

Divided Government Returns to Wisconsin

A decade has passed since the last time power was held by both parties in the state Capitol. With the election of Democratic Gov. Tony Evers and Republican majorities in both houses of the Legislature, sharing control of state government will be a new experience for many lawmakers who have known only one-party dominance. The upcoming state budget will likely test those relations.

After a decade of one-party control of the governor’s office and both houses of the Legislature, Wisconsin residents are about to get an education in divided government. Chief among those for whom this will be a learning experience are many lawmakers themselves and Gov. Tony Evers (D).

A WPF review of legislative biographies found that only 28 of the Legislature’s 132 members (21%) were in office the last time control of state government was split—either with a governor of one party and the Legislature of another, as in the current situation, or with one party controlling one house and the governor’s office and another party holding the other house.

In the Assembly, just 13 of the 99 members (eight Republicans and five Democrats) have served in a divided government. In the Senate, 15 of the 33 senators (seven Republicans and eight Democrats) have encountered similar conditions. This reflects the fact that Senate tenure tends to be longer and many senators began their legislative careers by serving in the Assembly.

As shown in Figure 1, control of Wisconsin’s state government shifted hands several times in the 1990s and into the 2000s, then settled into a pattern of one-party dominance. The last time the two parties shared control of state government was the 2007-08 legislative session, when Gov. Jim Doyle (D) served with a Republican majority in the Assembly and a Democratic majority in the Senate.

The following session, in 2009-10, Doyle was joined by Democratic majorities in both houses, followed by

all-Republican control with the election of Gov. Scott Walker (R) in 2010. Republicans remained in control for the following eight years, except for a few months in 2012 when Democrats won control of the Senate through a series of recall elections. The Legislature did not convene during that period.

The Power of ‘No’

Lawmakers and the governor began navigating this new terrain even before Inauguration Day. In a lame-duck extraordinary session held after the November elections, lawmakers approved measures to restrain the incoming governor’s authority over the state’s economic development agency, expansion of Medicaid, and state agency rulemaking.

A larger test of divided government will come once Gov. Evers presents his budget to the GOP-controlled Legislature in late February or early March. He and legislative leaders have suggested they share priorities such as transportation, school funding, rural economic development, and criminal justice reform—but agreeing to the details may be more difficult.

If Wisconsin’s not-so-distant past is any guide, the relationship between the two sides may settle into a familiar pattern. In his book *The Art of Legislative Politics*, former Assembly Speaker Tom Loftus (D) contends that in Wisconsin, the governor often holds the upper hand over lawmakers because of his far-ranging powers to propose the state budget and then rewrite the final bill with his partial veto pen.

“The Legislature is coequal (to the governor) when it comes to saying no,” Loftus writes. “However, the state budget bill or a solution to the crisis of the moment must pass, and it is here ... that the governor calls the shots. When you brush aside the ifs and buts, what remains is an unequal relationship between legislatures and governors. The governor can propose, say yes and say no. The legislature can only count on the power to say no.”

Divisions and Delays

Still, the power of “no” cannot be underestimated, particularly when it comes to the state budget, the one bill

Fig. 1: Split Govt. Returns to Wisconsin

Control of Gov., Assembly, Senate 1989-2019

Session	Gov.	Asmblly.	Sen.	Split
89-90	R	D	D	Y
91-92	R	D	D	Y
93-94	R	D	R*	Y
95-96	R	R	R*	N
97-98	R	R	D*	Y
99-00	R	R	D	Y
01-02	R	R	D	Y
03-04	D	R	R	Y
05-06	D	R	R	Y
07-08	D	R	D	Y
09-10	D	D	D	N
11-12	R	R	R*	N
13-14	R	R	R	N
15-16	R	R	R	N
17-18	R	R	R	N
19-20	D	R	R	Y

*Control changed during the session
Source: Wisconsin Blue Book

that conventional wisdom holds must be passed in every legislative session. Unlike the federal government, Wisconsin state government will not shut down if a two-year budget is not passed by the start of the July 1 fiscal year.

Instead, current spending levels remain in place until a new one is adopted. However, pressure tends to build the longer local governments, schools, and other entities that depend on state funding have to wait for new aid numbers.

Figure 2 shows the four latest state budgets since 1977, including the date the governor's budget was introduced as a bill, when it received final approval from the Joint Finance Committee,

when lawmakers cast their final vote, and when the bill was published.

Three of the four latest dates came during periods of divided government. In the 2017-19 budget, though, both houses of the Legislature and the governor's office were held by Republicans. The delay occurred largely because lawmakers and the governor were unable to agree on transportation funding—an issue likely to re-surface in this year's budget deliberations.

Ultimately, previous legislatures and governors have found a way out of impasses and even the most committed partisans have been able to accommodate one another. It remains to be seen whether the current legislative session follows the same pattern or breaks new ground.

Figure 2: Divided Government Often Delays State Budget Approval

Latest Budgets Since 1977					
Budget	Intro'd	JFC Approved	Final Leg. Vote	Published	Split
1999-01	Feb. 16	June 10	Oct. 6	Oct. 28	Y
2007-09	Feb. 17	June 20	Oct. 23	Oct. 26	Y
1997-99	Feb. 12	Sept. 4	Sept. 29	Oct. 13	Y
2017-19	Feb. 8	Sept. 5	Sept. 15	Sept. 22	N

Source: Legislative Fiscal Bureau

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Policy notes

■ Gov. Tony Evers (D) has announced his Cabinet appointments.

They include Joel Brennan, Administration; Brad Pfaff, Agriculture, Trade, and Consumer Protection; Emilie Amundson, Children and Families; Kevin Carr, Corrections; Kathy Koltin Blumenfeld, Financial Institutions; Andrea Palm, Health Services; Preston Cole, Natural Resources; Peter Barca, Revenue;

Dawn Crim, Safety and Professional Services; Sara Meaney, Tourism; Craig Thompson, Transportation; Mary Kolar, Veterans Affairs; and Caleb Frostman, Workforce Development. Gov. Evers also named Brian Pahnke as state budget director.

Gov. Evers also appointed Carolyn Stanford Taylor to fill the vacant state Superintendent of Public Instruction post created by his election as governor.

All of the Cabinet members serve at the pleasure of the governor. Their appointments must be confirmed by the state Senate.

Gov. Evers has also named Maggie Gau as his chief of staff. Barbara Worcester, Kara Pennoyer, and Melissa Baldauff will serve as deputy chiefs of staff in the governor's office.