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(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on ... Veterans, Homeland Security,
Military Affairs, Small Business and Government
Reform (SC-VHSMASBGR)**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Senate

Record of Committee Proceedings

Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform

Senate Bill 5

Relating to: creation of a Joint Committee on State Mandates and required funding of state mandates.

By Senators Darling, Leibham, Kapanke, Brown, Kanavas, A. Lasee, Stepp, Lazich, Lassa and Harsdorf; cosponsored by Representatives Stone, McCormick, Gunderson, Gronemus, Musser, Jeskewitz, Rhoades, Gundrum, Hahn, Lothian, Mursau and Strachota.

January 12, 2005 Referred to Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform.

March 23, 2005 **PUBLIC HEARING HELD**

Present: (4) Senators Brown, Zien, Breske and Wirch.
Absent: (0) None.
Excused: (1) Senator Kanavas.

Appearances For

- Alberta Darling — State Senator, 8th Senate District

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Jayme Sellen, Madison — Wisconsin Counties Association
- Ramie Leonard, Madison — Dane County Cities and Villages Association (DCCUA)
- Ed Huck, Madison — Wisconsin Alliance of Cities
- Dan Thompson, Madison — League of Wisconsin Municipalities
- Mark Wadium, Appleton — Outagamie County

Registrations Against

- Joanne Ricca, Milwaukee — Wisconsin State AFL-CIO

March 23, 2005

EXECUTIVE SESSION HELD

Present: (5) Senators Brown, Zien, Kanavas, Breske and
Wirch.

Absent: (0) None.

Moved by Senator Brown, seconded by Senator Breske that **Senate Amendment LRBa0355** be recommended for introduction and adoption.

Ayes: (5) Senators Brown, Zien, Kanavas, Breske and
Wirch.

Noes: (0) None.

INTRODUCTION AND ADOPTION OF SENATE
AMENDMENT LRBA0355 RECOMMENDED, Ayes 5, Noes 0

Moved by Senator Zien, seconded by Senator Breske that **Senate Bill 5** be recommended for passage as amended.

Ayes: (5) Senators Brown, Zien, Kanavas, Breske and
Wirch.

Noes: (0) None.

PASSAGE AS AMENDED RECOMMENDED, Ayes 5, Noes 0



Daniel Lindstedt
Committee Clerk

SENATE BILL 5 (LRB -1137)

An Act to amend 13.093 (2) (b); and to create 13.59, 13.591, 16.59, 20.505 (1) (bm) and 227.112 of the statutes; relating to: creation of a Joint Committee on State Mandates and required funding of state mandates.

2005

01-12.	S.	Introduced by Senators Darling, Leibham, Kapanke, Brown, Kanavas, A. Lasee, Stepp, Lazich, Lassa and Harsdorf ; cosponsored by Representatives Stone, McCormick, Gunderson, Gronemus, Musser, Jeskewitz, Rhoades, Gundrum, Hahn, Lothian and Mursau .	
01-12.	S.	Read first time and referred to committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform	31
01-19.	S.	Fiscal estimate received.	
02-01.	S.	Fiscal estimate received.	
02-22.	S.	Representative Strachota added as a cosponsor	91
03-23.	S.	Public hearing held.	
03-23.	S.	Executive action taken.	
03-30.	S.	Senator Breske added as a coauthor	141
04-01.	S.	Report introduction and adoption of Senate Amendment 1 recommended by committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform, Ayes 5, Noes 0 (LRB a0355)	143
04-01.	S.	Report passage as amended recommended by committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform, Ayes 5, Noes 0	143
04-01.	S.	Available for scheduling.	
10-27.	S.	Placed on calendar 11-1-2005 by committee on Senate Organization.	
11-01.	S.	Read a second time	423
11-01.	S.	Senate amendment 1 adopted	423
11-01.	S.	Ordered to a third reading	423
11-01.	S.	Rules suspended	423
11-01.	S.	Read a third time and passed	423
11-01.	S.	Senator Roessler added as a coauthor	420
11-01.	S.	Ordered immediately messaged	427
11-17.	A.	Representative J. Fitzgerald added as a cosponsor.	

