

Framework of Government

The framework of Wisconsin government: an overall view of Wisconsin government, a chart of its organization and a map of state agencies

Local Government in Wisconsin: Downtown Black River Falls at the Turn of the Century

State Historical Society, #WHi (V2/D) 403

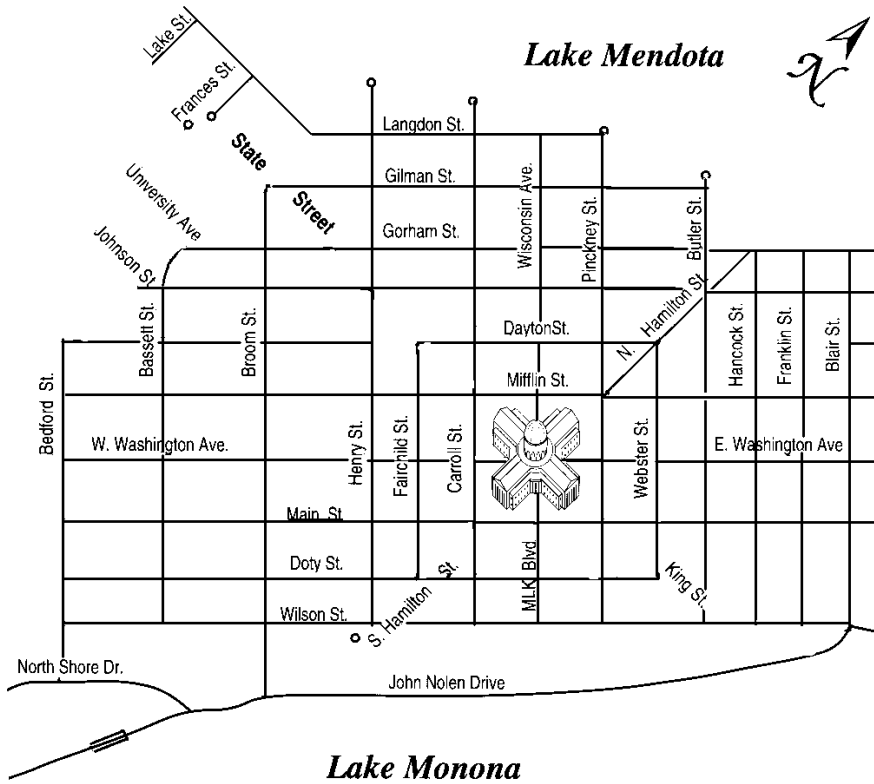


LOCATION OF STATE AGENCIES IN THE MADISON AREA
July 1, 1997

State Agency	Street Address	Building	Map Locator Number
ADMINISTRATION, DEPARTMENT OF	101 E. Wilson St.	State Administration	7
AGR., TRADE AND CONSUMER PROTECTION	2811 Agriculture Dr.	Prairie Oak State Office Bldg	—
ATTORNEY GENERAL, OFFICE OF	Capitol Square	State Capitol	2
COMMERCE, DEPARTMENT OF*	123 W. Washington Ave.	State Justice	3
CORRECTIONS, DEPARTMENT OF	149 E. Wilson St.	State Corrections	4
CREDIT UNIONS, OFFICE OF	345 W. Washington Ave.	345 W. Washington Ave.	5
DOCUMENT SALES	202 S. Thornton Ave.	Central Services	—
EDUCATIONAL COMMUNICATIONS BOARD	3319 W. Beltline Hwy.	Wis. Broadcasting Center	—
ELECTIONS BOARD	132 E. Wilson St.	Frautschi Center	6
EMPLOYE TRUST FUNDS, DEPARTMENT OF	801 W. Badger Rd.	801 W. Badger Rd.	—
EMPLOYMENT RELATIONS, DEPARTMENT OF	137 E. Wilson St.	State Employment Relations	12
ETHICS BOARD	44 E. Mifflin St.	AT&T	8
FINANCIAL INSTITUTIONS, DEPT. OF	345 W. Washington Ave.	345 W. Washington Ave.	5
GAMING BOARD	1802 W. Beltline Hwy.	Wis. Lottery Headquarters	—
GOVERNOR, OFFICE OF	Capitol Square	State Capitol	2
HEALTH AND FAMILY SERVICES, DEPT. OF	1 W. Wilson St.	State Human Services	9
HIGHER EDUCATIONAL AIDS BOARD	131 W. Wilson St.	James Wilson Plaza	10
HOUSING & ECONOMIC DEVELOP. AUTH.*	1 S. Pinckney St.	Firststar Plaza	11
INSURANCE, COMMISSIONER OF	121 E. Wilson St.	Lake Terrace	1
INVESTMENT BOARD	121 E. Wilson St.	Lake Terrace	1
JUDICIAL COMMISSION	110 E. Main St.	Tenney Plaza	13
JUDICIAL COUNCIL	110 E. Main St.	Tenney Plaza	13
JUSTICE, DEPARTMENT OF	123 W. Washington Ave.	State Justice	3
LEGISLATIVE AUDIT BUREAU	131 W. Wilson St.	James Wilson Plaza	10
LEGISLATIVE COUNCIL	1 E. Main St.	1 E. Main	14
LEGISLATIVE FISCAL BUREAU	1 E. Main St.	1 E. Main	14
