting plans. (1)** Not later than January 1 of  
20 the 2nd year following the decennial federal census, the legislative reference bureau  
21 shall deliver to the majority leader of the senate and speaker of the assembly  
22 identical bills creating plans of legislative and congressional redistricting, prepared  
23 in accordance with s. 4.007. Either the assembly or the senate shall bring the bill to  
24 a vote expeditiously, but not less than 7 days after the commission report under s.  
25 13.49 (3) (d) 2. is received and made available to the members of the legislature. The

1 vote shall be under a procedure or rule permitting no amendments. If the bill is  
2 approved by the first house in which it is considered, the bill shall expeditiously be  
3 brought to a vote in the 2nd house under a similar procedure or rule.

4 (2) If neither of the bills delivered by the legislative reference bureau under  
5 sub. (1) is approved by both the assembly and the senate, the chief clerk of the house  
6 that failed to approve the bill shall immediately transmit to the legislative reference  
7 bureau information that the house may direct regarding reasons why the plan was  
8 not approved. The legislative reference bureau shall prepare identical bills  
9 embodying a 2nd plan of legislative and congressional redistricting prepared in  
10 accordance with s. 4.007, taking into account the reasons transmitted to the  
11 legislative reference bureau under this subsection insofar as it is possible to do so  
12 within the requirements of s. 4.007. The legislative reference bureau shall deliver  
13 the bills to the majority leader of the senate and the speaker of the assembly no later  
14 than 21 days after the date of the vote by which the senate or the assembly failed to  
15 approve the bill submitted under sub. (1). Any bill delivered by the legislative  
16 reference bureau under this subsection shall be expeditiously introduced and  
17 brought to a vote not less than 7 days after the date of introduction, in the same  
18 manner as prescribed for the bill required under sub. (1).

19 (3) If neither of the bills delivered by the legislative reference bureau under  
20 sub. (2) is approved by both the assembly and the senate, the same procedure as  
21 prescribed by sub. (2) shall be followed. If a 3rd plan is required under this  
22 subsection, the legislative reference bureau shall deliver the bills to the majority  
23 leader of the senate and the speaker of the assembly no later than 21 days after the  
24 date of the vote by which the senate or the assembly failed to approve the bill  
25 submitted under sub. (2). Any bill delivered by the legislative reference bureau

1 under this subsection shall be expeditiously introduced and brought to a vote not less  
2 than 7 days after the date of introduction and shall be subject to amendment in the  
3 same manner as other bills. Any bill delivered under this subsection, and any  
4 amendment to such a bill, may be passed only with the approval of three-fourths of  
5 all the members elected in each house.

6 (4) Notwithstanding subs. (1) to (3):

7 (a) If certified federal census data that is sufficient to permit preparation of a  
8 congressional redistricting plan becomes available at an earlier time than the  
9 population data needed to permit preparation of a legislative redistricting plan in  
10 accordance with s. 4.007, the legislative reference bureau shall so inform the  
11 majority leader of the senate and the speaker of the assembly. If the majority leader  
12 of the senate and the speaker of the assembly jointly direct, the legislative reference  
13 bureau shall prepare a separate bill establishing congressional districts and deliver  
14 it separately from the bill establishing legislative districts. The legislature shall  
15 proceed to consider the congressional redistricting bill in substantially the manner  
16 prescribed by subs. (1) to (3).

17 (b) If the population data for legislative redistricting that the U.S. bureau of  
18 the census is required to provide this state under P.L. 94-171 and, if used by the  
19 legislative reference bureau, the corresponding topologically integrated geographic  
20 encoding and referencing data file for that population data are not available to the  
21 legislative reference bureau on or before April 1 of the first year following the  
22 decennial federal census, the deadlines set forth in this section shall be extended by  
23 a number of days equal to the number of days after April 1 of the first year following  
24 the decennial federal census that the population data and the topologically

1 integrated geographic encoding and referencing data file for legislative redistricting  
2 become available.

3 **4.007 Redistricting standards.** (1) Legislative and congressional districts  
4 shall be established on the basis of population requirements imposed under the  
5 Wisconsin Constitution and the U.S. Constitution and requirements imposed under  
6 Section 2 of the Voting Rights Act.

