

Discussion questions:

1) Is there a fundamental structural problem in Wisconsin state government? What is that problem, and why are we concerned about it?

2) What is right and what is wrong with our current intergovernmental system? Consider the duties and powers, structure, geography and right relationships of local, county and state government. What is the right remedy for what is in need of improvement?

3) Are specific constitutional changes needed to address the process of redistricting for election purposes?

4) Are constitutional changes needed to address the election of judges, the role of county sheriffs, or other matters related to constitutional officers so that these offices serve Wisconsin's current needs and realities?

5) If we think our municipal, county and state governments are not working well, how can we best engage the citizenry of the state in caring about this matter and engaging in finding ways to improve our governments?

6) What is most important for us to do now to improve and strengthen our governments in Wisconsin so they are effective, efficient and responsive to the needs of people in our state today and in the future?

Study Committee:

Sue Larson, Kathy Johnson, Kathleen Fullin, Ingrid Rothe

## Edward J. Huck: Wisconsin needs a constitutional convention

OCTOBER 19, 2014 5:00 AM • [EDWARD J. HUCK](#)

It's time for a Constitutional Convention for Wisconsin. The current process of making small changes isn't enough.

Wisconsin has the sixth-oldest constitution in the country. Much of our structure for delivery of services lacks a modern approach to government, which has cost state taxpayers billions of unnecessary taxes.

The devolution of the Legislature in focusing on politics instead of policy demands action.

A convention requires two basic actions. The Legislature has to ask the question "shall we call a convention," and the people must affirm they want one.

Other states have used a commission called by the governor to recommend constitutional changes. Public hearings are held. Once changes to the constitution are chartered by the convention, the public must vote in favor of any changes before they can be made. The public has ample protection throughout the process.

What changes could be considered?

1. Redistricting. Currently the constitution gives the power of redistricting to the Legislature. This is why "gerrymandering" occurs. Every 10 years political lines are redrawn. When the Democrats were in power they drew those lines for their own benefit, and so have Republicans. It is a process that demands fair and nonpartisan review. Can we trust the Legislature to do it?
2. Supreme Court elections. Justices now are elected. Under a merit selection system, a nominating commission is established. The commission reviews applicants, and the commission's selection is appointed, usually by the governor. Then after the appointee has served in office for a time, a "retention election" is held to allow voters to decide if the appointed judge should remain on the bench. If the judge is removed, then the merit selection kicks in again.
3. Local government charter. Wisconsin has none. In other states, local governments have "home rule powers" defined in the constitution. These include taxing powers, responsibilities for service and structure. In doing so we could reduce the redundancy of government and save tax dollars while making government more efficient.
4. Redrawing county lines. When our constitution was written, transportation was horse driven (1848). Size and number of counties were determined by how far one could ride in a day. A modern approach is required today.
5. Regional government. None is now prescribed. In Wisconsin, cities and villages have

more constitutional powers than counties. If regional government is considered, its constitutional standing must be addressed.

6. Spending limitations. Nothing strikes more fear in a Legislature than limiting its spending. But for Wisconsin, something as simple as restricting the Legislature to spending no more than 98 percent of estimated revenue would make sense.

7. Constitutional review. In the 1846 version of our constitution, a mandatory question of review had to be offered every 10 years. When the first constitution was rejected, this was removed from the document. If it had stayed, we would not be where we are today in Wisconsin.

7. Sheriff powers. Wisconsin sheriffs often are redundant to city police. City residents pay for both and get limited service from sheriff's departments. Limiting responsibilities in urban counties could be considered.

8. Unicameral Legislature. One house without partisan elections. Wisconsin has two houses like 48 other states. In Illinois, the body politic can require a referendum on the make up of the legislature. It is Illinois' only initiative referendum power.

9. Alter the property tax uniformity clause. In other states, commercial and industrial properties can be charged a different rate than residential. A reclassification of properties and a ratio between those classification could provide property tax relief and consistency. An example would be to provide that industrial and commercial property tax rates cannot exceed one-and-one-half times the residential rate.

10. Constitutional offices at the state and county level. Should we reduce the amount of government? This question can only happen through review of the entire process.

I'm sure other improvements could be considered, and I am not afraid of an unlimited convention. Modern economies require modern governments, and Wisconsin in not competing in the modern economy as it could.

When comparing state tax systems and the cost of government, Wisconsin in consistently near the top because of federal dollars, how we use fees and redundancy of government.

The case for a constitutional convention comes down to this: Are we going to continue to complain about Wisconsin's government? Or are we going to take responsibility for changing those governments?