LEGISLATIVE REFERENCE BUREAU	100 N. Hamilton St.	100 N. Hamilton	15
LEGISLATURE (ASSEMBLY CHAMBER)	Capitol Square	State Capitol	2
LEGISLATURE (SENATE CHAMBER)	119 M. L. King, Jr. Blvd.	Insurance	16
LIEUTENANT GOVERNOR, OFFICE OF	Capitol Square	State Capitol	2
MILITARY AFFAIRS, DEPARTMENT OF	2400 Wright St.	Wisconsin National Guard	—
MUSEUM, STATE HISTORICAL SOCIETY	30 N. Carroll St.	State Historical Museum	17
MUSEUM, WISCONSIN VETERANS	30 W. Mifflin St.	30 on the Square	18
NATURAL RESOURCES, DEPARTMENT OF	101 S. Webster St.	State Natural Resources	19
PUBLIC INSTRUCTION, DEPARTMENT OF	125 S. Webster St.	State Education	20
PUBLIC SERVICE COMMISSION	610 N. Whitney Way	610 N. Whitney Way	—
REFERENCE AND LOAN LIBRARY	2109 S. Stoughton Rd.	Wis. Reference and Loan	—
REGULATION AND LICENSING, DEPT. OF	1400 E. Washington Ave.	Washington Square	—
REVENUE, DEPARTMENT OF	125 S. Webster St.	State Education	20
(Income, Sales & Excise/Tax Information)	4610/4638 University Ave.	4610/4638 University Ave.	—
REVISOR OF STATUTES BUREAU	131 W. Wilson St.	James Wilson Plaza	10
SECRETARY OF STATE, OFFICE OF	30 W. Mifflin St.	30 on the Square	18
STATE HISTORICAL SOCIETY OF WISCONSIN	816 State St.	State Historical Society	21
STATE PUBLIC DEFENDER, OFFICE OF	315 N. Henry St.	315 N. Henry Street	22
SUPREME COURT	Capitol Square	State Capitol	2
TOURISM, DEPARTMENT OF*	123 W. Washington Ave.	State Justice	3
TRANSPORTATION, DEPARTMENT OF	4802 Sheboygan Ave.	Hill Farms State Transport.	—
TREASURER, OFFICE OF STATE	101 E. Wilson St.	State Administration	7
UNIVERSITY OF WISCONSIN SYSTEM, ADMIN.	1220 Linden Dr.	Van Hise Hall	—
VETERANS AFFAIRS, DEPARTMENT OF	30 W. Mifflin St.	30 on the Square	18
WISCONSIN TECHNICAL COLLEGE SYSTEM	310 Price Place	Hilldale Office Center	—
WORKFORCE DEVELOPMENT, DEPT. OF	201 E. Washington St.	201 E. Washington Av.	23

*Agency will move to 201 W. Washington Ave. upon completion of the WHEDA Building (#24).

Sources: Wisconsin Department of Administration, *State of Wisconsin Telephone Directory, 1997-98*; *Agency Executive Roster*, February 1997; various departmental data, June 1997.