7 (2) Senate and assembly districts, respectively, shall satisfy the population  
8 standards established in this subsection. The quotient, obtained by dividing the sum  
9 of the absolute values of the deviations of all district populations from the applicable  
10 ideal district population by the number of districts established, may not exceed 1  
11 percent of the applicable ideal district population, unless necessary to maintain  
12 compliance with Section 2 of the Voting Rights Act. For purposes of this subsection,  
13 the ideal district population is determined by dividing the population of the state  
14 reported in the most recent federal decennial census by the number of districts to be  
15 established. No senate district may have a population that exceeds that of any other  
16 senate district by more than 10 percent and no assembly district may have a  
17 population that exceeds that of any other assembly district by more than 10 percent,  
18 unless necessary to maintain compliance with Section 2 of the Voting Rights Act.

19 (3) Congressional districts shall each have a population as nearly equal as  
20 practicable to the ideal district population, derived as prescribed in sub. (2), while  
21 maintaining compliance with Section 2 of the Voting Rights Act. No congressional  
22 district may have a population which varies by more than 1 percent from the  
23 applicable ideal district population, unless necessary to comply with Section 2 of the  
24 Voting Rights Act.

1           (4) District boundaries shall coincide with ward boundaries and, to the extent  
2 consistent with sub. (1), shall coincide with the boundaries of political subdivisions.  
3 The number of political subdivisions divided among more than one district shall be  
4 as small as possible. When there is a choice among political subdivisions to divide,  
5 the more populous political subdivisions shall be divided before the less populous,  
6 except that this requirement does not apply to a legislative district boundary drawn  
7 along a county boundary which passes through a city with territory in more than one  
8 county.

9           (5) Districts shall be composed of convenient contiguous territory. Areas which  
10 meet only at the points of adjoining corners are not contiguous.

11           (6) Districts shall not be drawn with the intent or result of denying or abridging  
12 the equal opportunity of racial or language minorities to participate in the political  
13 process or diminishing their ability to elect representatives of their choice, whether  
14 by themselves or by voting in concert with other persons.

15           (7) (a) In this subsection:

16           1. "Geographic unit center" means that point within a population data unit  
17 approximately equidistant from the northern and southern extremities and also  
18 approximately equidistant from the eastern and western extremities of the  
19 population data unit. This point shall be determined by visual observation of a map  
20 of the population data unit, unless it is otherwise determined within the context of  
21 an appropriate coordinate system developed by the federal government or another  
22 source that the legislative reference bureau determines is qualified and objective and  
23 is obtained for use in this state with prior approval of the joint committee on  
24 legislative organization.

1           2. "Population data unit" means a ward, census enumeration district, block, or  
2 other unit of territory having clearly identified geographic boundaries and for which  
3 a total population figure is included in or can be derived directly from certified  
4 federal census data.

5           3. "X-coordinate" means the relative location of a point along the east-west  
6 axis of the state. Unless otherwise measured within the context of an appropriate  
7 coordinate system obtained for use as permitted by subd. 1., the x-coordinate shall  
8 be measured along a line drawn due east from a due north and south line running  
9 through the point which is the western extremity of this state, to the point to be  
10 located.

11           4. "Y-coordinate" means the relative location of a point along the north-south  
12 axis of the state. Unless otherwise measured within the context of an appropriate  
13 coordinate system obtained for use as permitted by subd. 1., the y-coordinate shall  
14 be measured along a line drawn due south from a due east and west line running  
15 through the point which is the northern extremity of this state, to the point to be  
16 located.

17           (b) To the extent consistent with subs. (1) to (3), districts shall be compact in  
18 form. Compact districts are those which are square, rectangular, or hexagonal in  
19 shape to the extent permitted by natural or political boundaries. When it is  
20 necessary to compare the relative compactness of 2 or more districts, or of 2 or more  
21 alternative redistricting plans, the tests prescribed by pars. (c) and (d) shall be used.  
22 Should the results of these 2 tests be contradictory, the standard under par. (c) shall  
23 be given greater weight than the standard under par. (d).

1 (c) 1. The compactness of a district is greatest when the length of the district  
2 and the width of the district are equal. The measure of a district's compactness is  
3 the absolute value of the difference between the length and the width of the district.

4 2. In measuring the compactness of a district by means of electronic data  
5 processing, the difference between the x-coordinates of the easternmost and the  
6 westernmost geographic unit centers included in the district shall be compared to the  
7 difference between the y-coordinates of the northernmost and southernmost  
8 geographic unit centers included in the district.

