



February 23, 2024

The Honorable Sarah Anthony, Chair
Senate Appropriations Committee
P.O. Box 30036
Lansing, MI 48909-7536

The Honorable Angela Witwer, Chair
House Appropriations Committee
P.O. Box 30014
Lansing, MI 48909-0846

Dear Senator Anthony and Representative Witwer,

On behalf of the Michigan Independent Citizens Redistricting Commission (the “Commission”), we are informing the Michigan Legislature that the funds appropriated for FY 24 are inadequate due to pending litigation regarding the adopted redistricting plans for the State House and the State Senate. In accordance with the [Michigan Constitution Article IV, Section 6](#), Subsections (5) and (6), the Commission requires a FY 24 supplemental appropriation of \$3,331,200.00.

In *Agee, et al v. Benson, et al*, the U.S. District Court for the Western District of Michigan ordered the Commission to redraw State House Districts # 1, 7, 8, 10, 11, 12 and 14 and State Senate Districts # 1, 3, 6, 8, 10 and 11. The Commission disagreed with the Court’s decision and filed a motion for an emergency stay along with a substantive appeal with the Supreme Court of the United States. The Supreme Court denied the Commission’s request for an emergency stay, and the substantive appeal remains pending before that Court.

The District Court ordered the Commission to first redraw the State House districts. The State Senate districts will likely be redrawn later this spring. In addition, the Court ordered the Commission to cover the costs for a Reviewing Special Master and a Mapping Special Master and their respective teams.

The Commission has been diligently working to comply with the District Court’s Order. The Commission provided ten draft proposed State House maps for public comment by the Court’s February 2, 2024, deadline, and will adopt a final proposed remedial map for the State House by March 1, 2024. The Commission’s FY24 budget did not include the increased costs for the remedial phase of the pending litigation. These increased costs include in-person meetings, public hearings to ensure input from Michigan citizens (and as ordered by the Court), travel expenses, consultants (including legal costs), and advertising. All the referenced increased costs



are associated with pending litigation. Please see the attached FY 24 Updated Budget approved by the Commission Thursday, February 15, 2024.

For the first quarter of FY 2024, you will note in the attached report that the Commission spent nearly \$1.3 million, or 40 percent of this year's budget. When considering preliminary expenses for January 2024, the Commission's expenditures represent at least 50 percent of this year's budget, even though we only completed four months for this fiscal year. Finally, the Commission will need to do the same outreach for the State Senate districts during FY 24 (likely later this spring) to ensure citizen input and to comply with the Court's orders.

We appreciate your assistance in facilitating the constitutional required funding for the Commission in the past. Of course, as required by the Constitution, "the commission shall return to the state treasury all moneys unexpended for [the] fiscal year."

If you have any questions or need additional information, please contact me at 517-331-6309.

Sincerely,

Edward Woods III
Executive Director

Cc: The Honorable Gretchen Whitmer, Governor of Michigan
The Honorable Joe Tate, Speaker of the House
The Honorable Winnie Brinks, Senate Majority Leader
The Honorable Matt Hall, House Republican Leader
The Honorable Aric Nesbitt, Senate Republican Leader
Ms. Jennifer Flood, State Budget Director

Attachments:

FY 24 Updated Budget
FY 24 1st Quarter Financial Report