THE FRAMEWORK OF WISCONSIN GOVERNMENT

Government at a Glance

The framework of state government in Wisconsin, like that of the federal government and all other states of the Union, is made up of 3 branches: legislative, executive and judicial. The legislative branch includes the Wisconsin Legislature, composed of the senate and the assembly, and the service agencies and staff that assist the legislators. The governor heads the executive branch, which includes 5 other elected constitutional officers, as well as 18 departments, 13 independent agencies, 4 authorities, and 1 public nonprofit corporation, all created by statute. The judicial branch consists of the Wisconsin Supreme Court, the Court of Appeals, circuit courts and municipal courts, as well as the staff and advisory groups that assist the courts. Each branch is described in detail in its respective section of the Blue Book.

Local units of government in Wisconsin include 72 counties, 189 cities, 395 villages, 1,266 towns, and several hundred special districts.

Origins of the 30th State

In 1998, Wisconsin celebrates its 150th anniversary as a state. Wisconsin's original occupants were Native American hunters who arrived here about 14,000 years ago. The territory's first farmers appear to have been the Hopewell people who raised corn, squash and pumpkins here about 2,000 years ago. They also were hunters and fishers, and their trade routes stretched to the Atlantic Coast and the Gulf of Mexico. Later arrivals included the Chippewa, Ho Chunk (Winnebago), Mahican/Munsee, Menominee, Oneida, Potawatomi and Sioux.

From Wilderness to Statehood. The first Europeans to reach Wisconsin were the French explorers, fur trappers and missionaries. Thus, Wisconsin was included in the French sphere of influence from the time of Jean Nicolet's arrival at a Winnebago Indian village on Green Bay in 1634, through the signing of the 1763 Treaty of Paris that concluded the French and Indian War and ceded the land encompassing Wisconsin to Great Britain. At the end of the Revolutionary War, 20 years later, the British not only gave formal recognition to the independence of the 13 new states, they also ceded the vast, unsettled territory west of the Appalachian Mountains to the new nation. Actual British control of the area did not end, however, until 1814, following the conclusion of the War of 1812. As a United States territory, Wisconsin was initially governed by the Northwest Ordinance of 1787, and then by the laws of the Indiana Territory, the Illinois Territory, the Michigan Territory, and finally, in 1836, the Wisconsin Territory, as surrounding territories broke away to become states and join the Union.

On August 6, 1846, the Congress of the United States authorized the people living in what was then called the Territory of Wisconsin "to form a constitution and State government, for the purpose of being admitted into the Union". Based on this "enabling act", the people of the territory called a constitutional convention in Madison to draft a fundamental law for governing the state. The first proposal for a constitution was drafted in 1846 and submitted to the people on April 6, 1847, but the voters rejected it because of several controversial provisions involving banking, voting rights, property rights of married women and homesteading. Only 14,119 favored the proposed constitution, while 20,231 were opposed.

On March 13, 1848, a second convention submitted its draft, which was ratified by a vote of 16,799 to 6,384. The constitution then adopted remains in force to this day although it has been amended on numerous occasions.

On May 29, 1848, Wisconsin became the 30th state admitted to the Union.

State Powers and Prohibitions. The enabling act passed by the U.S. Congress in 1846 declared that the territory of Wisconsin was authorized to form a constitution and state government "on an equal footing with the original States in all respects whatsoever". Thus, from the moment of its birth, the State of Wisconsin – its people, its lawmaking bodies, its administrative machinery, its courts – was subject to the U.S. Constitution.

The original states specifically delegated a number of powers to the U.S. Congress, and Wisconsin agreed to this delegation. Congress is given the authority to regulate interstate and foreign commerce, maintain armed forces, declare war, coin money, establish a postal system, and grant patents and copyrights. Congress also has power to "make all laws which shall be necessary and proper" for carrying out the responsibilities delegated to it.



The Tenth Amendment to the U.S. Constitution specifies: “The powers not delegated to the United States by the constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.” Although the powers delegated to the federal government and the powers reserved to the states seem to be neatly delineated, government responsibilities and activities have not been that clear-cut. In fact, many powers are exercised concurrently by the federal government and the states. Through judicial interpretation and historical change, the powers exercised by Congress have been greatly expanded to include many activities once considered reserved to the states and others not even imagined by the drafters, such as regulation of television and radio or development of a space exploration program. Likewise, the states have broadened their authority as society and technology have changed.