9 3. To determine the length and width of a district by manual measurement, the  
10 distance from the northernmost point or portion of the boundary of a district to the  
11 southernmost point or portion of the boundary of the same district and the distance  
12 from the westernmost point or portion of the boundary of the district to the  
13 easternmost point or portion of the boundary of the same district shall each be  
14 measured. If the northernmost or southernmost portion of the boundary, or each of  
15 these points, is a part of the boundary running due east and west, the line used to  
16 make the measurement required by this subdivision shall be drawn either due north  
17 and south or as nearly so as the configuration of the district permits. If the  
18 easternmost or westernmost portion of the boundary, or each of these points, is a part  
19 of the boundary running due north and south, a similar procedure shall be followed.  
20 The lines to be measured for the purpose of this subdivision shall each be drawn as  
21 required by this subdivision, even if some part of either or both lines lies outside the  
22 boundaries of the district which is being tested for compactness.

23 4. The absolute values computed for individual districts under this paragraph  
24 may be cumulated for all districts in a plan in order to compare the overall  
25 compactness of 2 or more alternative redistricting plans for the state or for a portion

1 of the state. However, it is not valid to cumulate or compare absolute values  
2 computed using the measurements under subd. 2. with those computed using the  
3 measurements under subd. 3.

4 (d) 1. The compactness of a district is greatest when the ratio of the dispersion  
5 of population about the population center of the district to the dispersion of  
6 population about the geographic center of the district is one to one.

7 2. The population dispersion about the population center of a district or about  
8 the geographic center of a district is computed as the sum of the products of the  
9 population of each population data unit included in the district multiplied by the  
10 square of the distance from the geographic unit center of that population data unit  
11 to the population center or the geographic center of the district, as the case may be.  
12 The geographic center of the district is defined by averaging the locations of all  
13 geographic unit centers which are included in the district. The population center of  
14 the district is defined by computing the population-weighted average of the  
15 x-coordinates and y-coordinates of each geographic unit center assigned to the  
16 district, it being assumed for the purpose of this calculation that each population  
17 data unit possesses uniform density of population.

18 3. The ratios computed for individual districts under this paragraph may be  
19 averaged for all districts in a plan in order to compare the overall compactness of 2  
20 or more alternative redistricting plans for the state or for a portion of the state.

21 (8) In preparing any redistricting plan, the legislative reference bureau shall  
22 be strictly nonpartisan. No district may be drawn for the purpose of favoring a  
23 political party, incumbent legislator or member of Congress, or other person or group  
24 or, except to the extent required under sub. (1), for the purpose of augmenting or  
25 diluting the voting strength of a language or racial minority group. Except as



1 provided in sub. (10), in establishing districts, no use shall be made of any of the  
2 following data:

3 (a) The residence addresses of incumbent legislators or members of Congress.

4 (b) Political affiliations of registered voters.

5 (c) Previous election results.

6 (d) Demographic information except as necessary to meet the requirements of  
7 subs. (1) and (10).

8 **(9)** The number of assembly districts in any redistricting plan may not be less  
9 than 54 nor more than 100. The number of senate districts in any redistricting plan  
10 may not be more than one-third nor less than one-fourth of the number of assembly  
11 districts. Each senate district shall contain only whole assembly districts. Except  
12 as otherwise provided in this subsection, to the extent possible, each congressional  
13 district shall contain only whole senate districts. The other standards specified in  
14 this section shall take precedence where a conflict arises between those standards  
15 and the requirement of including only whole senate districts within a congressional  
16 district.

17 **(10)** In preparing any redistricting plan, the legislative reference bureau shall  
18 test the efficiency gap and competitiveness of each district and make the test results  
19 available to the public, including publishing the results on its Internet site, no later  
20 than 72 hours prior to the first public hearing on the proposed plan. The legislative  
21 reference bureau may use the data described under sub. (8) (b) to (d) to perform the  
22 tests under this subsection.

23 **4.008 Required provisions in redistricting bills.** Each bill delivered under  
24 s. 4.006 shall provide all of the following:

1           (1) That, wherever territory is described in the bill by geographic boundaries,  
2 the following conventions are used:

3           (a) Each bound continues to the intersection with the bound next named, or to  
4 the intersection with a straight-line extension of such bound.

5           (b) If the bound is a street, it follows the center line of the street or the center  
6 line of the street extended.

7           (c) If the bound is a railroad right-of-way, it follows the center line of the  
8 railroad right-of-way.

9           (d) If the bound is a river or stream, it follows the center of the main channel  
10 of such river or stream.

11           (e) If the bound follows a municipal boundary, it coincides with such boundary.

