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*Testimony before the Senate Committee on Local Government, Small Business,
Tourism and Workforce Development
State Senator André Jacque
June 18th, 2019*

Colleagues on the Senate Committee on Local Government, Small Business, Tourism and Workforce Development,

I am pleased to testify in support of Senate Bill 216. This common sense, bi-partisan legislation will help untangle local government from the costs associated with unfunded state mandates.

Upon enactment, SB 216 will create a legislative Joint Committee on State Mandates. The committee would consist of three majority party and two minority party members from each house. At least one member of the majority party of each house who is appointed to the committee must also be a member of the Joint Committee on Finance. SB 216 contains identical language to 2011 AB 326 which passed unanimously out of the Assembly Urban & Local Affairs Committee and 2003 SB 15, which passed both houses of the legislature and was vetoed by former Governor Jim Doyle.

Senate Bill 216 states that any bill placing a statutory requirement on a local governmental unit must be referred at once to the committee and the bill may not be considered further until the committee submits a report or 30 days have lapsed. If the committee's report concludes that the bill has a negative uncompensated fiscal effect on local governmental units, and the mandate is a wholly state-imposed mandate upon local governmental units, this bill requires that the committee must offer an amendment to the bill appropriating funds to offset the cost of the mandate. The bill defines "mandate" to exclude certain provisions and those that have minimal fiscal effect.

Additionally, the bill states that the legislature may not enact a bill that imposes future state-imposed mandates unless they receive a hearing before the committee or are funded. If an enacted mandate is not funded, either upon passage or in the future, the mandate may not be enforced until it is funded. The bill also requires that a state agency may not promulgate a rule or take an action that imposes a mandate and that a state agency shall not take an action required by law if the action would impose a mandate, unless there is a sufficient amount to fund the mandate.

The bill directs the Legislative Fiscal Bureau, by January 1, 2021, to identify all mandates for the committee, other than ones having a minimal fiscal effect. The committee is directed to submit legislation repealing all mandates to each house of the legislature. The bill also requires the committee to review and evaluate existing mandates. To carry out its duties, the committee may make investigations and hold hearings.

Thank you for your consideration of Senate Bill 216.



RICK GUNDRUM

STATE REPRESENTATIVE • 58TH ASSEMBLY DISTRICT

**Senate Committee on Local Government, Small Business, Tourism and
Workforce Development
Tuesday, June 18, 2019
Room 300 Southeast
Testimony on Senate Bill 216**

Thank you to the Senate Committee on Local Government, Small Business, Tourism and Workforce Development for holding a hearing on Senate Bill 216. I would also like to thank Senator Jacque for providing me with the opportunity to work with him in drafting this legislation and bringing it forward in both houses of the legislature.

Most notably, SB 216 establishes a Joint Committee on State Mandates. The Joint Committee would effectively serve as a mechanism for compelling the legislature to revisit unfunded or partially-funded mandates imposed on Wisconsin's local units of government, in addition to ensuring that any proposed mandates are given additional scrutiny through the legislative process and the administrative rulemaking process.

As a bit of background, proposals similar to SB 216 have previously been introduced with bipartisan support in the 2011 (AB 326) and 2003 (SB 15) legislative sessions. Even before that, the issue of state mandates was given heightened attention by Wisconsin's executive and legislative branches through the work of the 1980 special committee on state mandates, the 1986 task force on county and local mandates, and the 1993 task force on state mandates. Clearly, the pressures faced by our local officials in their efforts to stretch out finite resources are not unique to the present day.

As someone with over two decades of combined experience serving in local government, I understand the challenges facing the local governing bodies in my district as they seek to provide the highest-quality services at the lowest possible cost for our shared constituencies. The burden of state-imposed mandates that are either partially or entirely unfunded only serves to exacerbate these challenges.

Thank you for your time and attention, and I hope you can place your support behind this important piece of legislation.