2006

01-30.	A.	Received from Senate	766
01-30.	A.	Read first time and referred to committee on Urban and Local Affairs	766
02-09.	A.	Public hearing held.	
03-01.	A.	Executive action taken.	
04-11.	A.	Report concurrence recommended by committee on Urban and Local Affairs, Ayes 7, Noes 1	1011
04-11.	A.	Referred to committee on Rules	1011
04-13.	A.	Senator Zien added as a coauthor	1014
05-11.	A.	Failed to concur in pursuant to Senate Joint Resolution 1	1134

Vote Record

Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform

Date: _____

Moved by: Brown

Seconded by: BRS

AB _____ SB S _____ Clearinghouse Rule _____
 AJR _____ SJR _____ Appointment _____
 AR _____ SR _____ Other _____

A amend mark

A/S Amdt _____
 A/S Amdt _____ to A/S Amdt _____
 A/S Sub Amdt _____
 A/S Amdt _____ to A/S Sub Amdt _____
 A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

- Be recommended for:
- Passage Adoption Confirmation Concurrence Indefinite Postponement
 - Introduction Rejection Tabling Nonconcurrence

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Ronald Brown, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator David Zien	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ted Kanavas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Roger Breske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Wirch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	_____	_____	_____	_____

Motion Carried Motion Failed

Vote Record
Committee on Veterans, Homeland Security, Military Affairs,
Small Business and Government Reform

Date: _____

Moved by: ZIE

Seconded by: S

AB _____

SB S

Clearinghouse Rule _____

AJR _____

SJR _____

Appointment _____

AR _____

SR _____

Other _____

adoption

A/S Amdt _____

A/S Amdt _____ to A/S Amdt _____

A/S Sub Amdt _____

A/S Amdt _____ to A/S Sub Amdt _____

A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:

- Passage Adoption Confirmation Concurrence Indefinite Postponement
 Introduction Rejection Tabling Nonconcurrence

Committee Member

Senator Ronald Brown, Chair

Aye No Absent Not Voting

Senator David Zien

Senator Ted Kanavas

Senator Roger Breske

Senator Robert Wirsch

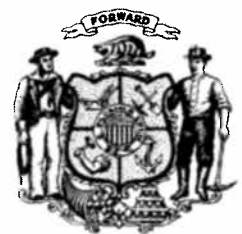
Totals: _____ _____ _____ _____

Motion Carried

Motion Failed



WISCONSIN STATE LEGISLATURE



FORWARD

Alberta Darling

Wisconsin State Senator

Joint Committee on Finance

TESTIMONY BEFORE THE SENATE COMMITTEE ON HOMELAND SECURITY,
VETERANS AFFAIRS AND GOVERNMENT REFORM

March 23, 2005

Thank you Mr. Chairman for scheduling SB5 for a hearing, and for allowing me to testify on its behalf. I appreciate having the opportunity to explain why I think this bill deserves your support.

First, some background on past efforts to enact legitimate mandate reform: This legislation was first authored by former state Senator Bob Welch. It received the support of several public officials around Wisconsin and was endorsed by the Association of School Boards, League of Municipalities and Counties Association. It was approved by both houses of the legislature on a voice vote, but was vetoed by the Governor on a Friday afternoon in June, just hours after he signed the budget into law. A veto override attempt failed 19-14.

I believe this legislation will once and for all put some muscle where our mouth is. That is, we will help state and local governments reevaluate the programs that will be funded by local and state governments. The long-term goal of this critical piece of legislation is to provide Wisconsin homeowners with a property tax break. *Control spending*

The relationship between state and local governments is not an exciting topic, but that does not mean it is not important. After all, the efficient use of tax dollars is at the heart of this matter, and whether it is a state or local tax, they still come from the pocketbooks of hard-working taxpayers.

For decades, levels of government have 'passed the buck' and told lower units of government what to do. For example, the state tells ~~your~~ county government that it must arrest and incarcerate people who violate their state-ordered probation or parole. However, the state does not adequately compensate ~~your~~ county for the costs incurred by complying with the mandate, it just makes the demand. That's not right and that's why we need to pass this measure alongside the 2005-07 budget. It will show we are serious about mandate reform.

Too often, the state views local government as its agent. We expect local units of government to provide services or administer programs, but too often we do not give them the funding to do so. Local units of government are limited in their ability to raise revenue on their own, so they are in a bind. That can and must change.



Alberta Darling
Wisconsin State Senator
Joint Committee on Finance

Mandate Bill Testimony

3-22-05

-Page 2-

This bill consists of five main components:

1. Have the State Legislature establish a standing 10-member Joint Survey Committee on State Mandates consisting of 5 legislators from each house.
2. This committee will be charged with reviewing all bills that place a requirement on local government.
3. If committee concludes a bill or an existing law amounts to an unfunded state mandate, the committee must introduce an amendment appropriating funds to offset its costs.
4. If full legislature does not pass the funding amendment, the mandate is null and void.
5. The committee will be made to revisit and then introduce a bill that would end all current state-mandated programs. The committee will do this after it receives a complete list of those mandates from the LFB.

It is important to note that while this bill has teeth, and is a marked improvement over current state law, many of the committee's eventual actions may or may not be supported by the entire legislature. The new statute created under this bill will continue to give final approval for the complete funding or complete dissolution of a mandate to the legislature.

