

Vol. 81, Number 1 | January 2013

## Raising the Curtain on a New Legislature

Act I: New Faces • Act II: New Budget

Republicans took control of both houses of the state legislature again, but after recall elections and redistricting, the legislature has undergone many changes from two years ago. The senate welcomes three new members, the assembly 25. Additionally, 16 representatives now serve in different districts due to redistricting. While the state expects to end 2013 with a \$348.1 million surplus, revenue estimates and agency spending requests, if granted, would leave a \$42.3 million deficit in 2015.

fter redistricting and two years of seemingly nonstop elections, both houses of the 2013 Wisconsin legislature are much different from their 2011 editions. Republicans briefly lost control of the senate due to the recall elections but have returned to power in both legislative houses.

Although the state is in better fiscal shape than it was two years ago, the budget remains tight. The legislature and the governor may have to make difficult choices if they hope to achieve their stated goals of income tax reform and a balanced budget.

### **2012 ELECTIONS**

The 2013-14 legislature is somewhat "green," having 27 members

without prior experience in either house. Additionally, due to redistricting and recalls, over one-third of senate and assembly districts (51) are represented by someone different than two years ago.

To aid citizens in determining which legislators represent them, a complete list of 2013-14 senators and representatives, along with their phone numbers, is provided on pages four and five. In addition, the Wisconsin Taxpayers Alliance has produced a more complete legislative directory, including district maps (see back page).

#### **Senate**

Republicans had a 19-14 advantage in the senate after the 2010 election. Since then, three recall

elections occurred, in which the Democrats gained three seats.

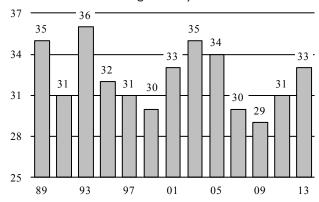
In two August 2011 elections, nine senators faced recall. In those elections, two Democrats defeated Republican incumbents. On June 5, 2012, four additional senate districts held recall elections, with one Democrat challenger winning. Another Republican chose to retire before the recall election but was succeeded by a Republican elected in the recall election. Democrats controlled the senate 17-16 after the three rounds of recall elections. Republicans won it back in November.

### Also in this issue:

Increased Gas Taxes and New Fees Recommended • Wisconsin Legislative and Congressional Directory



Figure 1: Female Representation in Wis. Legislature Number of Female Legislators by Session, 1989-2013



The November election had 16 senators up for reelection; the remaining 17 will be up in 2014. Five senators (two Republicans, three Democrats) ran unopposed or without major-party opposition.

Three new senators took office in 2013 (two Republican, one Democrat). Two of them are new to the legislature, while the third formerly served in the assembly. Two assembly representatives also ran successfully for the senate in recall elections.

Republicans begin the 2013-2014 session with an 18-15 seat advantage in the senate, down one from the 2010 election but up two after last year's recall elections.

### **Assembly**

Unlike senators, who serve staggered four-year terms, all 99 members of the assembly serve two-year terms. Twenty-seven assembly candidates (four Republicans, 23 Democrats) ran unopposed or without major-party opposition. Democrats contested an unusually high number of seats (95 of 99). Even when Democrats dominated both state and national elections in 2008, Democrats contested fewer seats (92).

One assembly seat, the 98th in Waukesha County, remains vacant. The prior incumbent, Paul Farrow, won a December special election for senate district 33. The new representative will be known after the February primary election, as all replacement candidates are Republican.

Including the 98th district, Republicans will hold 60 seats, the same number as they did in 2010. Democrats hold 39 seats, one more than in 2010. An independent from last session chose to retire.

The 2013 session will have 25 (14 Democrat, 11 Republican) members who did not serve in the 2011

session. Over half of state representatives (54) are in their first or second term.

Sixteen representatives won elections in new districts after redistricting. Only four incumbents lost. In two districts, incumbents faced each other, with a Republican winning one seat and a Democrat the other. The two incumbents who lost to nonincumbent challengers were both Republican.

### Gender

During the senate recall elections, two new women were elected and one incumbent woman was defeated. In November, one woman (elected during the recall) was defeated but another was elected. The total number of women in the senate is nine, up one from 2010. The number of women in the assembly is 24, seven of whom are new.

After retirements, however, the legislature will have a net increase of only two women. Women will hold 33 (25.0%) of the 132 legislative seats (see Figure 1). This proportion is slightly above the national average as of September 2012 (23.7%) but below neighbors Minnesota (32.8%) and Illinois (30.5%), according to the National Conference of State Legislatures. Female representation is highest in Colorado

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(40.0%) and Vermont (38.9%) and lowest in South Carolina (10.0%) and Louisiana (11.1%).