The Many Sources of State Law

On April 20, 1836, the U.S. Congress passed the Organic Law establishing the Wisconsin Territory, as of July 3, 1836. It prescribed that the existing laws of the Territory of Michigan, to which Wisconsin had belonged, were to be “extended over the said territory . . . subject, nevertheless, to be altered, modified or repealed, by the governor and legislative assembly”.

The Wisconsin Constitution continued the laws of the Territory of Wisconsin, by providing in Section 2 of Article XIV: “All laws now in force in the territory of Wisconsin which are not repugnant to this constitution shall remain in force until they expire by their own limitation or be altered or repealed by the legislature.”

In addition to the provisions of the U.S. and Wisconsin Constitutions, the citizens of this state are governed by the wide-ranging laws contained in more than 5,000 pages of the Wisconsin Statutes. Even this body of law is not detailed enough. The Wisconsin Legislature has found that some areas are so technically complex that implementation of legislative policy must be left to specialists charged with administering the law. Thus, the legislature gives certain state agencies the power to issue administrative rules that have the effect of state law.

Notwithstanding the detailed wording of statutory law and administrative rules, there will still be specific points that are subject to interpretation. In these cases, the formal law is further defined by courts or administrative commissions that can interpret the constitution and state law.

Making State Government Work

In the division of state government powers, the legislative branch makes the law; the executive branch carries out (or executes) it; and the judicial branch interprets it. This very simple description of state government tells only half the story. Actually, all 3 branches play a part in establishing public policy, determining the meaning of the law and ensuring the laws are faithfully administered.

When most people think of “the law”, they tend to regard it as something restrictive – a rule prohibiting certain actions. Although this may be one of the outcomes, the real reason for the existence of law in a democratic system is to give the greatest benefits to the greatest number of citizens. The only manner in which this can be achieved is by establishing a firm set of rules that attempt to prescribe for all the limits of their rights and obligations.

Developing Public Policy. The legislature, with the concurrence of the governor, is the prime source of public policy. Policy proposals cannot be formalized as law without legislative action. Every member of the legislature may introduce bills proposing new laws, joint resolutions proposing constitutional amendments, or simple and joint resolutions dealing with other matters. Each legislator also may offer amendments to proposals introduced by other members.

Within the executive branch, the governor has been assigned constitutional duties in the development of formal public policy. The Wisconsin Constitution requires the governor to “communicate to the legislature, at every session, the condition of the state, and recommend such matters . . . for their consideration as he may deem expedient.” This is done in the state of the state message, the budget message and in special messages focusing on particular matters. In cases where a specific problem needs immediate legislative attention and the legislature is not meeting, the governor may call the legislature into special session. Moreover, all proposed new laws passed by the legislature must either be approved by the governor or passed over the governor’s veto (which requires a two-thirds vote in each house) before they can become effective. The authority to partially veto a bill gives the governor a great deal of control over the content of any new law.



Once a new proposal is enacted, the governor, as the chief executive officer of the state, takes an active part in policy implementation by administering the laws on a day-to-day basis. According to the constitution, the governor “shall expedite all such measures as may be resolved upon by the legislature, and shall take care that the laws be faithfully executed.”

The judicial branch also has an official role to play in the development of public policy. Although courts have no official lawmaking function, they do have to resolve conflicts and clear up misunderstandings of the existing law – that is, they interpret the law. A court decision may occasionally result in an interpretation of the law that has quite a different effect from what the legislature originally intended. The legislature can redraft and clarify the law if it disagrees with the interpretation.

The citizens of Wisconsin constitute the major source of ideas for new legislation. New policy proposals often result from everyday situations citizens encounter in their own communities. If they think that greater property tax relief is needed or that health insurance is unaffordable or that the business climate could be improved, they may decide “there ought to be a law”.

State agencies are another primary source of public policy ideas. While administering current programs, departments are in a natural position to see how policies are working and whether they need to be changed, expanded or abandoned altogether. Department heads have opportunities to discuss their problems with the governor, especially during development of the biennial budget, and they may be invited to contribute expert testimony at legislative hearings.

