

Mac Davis: Justice David Prosser's article on the transportation fund

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I love Dave Prosser. I have known him, professionally, for over 30 years. He was a great State Representative, a great Speaker, and a great Supreme Court Justice. But I don't agree with him on [his prescription for Wisconsin's transportation fund](#).

Start with the title of the article, which the editor probably selected, "A Conservative Case for a Gas Tax Hike." Wrong. I agree that his article is a "Conservative's" case, since Dave is generally a conservative. But it is not a "conservative" case.

There are at least three clear major reasons that Wisconsin should not raise the gas tax at this time.

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1) The Republican/Conservative brand is to not raise taxes. Squandering that well entrenched and important branding is fool-hardy.

2) Providing major new revenue to a disorganized, profligate, screwed up Department of Transportation is to reward disfunction and make reforms unlikely. I regularly drive by the I-94 / CTH SS interchange in central Waukesha County. There is no road to the south. To the north is a two lane residential road. Yet the interchange has many lanes and 4 stop and go light sets. Ridiculous. The STH 83 round-about near me were designed and built so that semi-trailers could not negotiate them. They had to be re-built! Etc.!! The State Audit Bureau excoriated them. 'Nuf said. Pressure must be kept on to get organizational reform.

3) Other reforms, particularly eliminating 'prevailing wage,' government wage fixing, need to be instituted first, while the pressure is on.

Though many apparently disagree, I am also unconvinced that Wisconsin's roads are so terrible. Sure, so called experts and various organizations say we need more spending. But that is always true. Only a naive push-over uncritically relies on the statements of road builder organizations or government related organizations. Hey, they always say we need more. Engineers always think more expensive remedies are 'necessary.' I don't drive on all of Wisconsin's roads, but the ones I drive on are in good shape.

Going back to gas tax indexing is a horribly undemocratic idea. Automatic tax increases without consent of the governed or their representatives? Horrible! Yes, raising taxes thru the Legislature is hard. And that is the way it should be!

— Mac Davis was a Republican state senator from 1983 to 1990 and a circuit court judge from 1990 until 2015.