### Legislative Leadership

Majority and minority leaders in the senate switched positions after the recall and have now switched back again. Scott Fitzgerald (Juneau) is again senate majority leader, and Michael Ellis (Neenah) is again senate president. Democrats have chosen a new leader, Chris Larson (Milwaukee), to replace Mark Miller (Monona) as minority leader.

In the assembly, there is a new speaker, Robin Vos (Burlington), but Scott Suder (Abbotsford) returns as majority leader. Assembly Democrats are again led by Peter Barca (Kenosha).

Committee assignments also change with a new legislature. For the first time, there are bipartisan cochairs of two committees: State and Federal Relations, and Constitution and Ethics.

### **BUDGET CHALLENGES AHEAD**

The new legislature will tackle two big issues in its first six months: mining and the 2013-15 state budget. While the governor's budget proposal will be released in early February, a November 2012 report from the Wisconsin Department of Administration (DOA) provides a first look at the future condition of state finances.

### **Economy**

Economic conditions over the coming several years will greatly impact state finances. Modest economic growth will result in similarly modest growth in tax revenues. The November 20 DOA report noted that uncertain federal finances and the Affordable Care Act could also impact state fiscal health.

National Economic Outlook. Due partly to federal fiscal issues and the weakness of exports to Europe and China, inflation-adjusted growth in US gross domestic product is expected to be 1.9% in 2013, 2.8% in 2014, and 3.3% in 2015. Since Wisconsin's economy often follows the nation's, modest growth is expected here as well.

Job Growth. Upon election in 2010, Governor Walker indicated that job creation was his first priority. Strong job growth strengthens state finances as it yields additional income and sales tax revenue and less spending on income-support programs. After declining each year during 2008-10, the number of jobs in Wisconsin increased 0.5% or less during both

2011 and 2012. State economists expect annual job growth to improve but to remain somewhat sluggish at less than 2% for each of the next three years.

Manufacturing is expected to be a prime source of job growth here. Among the states, Wisconsin is second-most reliant on manufacturing, after Indiana. This sector grew 2.8% in 2011 and about 2.0% in 2012. State officials expect annual manufacturing job gains of 1.3% to 2.0% for each of the next three years.

# State officials expect a growing economy to generate an additional \$1.3 billion in new state revenue in the 2013-15 biennium.

Personal Income Growth. Employment growth should lead to rising state income. Wisconsin's personal income grew 4.5% in 2011 and an estimated 3.2% in 2012. It is expected to increase 3.7% in 2013 and 4.5% during each of the subsequent two years. Per capita personal income (PCPI) has steadily increased since 2009, when it declined 3.4%. State officials expect it to grow 3.2% this year and 4.0% in each of the following two years.

### Revenue

Based on the economic forecast summarized above, state officials projected tax revenues for the remainder of the 2013 fiscal year and for the 2013-15 biennium. Estimating revenues two years out is inherently difficult. The fragile recovery makes it even harder to predict the course of the economy and tax revenues.

Past forecasts illustrate the challenge. In January 2011, the state's Legislative Fiscal Bureau estimated 2011-13 tax revenues at \$26.9 billion. Only four months later, with more information, it revised its estimates to \$27.3 billion. The state expects to hit that number when its fiscal year ends in June.

As of November, the state expected tax collections to rise 3.8% in 2014 and another 3.5% in 2015. These estimates assumed the state would resume collecting estate taxes with resumption of the federal estate tax.

However, recent "fiscal cliff" negotiations changed the federal estate tax in such a way as to deprive Wisconsin of any estate taxes. Without estate tax revenues, tax collections are expected to increase 3.1% in 2014 and 3.3% in 2015.