Research committees and task forces are also good sources of public policy ideas. When the legislature encounters a complex, and perhaps controversial, problem, it often will form a research committee in an effort to find a solution. When the legislature is not meeting in actual floor session, many of the Legislative Council’s special committees are gathering information, exploring alternatives and drafting legislative solutions. Such committees usually include public members who are experts in the area under study. The governor may also appoint citizen task forces to study various problems and recommend new legislation. Other useful sources of information about possible solutions to current issues are laws enacted by other states, ideas developed by the U.S. Congress and the federal government, or reports from private foundations or associations that conduct research on particular problems. New ideas spread rapidly.

Increasing Services. In 1848, when Wisconsin became a state, government services were relatively simple. In his annual report of 1849, the secretary of state reported payments to only 14 people (including the 6 constitutional officers) performing functions within the state’s executive branch. On September 30, 1996, full-time state employees numbered 56,667, and another 13,217 served in part-time, seasonal, project and graduate assistant positions.

This growth is primarily the result of the increasing size and complexity of today’s society. At one time, many Wisconsin residents had little opportunity for formal schooling; today, the University of Wisconsin System enrolls more than 149,000 students; the Technical College System serves an equivalent of almost 57,000 full-time students; and public elementary and secondary enrollments total more than 870,000. Once, the wooden Watertown Plank Road constituted an unequalled technological advancement over the muddy wagon trails of the day; by 1997, Wisconsin had 111,500 miles of highways and streets, more than three-fourths paved, and 95 publicly owned airports. In 1900, the average U.S. life expectancy at birth was 47.3 years; by 1990, it had reached 75.4 years (72.0 for males and 78.8 for females). As Wisconsin’s population increases in numbers and lives longer, the state faces many challenges, including improving education, renovating mature industries, developing the economy, protecting the environment, and improving transportation and health care.

In order to carry out its numerous responsibilities, every state has created subordinate units of local government. Because these are legal creations, the legislature may also abolish them, change them, or give them increased or decreased powers and duties.

Local Units of Government

Counties. Wisconsin has 72 counties. Together, they cover the entire territory of the state. The government offices for each county are located in a municipality within the county designated as the “county seat”. The governing board of the county is the board of supervisors, and across the state these boards vary in membership from 7 in Menominee County to 39 each in Dane County and Outagamie County. Within a particular county, each supervisor represents, as nearly

as practicable, an equal number of inhabitants. County supervisors are chosen in the spring non-partisan elections for 2-year terms, with the exception of the members of the Milwaukee County Board of Supervisors who serve 4-year terms. Other elected county officials, who are elected for 2-year terms in the fall partisan elections, include certain administrative officers, such as the district attorney, sheriff, clerk, treasurer, coroner, register of deeds and clerk of circuit courts. As permitted by law, counties may employ a registered land surveyor in lieu of electing a surveyor, and the majority do. An appointed county medical examiner system may be substituted for an elected coroner. (Milwaukee County must appoint a medical examiner and a registered land surveyor.)

Since January 1, 1987, counties have been required to have a central administrative officer. They may choose to have an elected "county executive", who is elected to a 4-year term in the spring nonpartisan elections, or a "county administrator", appointed by the county board. If the county has neither an executive nor an administrator, the county board must designate an elected or appointed official to serve as "administrative coordinator" for the county. The county board chairperson often is chosen for this post. Nine counties have elected executives; 6 have appointed administrators; and 57 have an appointed administrative coordinator.

Cities and Villages. Wisconsin's 189 cities and 395 villages are incorporated under general law. In general, minimum population for incorporation as a village is 150 residents for an isolated village and 2,500 for a metropolitan village located in a more densely settled area. For cities, the minimums are 1,000 and 5,000, respectively, but an existing village that exceeds 1,000 population may opt for city status.

Wisconsin cities currently use 2 forms of executive organization. The vast majority have a mayor and a city common council, but 10 operate under a council-manager system, in which the council selects the manager to serve as chief executive. In those cities with the mayor-council form of government, 35 have appointed full-time city administrators and 35 have part-time administrators.

