

2  
3  
4 **A RESOLUTION/ORDINANCE**

5  
6 amending Chapter 3 of the Milwaukee County Code of General Ordinances to modify  
7 the provisions of the Independent Redistricting Committee to facilitate the development  
8 of district maps  
9

10  
11 WHEREAS, Chapter 3 of the Milwaukee County General Ordinances, “County  
12 Board Districts,” was amended by File No. 15-691, and adopted on March 17, 2016,  
13 which reformed the redistricting process required after the Federal Decennial Census is  
14 complete by creating an Independent Redistricting Committee (IRC) to develop  
15 redistricting plans for Milwaukee County; and  
16

17 WHEREAS, the formation of the IRC has been delayed due to the  
18 unprecedented COVID-19 pandemic, which has also delayed the U.S. Census Bureau  
19 from completing its work and providing data to states and local governments to begin  
20 the redistricting process; and  
21

22 WHEREAS, the IRC is to be composed of six (6) retired judges, appointed by the  
23 County Board Chairperson and confirmed by the Milwaukee County Board of  
24 Supervisors after a comment period for designated community groups on the proposed  
25 candidates; and  
26

27 WHEREAS, the IRC may convene remotely during the COVID-19 pandemic, as  
28 the Office of Corporation Counsel advised on March 13, 2020, that, “the County Board  
29 and its standing committees, as well as other County boards and commissions, can  
30 legally convene remotely via telephone conference or video conference during this  
31 declared public health emergency”; and  
32

33 WHEREAS, all meetings of the IRC will be facilitated and supported by County  
34 staff and meeting dates and times shall be determined by IRC members; and  
35

36 WHEREAS, the IRC is subject to Wisconsin Open Meeting Laws, so its meetings  
37 shall be coordinated to be noticed, recorded, and archived through the County  
38 Legislative Information Center (CLIC); and  
39

40 WHEREAS, a public comment period of no less than sixty (60) days was  
41 provided for specified community groups to submit written feedback regarding the  
42 county board chairperson's appointees. The county board chairperson sent copies of  
43 the nominated IRC members' resumes and appointment letters to the following  
44 organizations and invited them to provide detailed feedback on the appointments

45 within 60 days:

46

47

(1) Marquette University Law School

48

(2) University of Wisconsin-Milwaukee School of Public Administration

49

(3) The Hispanic Chamber of Commerce

50

(4) The Milwaukee Urban League

51

(5) The Public Policy Forum

52

(6) The Intergovernmental Cooperation Council of Milwaukee County

53

(7) The League of Women Voters

54

(8) The NAACP

55

(9) Voces De La Frontera

56

57

; and

58

59

WHEREAS, the Committee on Finance, at its meeting of July 26, 2021,  
60 recommended adoption of File No. 21-567 (vote 7-0); now, therefore,

61

62

BE IT RESOLVED, the Milwaukee County Board of Supervisors supports the  
63 successful facilitation of the Milwaukee County Independent Redistricting Committee for  
64 the creation of fair maps; and

65

66

BE IT FURTHER RESOLVED, the Milwaukee County Board of Supervisors  
67 hereby amends Chapter 3.01 of the Milwaukee County Code of General Ordinances by  
68 adoption of the following:

69

70

71

## AN ORDINANCE

72

73

The Milwaukee County Board of Supervisors does ordain as follows:

74

75

**Section 1.** Chapter 3.01 of the Milwaukee County Code of General Ordinances is  
76 hereby amended as follows:

77

78

### **3.01. – Apportionment of county board.**

79

(1) *Establishment of redistricting authority.*

80

*Independent redistricting committee.* In order to maintain the integrity of the  
81 redistricting process and to mitigate any conflicts of interest or claims of  
82 politicization, an independent redistricting committee (IRC) shall be established by  
83 this Code and shall be **initially** convened in accordance with the final published  
84 results of the 2020 federal decennial census and every census thereafter to  
85 develop all subsequent decennial redistricting plans for Milwaukee County.

86

87

(2) *Statement of principles.* County supervisory districts are hereafter established  
88 so as to represent as nearly as practicable an equal number of persons, but

89 considering such other factors as **continuity communities** of interest,  
90 compactness of territory and contiguity, and continuity and integrity of existing  
91 village and city lines and precincts wherever possible, and with the predominant  
92 objective of achieving an honest and good faith effort to create the greatest  
93 possible equal population distribution among all districts.

94  
95 (a) *Committee criteria.* The IRC's redistricting plan shall comply with the  
96 following criteria:

- 97  
98 (1) Federal equal population mandates.  
99 (2) Redistricting criteria established by federal and state laws.  
100 (3) Maintenance of voting rights of Hispanic and African American and other  
101 citizens as guaranteed in the federal Voting Rights Act of 1965.  
102 (4) A map that consists of districts that take into account the integrity of  
103 existing neighborhoods and communities of interest within Milwaukee  
104 County.