Such modest gains reflect a recovery that has slowed somewhat. Tax revenues grew 6.4% in 2011

### Members of the 2013 Wisconsin State Senate and

### **STATE SENATE DISTRICTS**

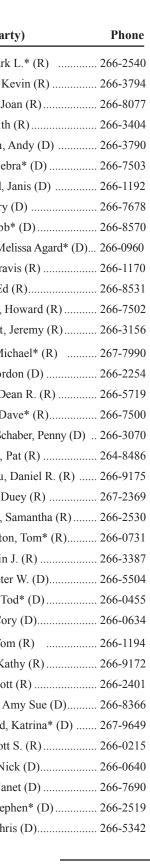
### **STATE ASSEMBLY DISTRICTS**

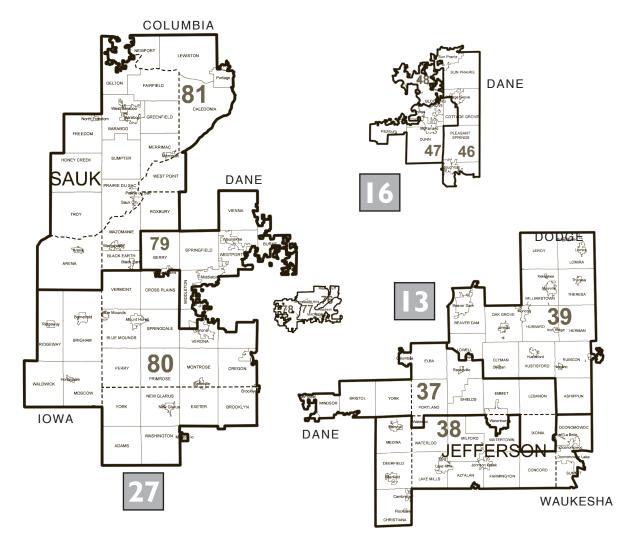
	Asmb. Dist.	Senator (Party)	Phone	Dist.	Rep. (Party)	Phone	Dist.	Rep. (Pa
1.	1, 2, 3	Lasee, Frank (R)	266-3512	1.	Bies, Garey (R)	. 266-5350	39.	Born, Ma
2.	4, 5, 6	Cowles, Robert (R)	266-0484	2.	Jacque, Andre (R)	. 266-9870	40.	Petersen,
3.	7, 8, 9	Carpenter, Tim (D)	266-8535	3.	Ott, Al (R)	. 266-5831	41.	Ballweg,
4.	10, 11, 12	Taylor, Lena C. (D)	266-5810	4.	Weininger, Chad (R)	. 266-5840	42.	Ripp, Kei
5.	13, 14. 15	Vukmir, Leah (R)	266-2512	5.	Steineke, Jim (R)	. 266-2418	43.	Jorgenser
6.	16, 17, 18	Harris, Nikiya* (D)	266-2500	6.	Tauchen, Gary (R)	. 266-3097	44.	Kolste, D
7.	19, 20, 21	Larson, Chris (D)	266-7505	7.	Riemer, Daniel* (D)	. 266-1733	45.	Ringhand
8.	22, 23, 24	Darling, Alberta (R)	266-5830	8.	Zamarripa, JoCasta (D)	. 267-7669	46.	Hebl, Gar
9.	25, 26, 27	Leibham, Joe (R).	266-2056	9.	Zepnick, Josh (D)	. 266-1707	47.	Kahl, Rol
10.	28, 29, 30	Harsdorf, Sheila (R)	266-7745	10.	Pasch, Sandy (D)	. 266-7671	48.	Sargent, N
11.	31, 32, 33	Kedzie, Neal J. (R)	266-2635	11.	Barnes, Mandela* (D)	. 266-3756	49.	Tranel, Tr
12.	34, 35, 36	Tiffany, Tom* (R)	266-2509	12.	Kessler, Federick P. (D)	. 266-5813	50.	Brooks, E
13.	37, 38, 39	Fitzgerald, Scott (R)	266-5660	13.	Hutton, Rob* (R)	. 267-9836	51.	Marklein
14.	40, 41, 42	Olsen, Luther S. (R)	266-0751	14.	Kooyenga, Dale (R)	. 266-9180	52.	Thiesfeld
15.	43, 44, 45	Cullen, Tim (D)	266-2253	15.	Sanfelippo, Joe* (R)	. 266-0620	53.	Schraa, M
16.	46, 47, 48	Miller, Mark (D)	266-9170	16.	Young, Leon D. (D)		54.	Hintz, Go
17.	49, 50, 51	Schultz, Dale W. (R)	266-0703	17.	Johnson, La Tonya* (D)		55.	Kaufert, l
18.	52, 53, 54	Gudex, Rick* (R)	266-5300	18.	Goyke, Evan* (D)		56.	Murphy,
19.	55, 56, 57	Ellis, Michael G. (R)	266-0718	19.	Richards, Jon (D)		57.	Bernard S
20.	58, 59, 60	Grothman, Glenn (R)	266-7513	20.	Sinicki, Christine (D)		58.	Strachota
21.	61, 62, 63	Lehman, John (D)	266-1832	21.	Honadel, Mark (R)		59.	LeMahie
22.	64, 65, 66	Wirch, Robert W. (D)	267-8979	22.	Pridemore, Don (R)		60.	Stroebel,
23.	67, 68, 69	Moulton, Terry (R)	266-7511	23.	Ott, Jim (R)		61.	Kerkman
24.	70, 71, 72	Lassa, Julie (D)	266-3123	24.	Knodl, Dan (R)		62.	Weathers
25.	73, 74, 75	Jauch, Bob (D)	266-3510	25.	Tittl, Paul* (R)		63.	Vos, Rob
26.	76, 77, 78	Risser, Fred A. (D)	266-1627	26.	Endsley, Mike (R)		64.	Barca, Pe
27.	79, 80, 81	Erpenbach, Jon (D)	266-6670	27.	Kestell, Steve (R)		65.	Ohnstad,
28.	82, 83, 84	Lazich, Mary (R)	266-5400	28.	Severson, Erik (R)		66.	Mason, C
29.	85, 86, 87	Petrowski, Jerry (R)	266-2502	29.	Murtha John (R)		67.	Larson, T
30.	88, 89, 90	Hansen, Dave (D)	266-5670	30.	Knudson, Dean (R)		68.	Bernier, I
31.	91, 92, 93	Vinehout, Kathleen (D)	266-8546	31.	Loudenbeck, Amy (R)		69.	Suder, Sc
32.	94, 95, 96	Shilling, Jennifer (D)	266-5490	32.	August, Tyler (R)		70.	Vruwink,
33.	97, 98, 99	Farrow, Paul (R)	266-9174	33.	Nass, Steve (R)		71.	Shanklan
	elected.			34.	Swearingen, Rob* (R)		72.	Krug, Sco
-		re for legislative officers, area code	e 608.	35.	Czaja, Mary* (R)		73.	Milroy, 1
		(insert last name)@legis.wisconsir		36.	Mursau, Jeffrey L. (R)		73. 74.	Bewley, J
		nil: rep.(insert last name)@legis.wi		30. 37.	Jagler, John* (R)		74. 75.	Smith, St
-		t insert last name and first initial.)	<b>3</b>	38.	Kleefisch, Joel (R)		75. 76.	Taylor, C
,				30.	Kiechsch, Juci (K)	. 200-0331	70.	Tayloi, C

