

Understanding Proposed Amendments to the Wisconsin Constitution in a Buddhist Context

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Wisconsin voters who cast ballots in the Spring Election on April 2, 2024, will be confronted with two questions on their ballot that, if they receive a majority of “yes” votes, will amend the Wisconsin Constitution. It is important for all Wisconsin voters to understand these questions and what they would mean for our state’s constitution if they receive a majority of “yes” votes.

So, as we approach our opportunity to elect people to serve in public offices this spring, and to vote on proposed amendments to the Wisconsin Constitution, I encourage you to question how the decisions you make in casting your ballot reflect how you wish to be included in how the state is run. Voting gives us the possibility to make sure the constitution is serving all people equally.

Buddhist ethics is about treating all beings equally with kindness and compassion, not putting oneself or one's group in a favorable position. Please read this article carefully to make a fair decision on the amendment.

The process of amending Wisconsin’s Constitution

Before launching into the questions themselves, it is important to understand how the appearance of these questions on April’s Spring Election ballot ties into the process of amending Wisconsin’s Constitution.

Wisconsin adopted its Constitution in 1848, shortly before being admitted into the United States of America. We have never had any constitution other than that first one, adopted 176 years ago. Although our first constitution is still in effect, it has not remained static; it has been amended 148 times since it was adopted, with the most recent amendments coming just last year. But how many people in Wisconsin understand the process by which our constitution is amended? And how many understand how the questions that appear from time to time on our ballots are connected to the constitutional amendment process?

Unlike other states like Michigan, Wisconsin citizens cannot initiate an amendment to the Wisconsin Constitution. In Michigan, for example, citizens may petition to have a question placed on the statewide ballot that would amend the Michigan Constitution. That is exactly what Michigan voters did in 2018 when they approved a petition submitted by citizens that amended the Michigan Constitution to transfer the power to draw the state’s congressional and legislative districts from the state legislature to an independent redistricting commission. In Wisconsin, by contrast, amendments to our state constitution may be initiated only by the Legislature in either of two ways: through ballot questions (art. XII, § 1) or by calling a constitutional convention (art. XII, § 2). Wisconsin has had only two constitutional conventions in its history: one in 1846, which produced a constitution that was not approved by the voters; and a second in 1847, which was approved by the voters and resulted in our current constitution. No constitutional convention has been held since 1847.

All of the 148 amendments to Wisconsin's Constitution have come through ballot questions. This procedure has three steps. First, a majority of the Assembly and a majority of the Senate each must approve an amendment to the constitution in a legislative session. This vote is not subject to veto by the Governor. Second, in the next new legislative session following a general election, a majority of the Assembly and a majority of the Senate must each again approve the proposed amendment. Again, the vote is not subject to gubernatorial veto. If the amendment also passes this second legislative session, then it must be submitted to voters as a ballot question for approval by a majority vote. If a majority of voters approve the ballot question, it effectuates a constitutional amendment.

The ballot questions that will appear on the April 2 ballot have already been approved by majority votes in the Assembly and in the Senate in two successive legislative sessions. So, the vote on the ballot questions on April 2 is the third and final step in this process for the proposed constitutional amendments. In other words, if a majority of voters who return ballots in the April 2 election vote "Yes" on either question, the question(s) with a majority "Yes" vote will be added to the Wisconsin Constitution.

The questions that will appear on the April 2 ballot

There are two ballot questions that will appear on the April 2 Spring Election ballot.

Question 1

The first question, which will appear as Question 1, reads as follows:

Question 1: "Use of private funds in election administration. Shall section 7 (1) of article III of the constitution be created to provide that private donations and grants may not be applied for, accepted, expended, or used in connection with the conduct of any primary, election, or referendum?"

The background for this proposed amendment is that in 2020, Facebook founder Mark Zuckerberg and his wife, Dr. Priscilla Chan, donated a total of \$350 million to the Center for Tech and Civic Life (CTCL), an existing nonprofit based in Chicago that describes itself as "a team of civic technologists, trainers, researchers, election administration and data experts working to foster a more informed and engaged democracy, and helping to modernize U.S. elections." Approximately \$10 million of those funds were used by over 100 municipalities in 38 of Wisconsin's 72 counties that applied for and received funding to cover the increased costs of administering elections during the COVID-19 pandemic. The funds that were donated were given to support the following types of expenses:

Poll worker recruitment, hazard pay, and training

Polling place rental

Temporary staffing support

Drive-through voting

Equipment to process ballots and applications

Personal protective equipment (PPE) for poll workers

Nonpartisan voter education from cities and counties

A majority “yes” vote for Question 1 would create a constitutional amendment banning the use of funds donated from private sources for future elections. Generally speaking, conservative groups and those that promote “election integrity”—meaning the most restrictive reading of voting laws—favor a “yes” vote on Question 1. On the opposite side of the spectrum, groups that seek to maximize the opportunity and participation of all those who are eligible to vote in our elections favor a “no” vote on Question 1.

An excellent summary of Question 1 and the positions of various groups both supporting and opposing this constitutional amendment may be found [here](#).

Question 2

The second question, which will appear on the April 2 ballot as Question 2, reads as follows:

Question 2: “Election officials. Shall section 7 (2) of article III of the constitution be created to provide that only election officials designated by law may perform tasks in the conduct of primaries, elections, and referendums?”

Wisconsin’s statutes already provide extensive and rigorous requirements for “election officials,” a category that is more typically referred to as “poll workers” and includes chief election inspectors, election inspectors, greeters, tabulators, election registration officials, and special voting deputies. For example, among other requirements, election officials must be approved by the municipality from a list of nominees submitted by the two major political parties; must be able to read and write English; must be qualified voters in the county in which the polling place where they will serve is located; cannot be candidates on the ballot; and cannot be immediately related to any candidate on the ballot.

A majority “yes” vote for Question 2 would restrict the performance of tasks “in the conduct of primaries, elections, and referendums” only to election officials. Yet because Wisconsin Statutes currently provide that “only election officials appointed under” the two statutory provisions governing the appointment of election officials “may conduct an election,” it is unclear how the addition of this provision to the Wisconsin Constitution would enhance Wisconsin’s election laws. The Legislature has identified no specific need for this constitutional amendment, nor has it pointed to any shortcoming of the present statutory restrictions on who may serve as an election official. Consequently, it appears that the inclusion of this question on the ballot is an attempt to enshrine in the Constitution provisions that exist now only in statutes, which would make them much more difficult to change should political control of the legislature and the legislative process shift from its current state.

As with Question 1, conservative and “election integrity” groups favor a “yes” vote on Question 2, whereas groups that seek to expand access to and participation in voting favor a “no” vote on Question 2. There is a concern among some pro-democracy groups that amending the Constitution to include the provision reflected in Question 2 might lead to efforts to stifle current practices that enhance voter participation.

Further information regarding this constitutional amendment may be found [here](#).