

NOTICE OF REFERENDUM

Dane County

April 4, 2023

Referendum Election Details

At an election to be held in Dane County on April, 4 2023 the following proposed Resolutions of the County Board will be submitted to a vote of the people:

2022 RES – 271

PLACING ADVISORY REFERENDUM ON THE QUESTION OF ADOPTING A NONPARTISAN SYSTEM FOR REDISTRICTING

The State of Wisconsin has a flawed system of redistricting political boundaries every 10 years. This process has resulted in what political scientists have said is among the biggest partisan gerrymanders in modern U.S. history.

Dane County successfully completed its redistricting using a nonpartisan process that produced final maps free from political considerations. This success should be a model for statewide redistricting.

Dane County voters should have the opportunity to express their opinion on redistricting processes now that both the statewide and County processes have completed and produced dramatically different results.

NOW, THEREFORE BE IT RESOLVED that the Dane County Board of Supervisors hereby approve that the following question be put to the voters of Dane County in an advisory referendum during the April 2023 election:

“Should the Wisconsin Constitution be amended to require a nonpartisan system for redistricting legislative and congressional districts in the state?”

Explanation

Referendum Question #1 is non-binding and does not have the force of law. The Wisconsin Constitution currently provides that the Legislature must redistrict legislative maps every ten years following the decennial census. Question #1 seeks to elicit the opinion of the voters of Dane County as to whether the Wisconsin Constitution should be amended to provide for a nonpartisan redistricting system.

2022 RES-301

AUTHORIZING ADVISORY REFERENDUM QUESTION ON AMENDMENT OF WISCONSIN CONSTITUTION TO CREATE A RIGHT TO PRIVACY

On June 24, 2022, the United States Supreme Court overturned *Roe v. Wade*, eliminating people’s constitutional right to access a safe and legal abortion. This

reversal of a 50-year precedent, now requires individual states to legislate to ensure access to abortion care.

Currently, Wisconsin bans abortion at any stage of pregnancy without exception for rape, incest, or health of the patient per Wisconsin Statute 940.04, which was enacted in 1849.

Polling consistently shows that the majority of people in Wisconsin, and across the United States, oppose the overturning of *Roe v. Wade*.

The decision to overturn *Roe v. Wade* not only disproportionately affects communities of color, low-income communities, people who are disabled, immigrants, young people, and members of the LGBTQ+ community, but it also sets a concerning precedent for other questions of people's bodily autonomy and privacy.

The Wisconsin Constitution can be amended if the action is adopted by the state legislature and then ratified by the voters in a general election.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors supports the right to privacy and bodily autonomy for every person, including reproductive rights and abortion, and places the following advisory referendum question on the ballot for the April 4, 2023 election:

Advisory Referendum Question: "Should the Wisconsin Legislature adopt an amendment to the Wisconsin Constitution creating a new right to privacy that would protect rights such as abortion, same-sex marriage, and interracial marriage?"

BE IT FINALLY RESOLVED that the Dane County Clerk shall take all necessary steps to implement this resolution.

Explanation

Referendum Question #2 is non-binding and does not have the force of law. On June 24, 2022, the United States Supreme Court overruled *Roe v. Wade*, which had protected a woman's constitutional right to an abortion since 1973. The *Roe* decision was based upon a constitutional right to privacy. The right to use of contraceptives, inter-racial marriage and same sex marriage are all also based upon a right to privacy. Question 2 seeks to elicit the opinion of the voters of Dane County as to whether the Wisconsin Constitution should be amended to expressly provide for a right to privacy.

Done in the City of Madison on March 8,
2023

Scott McDonell, Dane County Clerk