### **Assembly**

### Sample Maps From WISTAX's Legislative Directory

See Back Page for More Information





Dist.	Rep. (Party)	Phone
77.	Berceau, Terese (D)	266-3784
78.	Hulsey, Brett (D)	266-7521
79.	Hesselbein, Dianne* (D)	266-5340
80.	Pope, Sondy (D)	266-3520
81.	Clark, Fred (D)	266-7746
82.	Stone, Jeff (R)	266-8590
83.	Craig, Dave (R)	266-3363
84.	Kuglitsch, Mike (R)	267-5158
85.	Wright, Mandy* (D)	266-0654
86.	Spiros, John* (R)	266-1182
87.	Williams, Mary (R)	266-7506
88.	Klenke, John (R)	266-0485

Dist.	Rep. (Party)	Phone	
89.	Nygren, John (R)	. 266-2343	
90.	Genrich, Eric* (D)	266-0616	
91.	Wachs, Dana* (D)	266-7461	
92.	Danou, Chris (D)	266-7015	
93.	Petryk, Warren (R)	266-0660	
94.	Doyle, Steve (D)	266-0631	
95.	Billings, Jill (D)	266-5780	
96.	Nerison, Lee A. (R)	266-3534	
97.	Kramer, Bill (R)	266-8580	
98.	TBD	266-5120	
99.	Kapenga, Chris (R)	266-3007	
93. 94. 95. 96. 97.	Danou, Chris (D)	. 266-7015 . 266-0660 . 266-0631 . 266-5780 . 266-3534 . 266-8580 . 266-5120	

and 4.7% in 2012 but are expected to rise only 1.8% this year. Projected growth is also below historical levels. Since 1990, Wisconsin revenues grew at least 4% in all but seven years (see Figure 2).

During fiscal 2014 and 2015, state officials expect general fund revenues to total \$14.8 billion and \$15.2 billion, respectively. Compared to estimated revenues of \$14.4 billion in 2013, they predict \$1.3 billion of additional revenues will be available over the biennium.