In most villages, executive power is vested in the village president, who presides over the village board of trustees and votes as an *ex officio* trustee, but 10 villages use a village manager form of government. An additional 66 have created full- or part-time village administrators.

Towns. Town governments govern those areas of Wisconsin not included in the corporate boundaries of cities and villages. Wisconsin has 1,266 towns (including the entire county of Menominee, which is also designated a town). The town board is usually composed of 3 supervisors, but if a board is authorized to exercise village powers or if the town population is 2,500 or more, it may have up to 5 members. (Menominee County has 7 town board members, who also serve as the county board of supervisors.) Town supervisors are elected for 2-year terms in the spring election. They perform a number of administrative functions, and the town board chairperson has certain executive powers and duties. In addition, the town board may create the position of town administrator.

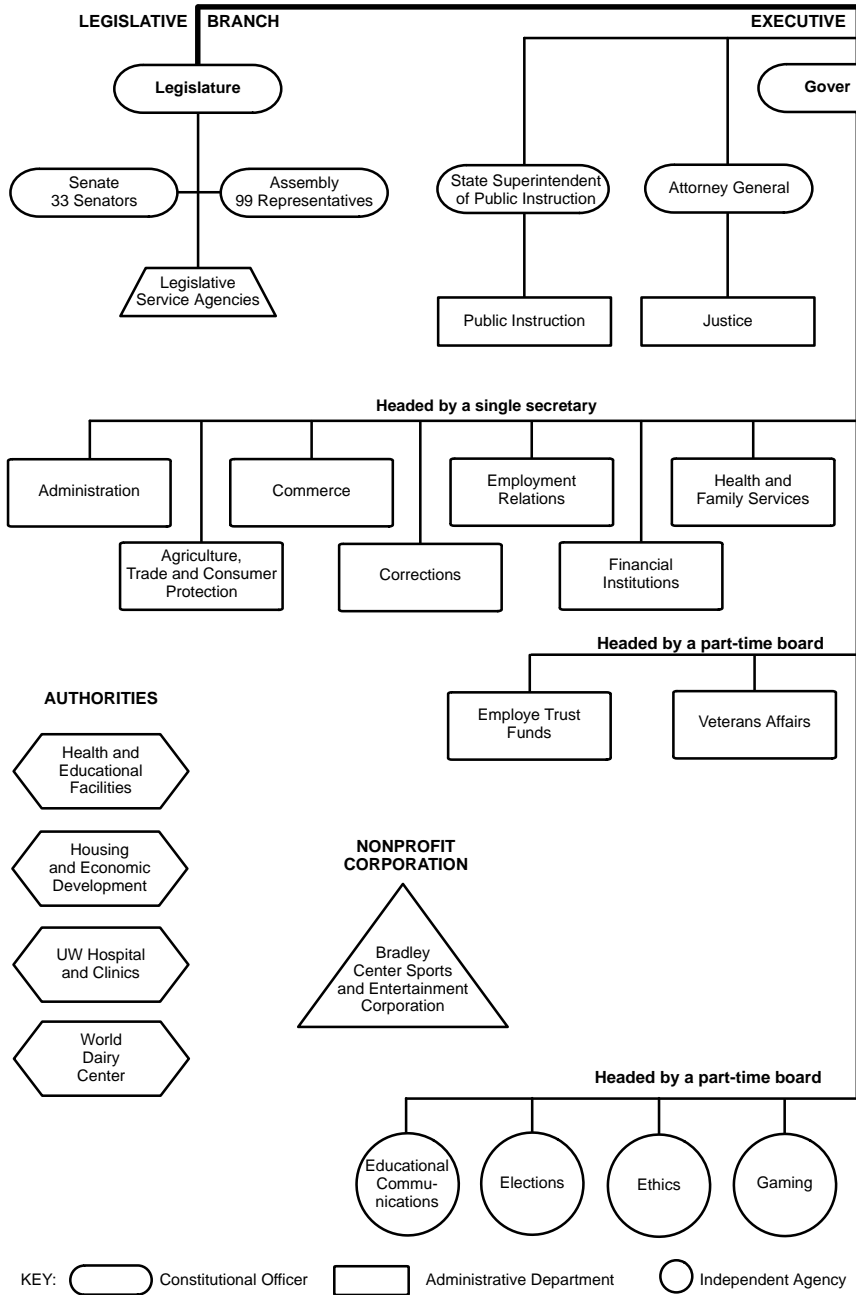
Supervisors are expected to carry out the policies set at the annual town meeting. The annual meeting is held on the second Tuesday of April (or another date set by the electors), and during the meeting all qualified voters of the town are entitled to discuss and vote on matters specified by state law.

