

WISCONSIN CATHOLIC CONFERENCE

EYE ON THE CAPITOL

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NOVEMBER WINNERS MAY CONTROL LEGISLATURE FOR MORE THAN 2 YEARS

By John Huebscher, Executive Director

The party that wins the most seats in a November election gets to control the State Senate and the State Assembly for the following two years. But when the election occurs in the same year as the census, the stakes are even higher.

Whoever controls the legislature in 2011 will have to reapportion the state's 99 Assembly districts, 33 Senate Districts, and 8 Congressional districts to reflect the population shifts recorded in the 2010 census. The district boundaries drawn by this reapportionment process will govern legislative elections until 2022.

In any scenario, reapportionment changes the political landscape. To the extent the population shifts around the state, some areas gain legislative seats while others lose them. Redistricting is also hard on incumbents. Sometimes reapportionment leaves a legislator whose area has lost population with no district to run in, or in a district that is very different from the one that elected him or her last time. In some cases two or more legislators will find themselves living in the same district and forced to compete with each other.

If one party controls both houses and the governorship, that party will be positioned to redraw (or gerrymander, depending on your point of view) district boundaries to give themselves a strong advantage for the next decade. That is why Democrats and Republicans will both make mighty efforts to win at least one house of the Legislature or the Governor's race this fall.

No party has controlled both houses of the Legislature and the Governorship in the two years after the census when reapportionment must happen. As a result no party has enjoyed a free hand in the process. With legislative reapportionment, the result has been bi-partisan compromise (1972) and four plans drawn by the courts (1962, 1982, 1992, and 2002) when the two parties could not agree. Congressional redistricting has proven easier. Generally the Legislature has ratified bi-partisan reapportionment proposals agreed to by the members of Wisconsin's Congressional delegation.

The next reapportionment may be different. Many observers regard the race for Governor as a tossup. Few are comfortable predicting which party will control either house of the Legislature. Thus it is possible that either party will control the redrawing of the district boundaries.

At that point, either party will redraw the legislative districts to maximize their chances of retaining their majorities. If successful, that party may be in a position to control the legislature for most, if not all, of the coming decade.

Of course, no plan works perfectly. The 1972 plan, which reflected an agreement between an Assembly controlled by Democrats and a Senate controlled by Republicans, was intended to protect both majorities. In the case of the Senate, it didn't. When the 1972 plan was approved, there were 20 GOP Senators. Five years later, there were 10. So redistricting is not a perfect predictor of who will win.

But that doesn't mean both parties won't use it to their advantage. And what they do will matter. All of this provides one more reason for voters to pay attention and make informed decisions in the 2010 election.

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