

News From The States

EVENING WRAP

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By [Kate Queram](#)

BOO! It's Halloween! And it's (equally spooky) politics!



The Big Takeaway

Today's first piece of inspiring democracy news comes from Florida, where lawyers representing the state in a redistricting lawsuit likened a congressional map that preserved Black voting blocs to South Africa's defunct apartheid system. The ludicrous argument, filed [in a brief](#) with an appeals court on Friday, was an attempt to bolster Gov. Ron DeSantis' equally ludicrous argument that drawing district boundaries to ensure that Black voters can actually elect the person they'd prefer to represent them is the same thing as racial gerrymandering, [the Florida Phoenix reported](#).



*A stately building for a dumb argument.
(Photo via the Florida Phoenix)*

“Plaintiffs seek to invalidate Florida’s race-neutral map and replace it with one that contains a racial gerrymander in North Florida — a sprawling congressional district that would group together, with laser-like precision, far-flung concentrations of black [*sic*] voters,” the brief states. “No matter how you tweak it around the edges, any similar configuration would pack in one district individuals who belong to the same race, but who are otherwise widely separated by geographical and political boundaries, which bears an uncomfortable resemblance to political apartheid.”

The case revolves around a DeSantis-backed congressional redistricting plan that reallocated voters in a sprawling north Florida district into five other districts, each represented by white Republicans. The map ousted U.S. Rep. Al Lawson, a Black Democrat, in what [voting rights groups said](#) was a clear breach of both the state’s Fair Districts Amendment and the federal Voting Rights Act.

A trial judge agreed in September, [ruling](#) that the map violated the state constitution by diminishing the ability of Black voters to elect a candidate of their choice. (A parallel challenge [is pending](#) in federal court.) The state appealed that decision by saying, basically, “No *you’re* gerrymandering;” an objectively absurd argument that seemed to appeal to a panel of 13 Republican-appointed judges during opening arguments in Tallahassee on Tuesday.



*Order, disorder, whatever.
(Photo by heliopix/Adobe Stock)*

For starters, said Judge Brad Thomas, the original district — created by the state Supreme Court in 2015 to remedy GOP-backed maps that heavily favored Republicans — was never designed to protect Black voters. Eliminating it, then, can't be a violation of a race-based policy, he said.

“This is a bizarrely drawn district, drawn by the Supreme Court, imposed on the legislature, to remedy partisan gerrymandering,” he said.

Another judge said the original boundaries constituted “hunting for enough Black voters to create a district.” A third wondered if the district could be considered legally enforceable, given that it had not been “challenged on racial grounds.”

It's not clear when the court might issue a ruling. Attorneys on both sides said they would prefer a decision by Nov. 22 to allow time for the Florida Supreme Court to review the inevitable appeal before the legislative session begins in January, ensuring that lawmakers can enact any court-mandated changes.



*See you in court!
(Photo via the Wisconsin Examiner)*

Wisconsin Gov. Tony Evers filed his own lawsuit Tuesday, suing a group of GOP state lawmakers for using legislative committees to block authorized pay raises and stall conservation projects in a bid to “impede, usurp, or obstruct basic executive branch functions.” [The complaint](#), filed directly with the state Supreme Court, argued that by passing the full legislature, those “legislative vetoes” violate the separation of powers mandated by the state constitution, [the Wisconsin Examiner reported](#).

“Through statutes that allow legislative committees to veto executive branch decision-making, small groups of legislators exercise executive authority over large swaths of government activity,” the lawsuit charges. “The powers to create and to execute the law need to be separated again.”

The suit names as defendants six Republicans who chair or co-chair three legislative committees (the Joint Finance Committee, the Joint Committee on Employment Relations and the Joint Committee for the Review of Administrative Rules). Key among those is Assembly Speaker Robin Vos, who allowed the employment committee to withhold 6% pay raises for 35,000 University of

Wisconsin workers — which had already been approved by Evers *and* the full legislature — until the school agreed to eliminate its diversity, equity and inclusion programs.

The panel is “demanding that UW first make policy concessions not found in any law,” according to the lawsuit.



*Doing whatever they want, mostly.
(Photo by Henry Redman/Wisconsin Examiner)*

The complaint also takes aim at two other committees — one that blocked conservation proposals backed by the state Department of Natural Resources and another that stymied updates to commercial building codes and to ethics standards for licensed professionals, including social workers, therapists and professional counselors. Each of those actions “improperly sidesteps ... constitutional safeguards” to enact policy changes outside of the approved legislative process, the lawsuit says.

“Republican legislators are unconstitutionally obstructing basic functions of government—actions that have not only aimed to prevent state government from efficiently and effectively serving the people of our state but are now actively harming tens of thousands of Wisconsinites every day across our state,” Evers said [in a statement](#).

Appellate courts have struck down similar actions by legislatures in Alaska, Kentucky, Michigan, Missouri, New Jersey and West Virginia, according to the governor's office.

“Legislatures across the country have similarly tried to empower themselves to execute the laws they enact,” the lawsuit states. “But courts nationwide have rejected such efforts with virtual unanimity.”



*Working the polls.
(Photo by Drew Angerer/Getty Images)*

I'm not sure if we're ending on a positive or negative note with this story from Indiana, where a state law allowing high school students to serve as poll workers is helping some counties plug gaps in their election staff rosters. On the one hand, yay, youth engagement! On the other hand, yikes, ongoing staff shortages — many of them in rural counties where student involvement is also lagging, [per the Indiana Capital Chronicle](#).

Under the [Hoosier Hall Pass program](#), 16- and 17-year-old students can miss a day of school to work the polls if they have written permission from their principal and a guardian; maintain at least a 3.0 grade point average and complete a mandatory training program, according to [the secretary of state's office](#). It's good civic experience for the students, but it's a bonus for the polling places as well, according to Amy Scrogam, director of elections in Allen County.

“We've never had any disappointed students and everybody loves that they're there,” Scrogam said. “All the workers and all the voters come in and I think

they enjoy seeing the young students being active participants in the community.”

The program has had statewide, if uneven, success. In 2020, 4.3% of the state’s poll workers were under the age of 18, higher than both neighboring states and the national average of 3%, according to [an analysis from Tufts University](#). But rural areas were less likely to recruit those workers, despite [aging and declining populations](#) that have thinned the ranks of once-reliable volunteers. An elections administrator in one rural county said she’d had students in previous cycles but none this year. Another said her workforce was consistent enough that she’d never needed to rely on minors — thankfully, she added, because they’re not the most reliable.

“We really have an issue with that — younger kids don’t always show up,” she said. “Whether it be they overslept ... [or] they can’t drive,” she said. “A lot of them are in sports, so then they can’t work the whole day.”

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- [Family of Israeli hostages meet with Georgia lawmakers as Gov. Brian Kemp rejects calls to expedite antisemitism bill](#)
- [New Hampshire sees steady college enrollment drop, part of regional trend](#)



One Last Thing

Halloween spending is expected to top [a record-breaking \\$12 billion](#) this year, including \$700 million just for pet costumes. The most popular choices for our furry friends are pumpkin, hot dog, bat, bumblebee and spider costumes, according to the National Retail Federation.

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