School Districts. There are 426 school districts in Wisconsin. These are special units of government organized to carry out a single function, the operation of the public schools. Each district is run by an elected school board, which appoints the system administrators.

Special Districts. Special districts are created in Wisconsin to carry out functions that are strictly local in nature but may require cooperation across municipal boundaries. Special districts are corporate bodies that may sue and be sued, levy taxes and special assessments, spend money, and acquire property. Each special district seeks to solve a specific problem or perform a specific function. Special districts in Wisconsin include natural resource districts (such as public inland lake protection and rehabilitation districts) and numerous metropolitan sewerage districts, county drainage boards and independent drainage boards.

WISCONSIN STATE GOVERNMENT

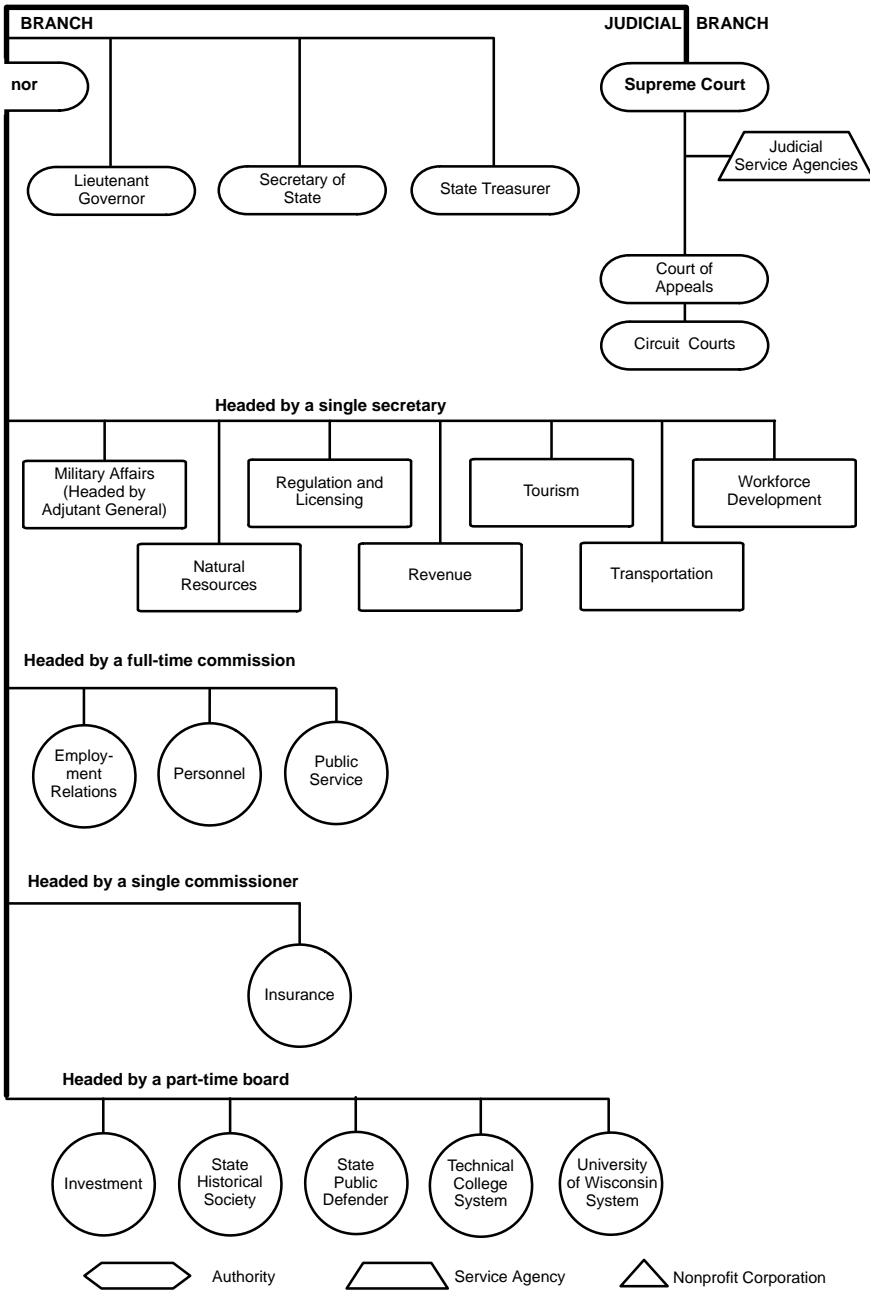
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Units of state government not shown on the chart are listed on following page.