The bill also does not have an appropriation. It is a policy bill with no state or local fiscal effect. However, it is written to allow for the addition of state funds if we want to add state funds via an amendment.

If the bill is signed into law, then the legislature will have to pass another appropriation bill so that the new committee would have the necessary funds to fully-fund the mandates that are then deemed "under-funded".

Finally, by working together with local government officials and taxpayers, we can create a more efficient, more responsive government that adequately provides necessary funding for needed programs. We can spend less by cutting services or programs that are not efficient or necessary.

Thank you again for allowing me to testify on behalf of this important reform initiative.

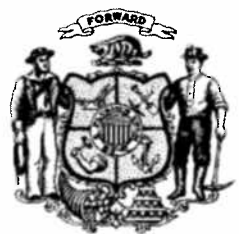
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District Office: N88 W16621 Appleton Avenue □ Menomonee Falls, Wisconsin 53051

Email: Sen.Darling@legis.state.wi.us □ **Web page:** www.legis.state.wi.us/senate/sen08/news/



WISCONSIN STATE LEGISLATURE



2005 SENATE BILL 5

Introduced by Senators DARLING, LEIBHAM, KAPANKE, **BROWN**, KANAVAS, A. LASEE, STEPP, LAZICH, LASSA and HARSDORF, cosponsored by Representatives STONE, MCCORMICK, GUNDERSON, GRONEMUS, MUSSER, JESKEWITZ, RHOADES, GUNDRUM, HAHN, LOTHIAN and MURSAU. Referred to Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform.

AN ACT *to amend* 13.093 (2) (b); and *to create* 13.59, 13.591, 16.59, 20.505 (1) (bm) and 227.112 of the statutes; *relating to: creation of a Joint Committee on State Mandates and required funding of state mandates.*

Analysis by the Legislative Reference Bureau

- This bill creates a legislative Joint Committee on State Mandates (committee). The committee consists of three-majority party and two minority party members from each house.
- The bill 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 states 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.
- 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 states 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. Under this bill, affected local governments are reimbursed annually for the approximate costs attributable to state-imposed mandates.
- The bill directs the Legislative Fiscal Bureau, by May 1, 2007, 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.

SB5

SENATE BILL 5

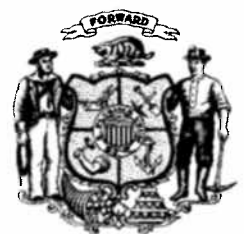
An Act to amend 13.093 (2) (b); and to create 13.59, 13.591, 16.59, 20.505 (1) (bm) and 227.112 of the statutes; relating to: creation of a Joint Committee on State Mandates and required funding of state mandates. (FE)

2005

- 01-12-05. S. Introduced by Senators Darling, Leibham, Kapanke, Brown, Kanavas, A. Lasee, Stepp, Lazich, Lassa and Harsdorf; cosponsored by Representatives Stone, McCormick, Gunderson, Gronemus, Musser, Jeskewitz, Rhoades, Gundrum, Hahn, Lothian and Mursau.
- 01-12-05. S. Read first time and referred to committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform. 31
- 01-19-05. S. Fiscal estimate received.
- 02-01-05. S. Fiscal estimate received.
- 02-22-05. S. Representative Strachota added as a cosponsor. 91



WISCONSIN STATE LEGISLATURE



- ▶ Home
- ▶ Lobbying in Wisconsin
- ▶ Organizations employing lobbyists
- ▶ Lobbyists



as of Tuesday, March 22, 2005

2005-2006 legislative session
Legislative bills and resolutions
 (search for another legislative bill or resolution at the bottom of this page)
 Text, Sponsors and Analysis
 Status and Fiscal Estimate
 Lobbying Effort on this item
Senate Bill 5

creation of a Joint Committee on State Mandates and required funding of state mandates.

Organization Profile	Interests	These organizations have reported lobbying on this proposal:		
		Date Notified	Position	Comments
•	•	1/27/2005	↔	
•	•	1/17/2005	↑	
•	•	1/13/2005	↑	
•	•	2/7/2005	↔	
•	•	3/2/2005	↑	
•	•	2/1/2005	↔	

Place pointer on icon to display comments,
 click icon to display prior comments

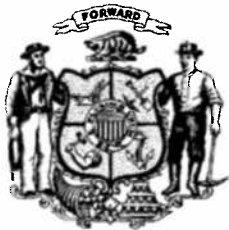
Select a legislative proposal and click "go"

House Assembly Senate

Proposal Type



WISCONSIN STATE LEGISLATURE



Follow-up

23 MAR-05

- work on
drafting amendment

→ ~~talk to~~ talk to
Tom Petri

→ talk to Jerry
Offerdale

→ talk to Brestee's
etc