



STATE REPRESENTATIVE
FREDERICK P. KESSLER

WISCONSIN STATE ASSEMBLY

12TH DISTRICT

FOR IMMEDIATE RELEASE

For Further Information Contact:

March 11, 2009

Representative Frederick P. Kessler
608.266.5813

Rep. Kessler: Let Voters Pick Leaders, not Vice Versa
Legislation to promote true competition in elections

MADISON – Representative Frederick P. Kessler of the 12th Assembly District today introduced a constitutional amendment to bring competition to state legislative races by requiring balance in redistricting. The resolution amending the constitution must pass in two successive legislatures and then be submitted to a popular vote. Kessler was joined by cosponsors Reps. Tony Staskunas, Steve Hilgenberg, Gordon Hintz and Polly Williams, and Sen. John Lehman.

Wisconsin's constitution directs the legislature to draw a new electoral map after each federal census. In fact, that has not happened in the last three decades, as the 1982, 1992 and 2002 maps were each drawn by a panel of federal judges. Each plan has resulted in partisan bias, because political competitiveness was not a consideration.

"If we want to seek an end to overwhelming one-party domination of districts, it is necessary to amend the constitution to achieve that goal," Kessler stated.

Even if the legislature manages to redistrict in 2012 without court intervention, history shows that legislatively-drawn maps tend to feature districts dominated by one party or the other. In these "safe" districts drawn to suit the needs of incumbents, it is the politicians that are choosing their voters, rather than the other way around.

"Because of noncompetitive districting, election after election we see many legislative 'races' that are really foregone conclusions," said Kessler. "Seats rarely change parties, and in many districts, challengers do not even run. This proposal aims to change that and create a more vibrant system in which the legislature truly represents the will of the people."

Kessler's proposal would change the constitution to mandate competitive legislative seats. It would require the Superintendent of Public Instruction to determine the average percentage of the top two parties' vote for the prior five gubernatorial or presidential elections. Fifty percent of the new Assembly districts created would have an average vote for the majority party that is above the statewide average. Fifty percent of the Senate districts would have an average vote for the minority party above the statewide average. Twenty districts in the Assembly would be within 1% of the statewide average percentage for both parties, and seven Senate districts would be within 1% of the statewide average. No district could average greater than 85% for any party. This formula would have to be followed by the Legislature and the Courts.

"Wisconsin, as a whole, has been a very competitive state for several decades," said Kessler. "The legislature should reflect the closeness of its statewide elections."

The amendment also requires consideration of minority interest in redistricting, in accord with the federal Voting Rights Act, and provides for a maximum 2% variation in district population, following the Constitutional principle of "one-person, one vote."

"Some political leaders have suggested that the answer is to have an independent commission draw district lines instead of legislatures or the courts," Kessler said. "But finding 'independent' commissioners is an almost impossible task in today's polarized political environment. The best answer to malapportionment is to have the legislature or the courts to be mandated to create competitive districts."

###