105  
106 (b) *Members.* The IRC shall be composed of six (6) retired judges, appointed by  
107 the county board chairperson and confirmed by the county board, who are  
108 familiar with Milwaukee County, and maintain a Wisconsin law license in good  
109 standing.

110  
111 ~~(c) *Comment period for community groups.* There shall be a comment~~  
112 ~~period of no less than sixty (60) days for specified community groups to~~  
113 ~~submit written feedback regarding the appointees to the county board~~  
114 ~~chairperson's office. The county board chairperson shall send copies of~~  
115 ~~the nominated IRC members' resumes and appointment letters to the~~  
116 ~~following organizations no less than sixty (60) days prior to confirmation:~~

- 117  
118 ~~(1) Marquette University Law School~~  
119 ~~(2) University of Wisconsin-Milwaukee School of Public~~  
120 ~~Administration~~  
121 ~~(3) The Hispanic Chamber of Commerce~~  
122 ~~(4) The Milwaukee Urban League~~  
123 ~~(5) The Public Policy Forum~~  
124 ~~(6) The Intergovernmental Cooperation Council of Milwaukee~~  
125 ~~County~~  
126 ~~(7) The League of Women Voters~~  
127 ~~(8) The NAACP~~  
128 ~~(9) Voces De La Frontera.~~

129  
130 (d) *Resources.* Milwaukee County shall provide an accessible meeting space  
131 and sum sufficient funding for the committee to complete its tasks in a timely  
132 manner, including financial support to pay the Southeastern Wisconsin

133 Regional Planning Commission (SEWRPC) to provide the necessary technical  
134 assistance and map drafting services as determined by the IRC to carry out its  
135 objective.

136 (e d) *Compensation.* Members of the IRC shall be compensated in the amount  
137 five thousand dollars (\$5,000.00), or a comparable rate of those who serve on  
138 similar public committees. This compensation shall only be offered for services  
139 rendered during the time frame in which the decennial redistricting process  
140 occurs.

141  
142 (3) *Apportionment of supervisory districts.* Eighteen (18) supervisory districts are  
143 hereafter established as the county supervisory districts for the spring primary in  
144 February 2012 and spring election in April 2012 and are to remain in effect until the  
145 2020 federal decennial population census is certified, or unless and until the  
146 number of supervisory districts changes. A county board resolution will be  
147 submitted in tandem with the certification of the 2020 federal decennial population  
148 census and thereafter to adopt the number of supervisory districts established in  
149 the recommended **county-wide** map.

150  
151 (4) *Process.* The IRC shall be appointed no later **than July 1 in the year 2021**, the  
152 end of September in the year ~~2020~~, 2030, and every decennial period thereafter.

153  
154 (a) The IRC will convene as soon as practicable after the U.S. decennial  
155 census data is prepared and available to the county. **The IRC may elect to**  
156 **convene prior to the publication of the U.S. decennial census data.** The  
157 IRC will meet no less than once a month ~~thereafter~~ **publication of the U.S.**  
158 **decennial census data** until **a first draft of a county** redistricting map is  
159 presented to the county board, ~~no later than May of the year after~~  
160 **appointment.**

161  
162 (b) Adoption of the map by the county board shall be by a simple majority of the  
163 supervisors then seated. The map and any subsequent drafts proposed by IRC  
164 shall be voted on by the county board.

165  
166 (c) If the county board does not adopt the proposed map within thirty (30) days,  
167 the map shall return to the IRC for review and redrawing of a second draft,  
168 heeding public and elected official comment.

169  
170 (d) The IRC's second draft of the map, if any, shall be returned to the county  
171 board within twenty (20) days. If the county board does not adopt the proposed  
172 second draft map within ten (10) days, the map shall return to the IRC for  
173 review and redrawing of a third draft, heeding public and elected official  
174 comment.

175

176 (e) The IRC's third draft of the map, if any, shall be returned to the county board  
177 within ten (10) days. If the county board does not adopt the proposed third draft  
178 map within five (5) days, the county board shall proceed to develop and adopt a  
179 map directly, without further IRC consultation, following procedures in s.  
180 59.10(2)(a), Wis. Stats., and related provisions.

181 **Section 2.** The provisions of this Ordinance shall become effective upon passage and  
182 publication.

183

184

185 07/26/2021

186 s:\committees\2021\jul\finance\resolutions\21-567 wasserman - chapter 3 ordinance - jmj.docx