12           (2) That the bill first applies, with respect to regular elections, to offices filled  
13 at the next occurring general election after the bill takes effect and, with respect to  
14 special or recall elections, to offices filled or contested on or after the date of that  
15 general election.

16           **4.0085 Challenge based on population inequality; burden of proof.** If  
17 an action is brought challenging a legislative redistricting plan under this  
18 subchapter on the basis of an excessive population variance among senate or  
19 assembly districts established in the plan, the legislature has the burden of  
20 justifying any variance in excess of 10 percent between the population of a senate or  
21 assembly district and the applicable ideal district population. If an action is brought  
22 challenging a congressional redistricting plan under this subchapter on the basis of  
23 an excessive population variance among congressional districts established in the  
24 plan, the legislature has the burden of justifying any variance in excess of 1 percent

1 between the population of a congressional district and the applicable ideal district  
2 population.

3 **SECTION 5.** 5.15 (4) (a) of the statutes is amended to read:

4 5.15 (4) (a) Except as provided in par. (c), the division ordinance or resolution  
5 shall number all wards in the municipality with unique whole numbers in  
6 consecutive order, beginning with the number one, shall designate the polling place  
7 for each ward, and shall describe the boundaries of each ward consistent with the  
8 conventions set forth in s. ~~4.003~~ 4.008 (1). The ordinance or resolution shall be  
9 accompanied by a list of the block numbers used by the U.S. bureau of the census that  
10 are wholly or partly contained within each ward, with any block numbers partly  
11 contained within a ward identified, and a map of the municipality which illustrates  
12 the revised ward boundaries. If the legislature, in an act redistricting legislative  
13 districts under article IV, section 3, of the constitution, or in redistricting  
14 congressional districts, establishes a district boundary within a municipality that  
15 does not coincide with the boundary of a ward established under the ordinance or  
16 resolution of the municipality, the municipal governing body shall, no later than  
17 April 10 of the 2nd year following the year of the federal decennial census on which  
18 the act is based, amend the ordinance or resolution to the extent required to effect  
19 the act. The amended ordinance or resolution shall designate the polling place for  
20 any ward that is created to effect the legislative act. Nothing in this paragraph shall  
21 be construed to compel a county or city to alter or redraw supervisory or aldermanic  
22 districts.

23 **SECTION 6.** 13.49 of the statutes is created to read:

24 **13.49 Redistricting advisory commission. (1) DEFINITIONS.** In this section:

25 (a) "Chief election officer" means the elections commission administrator.

1 (b) "Four selecting authorities" means all of the following:

- 2 1. The majority leader of the senate.
- 3 2. The minority leader of the senate.
- 4 3. The speaker of the assembly.
- 5 4. The minority leader of the assembly.

6 (c) "Partisan public office" means any of the following:

- 7 1. The office of governor, lieutenant governor, secretary of state, state treasurer,  
8 attorney general, state senator, or state representative to the assembly.
- 9 2. A county office that is filled by an election process involving nomination and  
10 election of candidates on a partisan basis.

11 (d) "Political party office" means an elective office in a political party, as defined  
12 in s. 11.0101 (26), or in a national political party.

13 (e) "Relative" means an individual who is related to the person in question as  
14 father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece,  
15 husband, wife, grandfather, grandmother, father-in-law, mother-in-law,  
16 son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather,  
17 stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half  
18 sister.

19 **(2) GENERAL PROVISIONS.** (a) Not later than February 15 of the first year  
20 following the decennial federal census, a temporary redistricting advisory  
21 commission is created consisting of 5 members. Each of the 4 selecting authorities  
22 shall certify to the chief election officer the selecting authority's appointment of a  
23 person to serve on the commission. Within 30 days after the last selecting authority  
24 has certified his or her appointment, but not later than February 15 of the first year  
25 following the decennial federal census, the 4 commission members so appointed shall

1 select, by a vote of at least 3 members, and certify to the chief election officer the 5th  
2 commission member, who shall serve as chairperson.

3 (b) No individual may be appointed to the redistricting advisory commission  
4 who satisfies any of the following:

5 1. The individual is not an eligible elector of this state at the time of the  
6 appointment.

7 2. The individual holds partisan public office or political party office.

8 3. The individual is a relative of or is employed by a member of the legislature  
9 or of Congress or is employed directly by the legislature or Congress.