By Tax. About 60% (\$803.4 million) of all new tax money in the next biennium is expected to be individual income taxes. State sales tax collections would generate nearly 30% (\$383.2 million) of the new money. Of remaining taxes, only the corporate income (\$54.7 million) and public utility (\$44.0 million) taxes are expected to generate more than 2% of new tax revenue for the state.

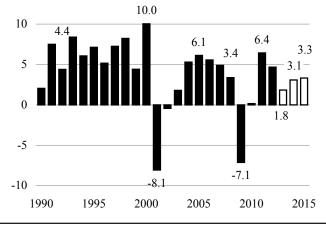
### **Spending Requests**

The state's November 20 report also summarizes state agency spending requests for 2013-15. In preparing requests, Governor Walker asked agencies to keep spending at or below current levels. However, in keeping with past practice, he exempted the Departments of Public Instruction (DPI) and Health Services (DHS) from this requirement. These exceptions were allowed to protect the state's two largest programs, K-12 school aids and Medicaid.

Agencies requested spending totaling \$15.3 billion in 2014 and \$15.8 billion in 2015. These figures represented one-year increases of 3.6% and 3.5%, respectively. The two-year requests were almost \$1.6 billion more than 2013 base-year spending.

Nearly all the additional spending comes from the two agencies excluded from the governor's budget

Figure 2:
Annual Pct. Change in Gen. Fund Tax Collections
1990-2012 Actual, 2013-15 Estimates



instructions. Compared to 2013 levels, DPI is requesting \$760 million in new funds over the next two years—about \$200 million in the first year and \$560 million in the second. Most of that is for K-12 school aids. DHS is requesting \$647 million more over the biennium (\$252 million in 2014 and \$395 million in 2015). Most of the added spending is for Medicaid, a federal-state health program for low-income and disabled residents.

Combined, requests from DPI and DHS represent 88% of \$1.6 billion in new spending requested. Other requests of note come from the state technical college system (\$92 million, 5.8% of total new spending), shared revenues for municipalities and counties (\$35 million, 2.2%), and corrections (\$25 million, 1.5%). The remaining 39 agencies requested spending increases totaling \$38 million, or 2.4% of the total.

### **Surplus or Deficit?**

State officials expect to end the current fiscal year (2013) with a gross surplus of \$348.1 million, an amount that carries over to 2014. When that amount is added to \$14.2 billion in expected tax revenues and \$597 million in tribal gaming and departmental revenues, the state anticipates having \$15.1 billion available in 2014.

Agency requests, employee compensation reserves, and other miscellaneous spending total \$15.5 billion. With lapses (amounts returned to the general fund) expected to be \$521 million, net expenditures would be just under \$15 billion.

If all agency requests were granted, net spending would be greater than revenues (taxes plus gaming and departmental revenues) by \$185 million, requiring the state to use some of its 2013 surplus and leaving an ending balance of \$162.7 million.

It appears this is something the administration does not want to do. In its November 20 report, state officials noted that in the governor's forthcoming budget, revenues and expenditures will be "largely equivalent."

Current law requires the state to set aside \$65 million each year in case revenues are not as high as expected. The state's net surplus (after the \$65 million set aside) for 2014 would be \$97.7 million.

Table 1 (page 7) shows equivalent figures for 2015. Revenues total \$15.2 million, while net expenditures would be \$15.4 million. The \$205 million difference would consume the remaining surplus and

Table 1:
General Fund Condition Statement
Nov. 2012 Rev. Estimates and Agency Spending Requests

	Fiscal Year Ending				
	2013	2014	2015		
Begin. Balance	\$342.1	\$348.1	\$162.7		
Revenues					
Taxes	13,762.0	14,186.2	14,657.5		
Other (1)	605.8	597.0	576.8		
Tot. Avail.	14,709.9	15,131.3	15,397.0		
Approp's					
Gross (2)	14,954.7	15,489.3	15,998.0		
Lapses (3)	-592.9	-520.7	-558.7		
Tot. Net	14,361.8	14,968.6	15,439.3		
End. Balances					
Gross	348.1	162.7	-42.3		
Net (4)	283.1	97.7	-107.3		

<sup>(1)</sup> Tribal gaming and dept. revenues; (2) Agency requests, compensation reserves, debt service, and transfers; (3) Monies returned to general fund; (4) Gross balance minus \$65 million statutory reserve.

leave a gross ending balance of -\$42.3 million (net -\$107.3 million).

### **Looking Ahead**

While the governor may use spending requests as a starting point, his budget will differ significantly from them (as have past budgets). Table 1 indicates that a balanced budget will require either \$42 million less spending than requested or \$42 million more revenue. Balancing revenues and expenditures (not using any of the surpluses) would require revenue or spending changes closer to \$400 million.