# Middle of the Pack: Wisconsin Government Revenue is Not Out of Line

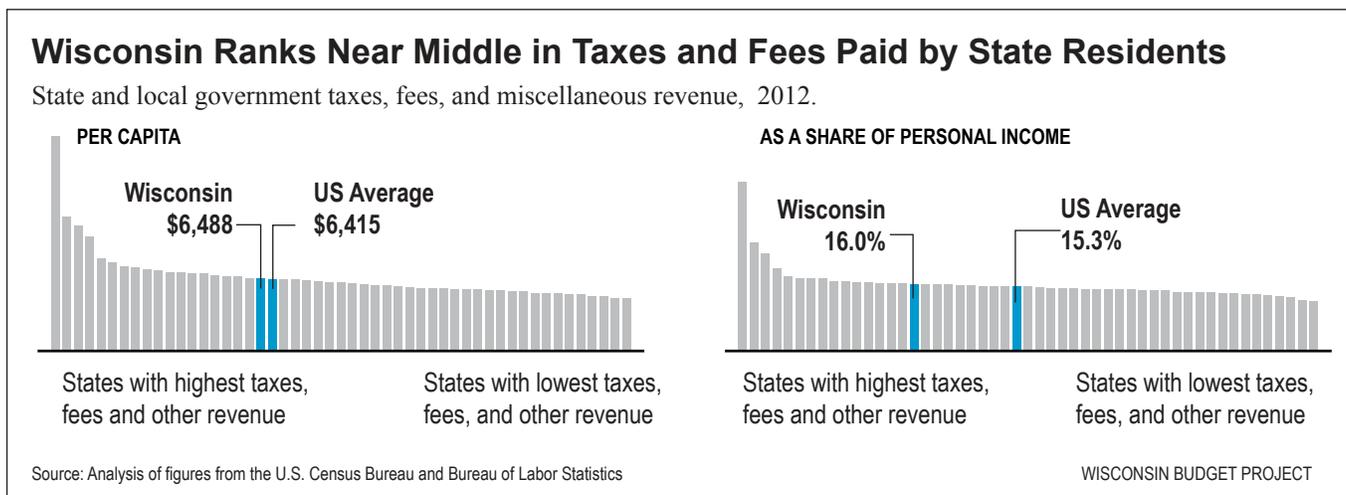
December 22, 2014

Despite claims that Wisconsin is a high-tax state, it is actually close to average in many measures of revenue and spending among the states, according to new figures from the Census Bureau.

Wisconsin ranked 19th out of the 50 states in state and local government from taxes, fees, and other revenue per person in fiscal year 2012. Measured as a share of personal income, Wisconsin ranks 16th among the states.

Some policymakers focus on Wisconsin's ranking on taxes alone when evaluating its revenue compared to other states. But focusing just on taxes means that fees and other charges, which come from residents' pockets much like taxes do, are not taken into account. Combining taxes with fees and other revenue gives a broader and more complete measure of the money that state and local governments in Wisconsin collect from their residents.

The average amount state residents paid in taxes and fees is close to the national average. In 2012, Wisconsin residents paid an average of \$6,488 in taxes, fees, and other charges to state and local governments, \$73 higher than the national average. State residents paid 16.0% of personal income in taxes and other revenue, above the national average of 15.3%.



In nearly every measure of revenue and spending, Wisconsin's rank has dropped significantly over the last decade:

- In 2000, Wisconsin ranked 11th among the states in taxes, fees, and other revenue per person, before dropping eight places by 2012. Wisconsin ranked 13th in total spending per person in 2000, before falling to 24th in 2012.
- Wisconsin's rank in revenue and spending as a share of income has fallen as well. By that measure, the state ranked 16th in taxes, fees, and miscellaneous revenue in 2012, down from 13th in 2000, and 27th in total spending, down from 19th.

Because per capita income in Wisconsin is well below the national average, we typically rank higher when revenue and spending are measured on that basis.

### State and Local Government Revenue and Spending, Per Person

For fiscal year 2012.

REVENUE SOURCE	NATIONAL AVERAGE	WISCONSIN	% DIFFERENCE	WISCONSIN RANKING	
				2000	2012
Taxes, fees, miscellaneous revenue, and federal aid	\$8,277	\$8,151	-1.5%	15th	25th
Taxes, fees, and miscellaneous revenue	\$6,415	\$6,488	1.1%	11th	19th
Taxes only	\$4,423	\$4,629	4.7%	8th	15th
Federal aid only	\$1,862	\$1,663	-10.7%	35th	39th
Total spending	\$10,041	\$9,750	-2.9%	13th	24th
Spending, excluding trusts and state-owned enterprises	\$8,243	\$8,257	0.2%	12th	21st

SOURCE: Analysis of figures from the U.S. Census Bureau and Bureau of Labor Statistics

WISCONSIN BUDGET PROJECT

### State and Local Government Revenue and Spending, Relative to Income

For fiscal year 2012.