10 (c) Members of the redistricting advisory commission appointed by a selecting  
11 authority shall be reimbursed from the appropriation account under s. 20.765 (1) (a)  
12 or (b), depending upon the house in which that member's appointing authority holds  
13 office, for actual and necessary expenses incurred in performance of duties as a  
14 commission member. The member who is not appointed by a selecting authority  
15 shall be reimbursed from the appropriation under s. 20.765 (1) (a) for actual and  
16 necessary expenses incurred in performance of duties as a commission member.

17 (d) A vacancy on the redistricting advisory commission shall be filled as  
18 provided in s. 17.20 (1) within 15 days after the vacancy occurs.

19 (e) Each redistricting advisory commission terminates upon complying with  
20 sub. (3).

21 **(3) DUTIES.** The redistricting advisory commission shall do all of the following:

22 (a) If requested to do so by the legislative reference bureau, provide direction  
23 to the legislative reference bureau concerning any decision the legislative reference  
24 bureau must make in preparing a redistricting plan under subch. I of ch. 4 for which  
25 no clearly applicable guideline is provided under s. 4.007.

1 (b) Oversee the work of legislative reference bureau employees engaged in  
2 preparing a redistricting plan under subch. I of ch. 4 and may enter into contracts  
3 for hiring experts to assist in the preparing of such plans. The commission may enter  
4 into a contract to retain experts for preparing a redistricting plan only with the  
5 approval of three-fourths of the members of the commission and may terminate a  
6 contract employee only with the approval of three-fourths of the members of the  
7 commission.

8 (c) Upon delivery by the legislative reference bureau of a bill embodying a  
9 redistricting plan as required under s. 4.006, make available to the public at the  
10 earliest feasible time all of the following information:

- 11 1. Copies of the bill.
- 12 2. Maps illustrating the plan.
- 13 3. A summary of the standards prescribed under s. 4.007 for development of the  
14 plan.
- 15 4. A statement of the population of each district included in the plan and the  
16 relative deviation of each district population from the ideal district population.

17 (d) Upon delivery by the legislative reference bureau of an initial bill  
18 embodying a redistricting plan as required under s. 4.006 (1), do all of the following:

19 1. As expeditiously as reasonably possible, schedule and conduct public  
20 hearings, in different geographic regions of the state, on the plan embodied in the  
21 bill. No more than one public hearing may be held in the city of Madison, and at least  
22 one public hearing shall be held in each congressional district of the state. The  
23 commission shall hold public hearings on weekends whenever it is practicable.

24 2. Following the hearings held under subd. 1., promptly prepare and submit  
25 to the legislature in the manner provided under s. 13.172 (2) a report summarizing

1 information and testimony received by the commission in the course of the hearings.  
2 The report may include any comments and conclusions that the commission's  
3 members deem appropriate concerning the information and testimony received at  
4 the hearings or otherwise presented to the commission. The report shall be treated  
5 in the same manner as a report submitted under s. 13.172 (2).

6 (4) CONFIDENTIALITY. (a) Except as provided in par. (b), the redistricting  
7 advisory commission may establish policies limiting the information that the  
8 legislative reference bureau may provide to persons outside of the bureau staff  
9 concerning any redistricting plan prepared under subch. I of ch. 4.

10 (b) Any policy established under par. (a) does not apply to a redistricting plan  
11 after a bill embodying that plan is delivered by the legislative reference bureau as  
12 required under s. 4.006 or to population data furnished to the legislative reference  
13 bureau by the U.S. bureau of the census. Notwithstanding s. 13.92 (1) (c), any draft  
14 maps, along with the data sets used to create them, that are produced by the  
15 legislative reference bureau in the course of its work in preparing a bill under s. 4.006  
16 shall be open to public inspection and copying under s. 19.35 (1) and made available  
17 on the Internet site of the legislative reference bureau as soon as they are produced.

18 **SECTION 7.** 20.765 (3) (bd) of the statutes is created to read:

19 20.765 (3) (bd) *Legislative reference bureau; redistricting.* For the legislative  
20 reference bureau, biennially, the amounts in the schedule for redistricting  
21 operations under subch. I of ch. 4.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

22 **SECTION 9312. Initial applicability; Elections Commission.**

1 (1) REDISTRICTING. The treatment of ss. 3.002 (intro.), (1m), and (2), 3.004 (2),  
2 subch. I of ch. 4, 5.15 (4) (a), 13.49, and 20.765 (3) (bd) first applies to redistricting  
3 plans based on the 2020 decennial federal census.

4 (END)