GOVERNMENT ORGANIZATION

1997



Units of State Government Not Shown on Organization Chart

The following 63 units of state government — comprising 42 boards, 4 commissions, 9 councils, 5 divisions, and 3 offices — are independent entities, but are attached to the agencies indicated for administrative purposes under Section 15.03 of the statutes.

Boards

Adolescent Pregnancy Prevention and Pregnancy Services Board (DHFS)
 Board on Aging and Long-Term Care (DOA)
 American Indian Language and Culture Education Board (DPI)
 Animal Health and Disease Research Board (DATCP)
 Arts Board (Tourism)
 Badger Board (DOR)
 Burial Sites Preservation Board (State Historical Society)
 Child Abuse and Neglect Prevention Board (DHFS)
 Claims Board (DOA)
 Depository Selection Board (DOA)
 Development Finance Board (Commerce)
 Disability Board (Governor)
 Educational Technology Board (DOA)
 Emergency Medical Services Board (DHFS)
 Environmental Education Board (DPI)
 Farm Mediation and Arbitration Board (DATCP)
 Board on Health Care Information (Insurance)
 Historic Preservation Review Board (State Historical Society)
 Investment and Local Impact Fund Board (DOR)
 Kickapoo Reserve Management Board (Tourism)
 Lake Michigan Commercial Fishing Board (DNR)
 Lake Superior Commercial Fishing Board (DNR)
 Land and Water Conservation Board (DATCP)
 Land Information Board (DOA)
 Law Enforcement Standards Board (DOJ)
 Lower Wisconsin State Riverway Board (Tourism)
 Minority Business Development Board (Commerce)
 National and Community Service Board (DOA)
 Pharmacy Internship Board (UW)
 Prison Industries Board (DOC)
 Public Intervenor Board (DNR)

Public Records Board (DOA)
 Recycling Market Development Board (Commerce)
 Rural Economic Development Board (Commerce)
 Small Employer Insurance Board (Insurance)
 Board of State Canvassers (Elections Bd.)
 State Capitol and Executive Residence Board (DOA)
 State Emergency Response Board (DMA)
 State Fair Park Board (Tourism)
 State Use Board (DOA)
 Waste Facility Siting Board (DOA)
 Wisconsin Conservation Corps Board (DWD)

Commissions

Labor and Industry Review Commission (DWD)
 Tax Appeals Commission (DOA)
 Wisconsin Sesquicentennial Commission (Governor)
 Wisconsin Waterways Commission (DNR)

Councils

Council on American Indian Health (DHFS)
 Council on Developmental Disabilities (DHFS)
 Gang Violence Prevention Council (DOC)
 Groundwater Coordinating Council (DNR)
 Council on Health Care Fraud and Abuse (DOA)
 Milwaukee Child Welfare Partnership Council (DHFS)
 Council on Physical Disabilities (DHFS)
 Council on Recycling (DNR)
 Women's Council (DOA)

Divisions

Division of Banking (DFI)
 Division of Hearings and Appeals (DOA)
 Division of Savings and Loan (DFI)
 Division of Securities (DFI)
 Division of Trust Lands and Investments (State Treasurer)

Offices

Office of Credit Unions (DFI)
 Office of Justice Assistance (DOA)
 Office of the Commissioner of Railroads (PSC)