REVENUE SOURCE	NATIONAL AVERAGE	WISCONSIN	% DIFFERENCE	WISCONSIN RANKING	
				2000	2012
Taxes, fees, miscellaneous revenue, and federal aid	19.7%	20.0%	1.8%	18th	27th
Taxes, fees, and miscellaneous revenue	15.3%	16.0%	4.5%	13th	16th
Taxes only	10.5%	11.4%	8.1%	4th	12th
Federal aid only	4.4%	4.1%	-7.7%	35th	36th
Total spending	23.9%	24.0%	0.3%	19th	27th
Spending, excluding trusts and state-owned enterprises	19.6%	20.3%	3.5%	17th	23rd

SOURCE: Analysis of figures from the U.S. Census Bureau and Bureau of Labor Statistics

WISCONSIN BUDGET PROJECT

Wisconsin policymakers who advocate tax cuts should know that Wisconsin governments are already close to the national average in the amount of taxes and fees they collect from residents. Additional tax cuts could jeopardize Wisconsin's public investments in high-quality education and health care, and make it more difficult to invest in public safety and transportation in our communities. That would hurt our economy in the long run, since those are the very things our businesses and families need to thrive.

Tamarine Cornelius and Jon Peacock

## **Positions of the League of Women Voters of Wisconsin**

### **STATE CONSTITUTION**

**Support of responsible but more flexible procedures for amending the constitution; a constitutional revision commission established by statute; opposition to a state constitutional convention.**

The Wisconsin Constitution can be amended only if identically worded amendments pass both houses by a majority vote in two successive legislatures and then are approved by a majority of the electors voting in a statewide referendum. In addition, the scope of each amendment is narrowly limited. The Constitution also provides for revision by convention; the convention must be called by a majority of both houses of the legislature with the approval of a majority of the electors. The second method of changing the Constitution has never been used.

In 1960, the League supported the governor's appointed a non-partisan Commission on Constitutional Revision which was asked to make recommendations on the need for, and desirability of, revising the Constitution and the best method of doing so, if needed. League recommended a number of the changes: four year term for constitutional offices; removal of limitation on state debt; assessment of merchants and manufacturers' inventories and livestock at a different rate from other property; reduction of the number of executive agencies; and elimination of the county uniformity clause. The League also supported the recommendation that "broadening the permissible scope of a constitutional amendment" was a priority item to eliminate unnecessary obstacles and delay.

In the consensus reached in 1962, although not expressly stated in the position adopted in 1963 was opposition to the calling of a constitutional convention. Attention was called to the fact that the constitution was not in need of a complete overhaul; that such a process might result in the loss of some of the strengths of the document; and that no procedures have been specified for calling a constitutional convention. Members agreed to work for responsible but more flexible methods of the amending process while emphasizing that safeguards should be retained to prevent the constitution from being amended too easily. In 1964 League supported a ballot measure which would allow reasonably related amendments to be introduced as one. The position permits support of an amendment to send to the voters a proposal approved by a two-thirds majority of both houses without requiring the approval of the next succeeding legislature.

In acting on these positions the League has repeatedly opposed the calling of constitutional conventions. The 1979 convention voted to use this position to oppose any state effort to call for a convention to amend the United States

Constitution. Because there are so many questions about the process and extent of the powers of such a convention and because the LWV-Wisconsin believes both federal and state Constitutions are basically sound documents with other adequate methods of amendment, the League opposes amendment by convention.

## **APPORTIONMENT**

**Support of:**

**Regularly scheduled apportionment based primarily on population equality, but also with consideration of the compactness and contiguity of districts; representation of diverse populations; and, in so far as is possible, recognition of community of interest as defined by town, village, city, county or ward boundaries and major geographical characteristics.**

**A redistricting process characterized by objectivity, accountability, timely and efficient completion and a reasonable degree of flexibility.**

**Citizen participation and access at all levels and steps of the process.**

**Establishment of an independent commission or designation of an independent agency to be responsible for the development of a legislative and Congressional redistricting plan**

**Streamlined court review of any legal challenge**

Links to state league positions on Government Financing and County Government:

<http://www.lwwi.org/IssuesAdvocacy/GovernmentFinancing.aspx>

<http://www.lwwi.org/IssuesAdvocacy/GovernmentCountyGovernment.aspx>