### Tax Cuts?

Both the governor and Republican legislative leaders have indicated they would like to cut income taxes this year. Details are scarce, but indications are a reduction in the 6.5% marginal rate is possible. This would impact all single filers with taxable incomes above \$20,131 and married-joint filers with taxable incomes above \$28,181.

With limited resources available in the next biennium—\$1.3 billion of new money, but Medicaid claiming nearly half of that—any significant tax cut would likely be phased in over two or three years. Phasing in commitments, either on the revenue or spending side of the ledger, can lead to a return to the structural deficits that plagued Wisconsin over the past 15 years.

### **Schools**

Many budget watchers are looking to see what happens with K-12 school aids. The 2011-13 budget

rolled them back about 8% in 2012 and left them nearly unchanged this year. Scarce resources will limit what legislators can do in this area.

School finances will be even more affected by what the state does with its revenue limits on school districts. Since 1994, the state has capped the amount K-12 schools can raise from a combination of property taxes and state general aids. These two typically comprise 80% or more of a district's revenue.

The 2011-13 budget trimmed revenue limits 5.5% in 2012 and then increased them only modestly in 2013. The cuts came with increased financial "flexibility" for districts facing high benefit costs, but many districts will continue to see revenue caps as a challenge.

Legislators will likely struggle with the trade-off between revenue-limit increases and property taxes. Unless more state aid accompanies any increase in revenue limits, school property taxes will rise. Statewide, school property taxes represent about 40% of total levies.

### **Local Governments**

Municipalities and counties face a similar dilemma. They have been under levy limits since 2004, and those limits were tightened in the last budget. Moreover, state shared revenues to local governments have been stagnant at best for the past decade. The 2011-13 budget reduced them, and local officials will no doubt ask lawmakers to restore at least some of the cuts. They will probably also seek some relief from the caps on their property tax levies.

### **Rainy Day Fund**

In June 2012, the state made a deposit to the state's budget stabilization (rainy day) fund, only the second major deposit since its inception in the 1980s. However, the fund's balance is still only about \$125 million.

Since World War II, the average economic recovery has lasted about five years. Given the current recovery is 3.5 years old, another recession sometime during the next three years is possible. Whether state officials learned from the last two recessions remains to be seen. Will they make a deposit into the rainy day fund to ease fiscal pressures during the next recession?  $\square$ 

### **DATA SOURCES:**

Wisconsin Department of Administration; Wisconsin Department of Revenue.



### Wisconsin Taxpayers Alliance

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### **WISTAX NOTES**

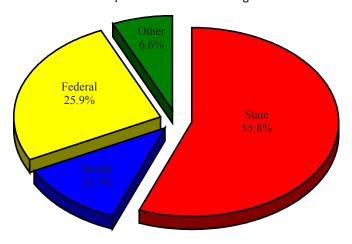
### ■ Increased Gas Taxes and New Fees Recommended.

The Wisconsin Transportation Finance and Policy Commission was created in the 2011-13 budget to examine Wisconsin's transportation finance. The 11-member commission recently released its preliminary recommendations.

Transportation Funding. Revenue sources include: state funds, such as the gas tax and vehicle fees (55.8%); federal aid (25.9%); revenue from bonding (11.7%); and revenue from other transportation program sources, along with a small amount of general funds (6.6%).

Funding Problems. Cars are more fuel efficient and vehicle miles traveled since 2002 have essentially been flat, so the gas tax generates less revenue. Motor fuel tax indexing (adjusted for inflation) was repealed in 2006, but prices for highway construction have grown three times faster than the general inflation rate over the past 20 years. As a result, current funding purchasing power is projected

**Transportation Funding by Source** As Projected in the 2013-15 Budget



to decline by nearly 16% over the next 10 years. Finally, using bonds to cover shortfalls in revenue has increased yearly debt payments.

Recommendations. The commission recommends an additional \$479.5 million in annual transportation spending for all modes and services (highways and roads, airports, railroads, harbors, bicycle/pedestrian, and transit). In order to generate the \$6.8 billion needed over the next 10 years, the Commission recommends:

- raising the state gas tax by five cents per gallon;
- adopting a new mileage-based registration fee;
- increasing annual registration fees for commercial vehicles by 73%;
- increasing the fee for an 8-year driver's license by \$20; and
- eliminating the sales tax exemption on the trade-in value of a vehicle. □

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