

# UNDER THE DOME

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A Periodic Publication from the Municipal Electric Utilities of Wisconsin and our government affairs team at The Kammer Group.

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## DOT Frees Up \$100 Million for Transportation Projects

Governor Walker announced that lower costs on road projects and higher than anticipated revenues to the transportation fund will allow the Department of Transportation (DOT) to increase transportation spending by more than \$100 million. The DOT is using part of the money, \$65 million, to expedite 21 road and bridge projects in the current fiscal year ending June 30th. New revenue forecasts call for \$38 million more to be collected in gas taxes and registration fees than previously projected for the transportation fund from the current fiscal year through the next two-year budget cycle, ending in June 2019. The governor released a statement saying the move demonstrates the DOT is becoming more fiscally prudent. That was echoed by conservative group Americans for Prosperity, who released a statement hailing the DOT while continuing to argue against any transportation tax increase. Assembly Speaker Robin Vos and JFC Co-chair John Nygren, both at odds with Walker on the issue of transportation funding, downplayed the development, saying it was minor in the context of the overall transportation fund, and that while its positive to see the DOT being more responsible with existing dollars, a long-term funding solution still needs to be a priority.

## Finance Committee to Hold Out-state Budget Hearings

The Joint Finance Committee will continue holding public hearings on the governor's budget proposal. Three hearings were held in New Berlin, Platteville and Milwaukee. The Committee will travel north on Tuesday, April 18th with a hearing scheduled in Spooner, followed by Ellsworth on Wednesday and Marinette on Friday. The hearings have been well-attended but numbers are down from last budget cycle. Some of the major items the public have weighed in on include funding for education, transportation, medical assistance, the governor's proposal to eliminate the DNR magazine, juvenile corrections reforms, and various K-12 reforms including elimination of the state's September 1st start date and required hours of instruction. The Finance Committee is expected to start voting on the state budget in May.

## Upcoming Session Days

The Senate and Assembly are both expected to have floor session on Tuesday, May 2nd and possibly Tuesday, May 9th.

## Assembly Republicans Unveil Package Aimed at Addressing Homelessness

A group of Assembly Republican lawmakers unveiled a package that would provide additional resources to homeless people, a population that is estimated to be at 26,000 in the state. The four bills are authored by state Reps. Treig Pronschinske, Pat Snyder, Jim Steineke, and Jessie Rodriguez, with Sen. Alberta Darling taking the Senate lead. Speaking at a press conference in the state Capitol, the lawmakers argued the bills are needed to ensure homeless people get the services they need to get off the streets, and will give the state the ability to stretch dollars farther and do more with existing resources to combat homelessness. The measures would create grants for municipalities to set up programs to connect homeless people with jobs and workforce training, let the WI Housing and Economic Development Authority pilot a program to prioritize chronically homeless individuals on waiting lists for housing vouchers, free up state resources that have been either underutilized or to direct money to areas with the greatest need, and create an inter-agency council that would help find ways for state agencies to collaborate on the issue and set up a position at the DOA to coordinate the council's work. A number of advocacy groups expressed support for the package while some Democratic lawmakers criticized it for not doing enough to address the serious problem.

## **ETF Disputes Claims Some Employees Would Lose Coverage Under Self-Insurance Proposal**

The state Department of Employee Trust Funds (ETF) is saying local government employees would not lose coverage under the self-insurance model being proposed by the Walker Administration. 368 local governments currently choose to participate in the state's program versus creating their own. The issue was raised earlier this month when the ETF testified before the Legislature's budget committee and comes from a Legislative Council memo that said it's possible Walker's proposal could prevent local governments from participating in the state program, citing a 1987 attorney general opinion. A third party analysis done by law firm Husch Blackwell also came to that conclusion. The League of Wisconsin Municipalities has since advised its members the future of their health benefits are in question. In response, the ETF released a legal analysis saying state statutes clearly allow the state's health insurance program to cover local government employees on a self-insured basis, arguing the 1987 AG opinion was limited in scope and doesn't reflect accurately current state law. According to the ETF, the state Group Insurance Board has authority under Chapter 40 of the statutes to offer a self-insured group health insurance program to locals. Lawmakers on both sides of the aisle have been critical of the proposal and legislative leaders have indicated changes will be made.

## **Federal Swap Bill Introduced**

State Sen. Duey Stroebel and Rep. Rob Brooks have introduced legislation that is aimed at removing federal dollars from local transportation projects which they say will reduce local government compliance costs. The bill requires the Department of Transportation (DOT) to transfer state moneys appropriated to the DOT for state highway rehab to local transportation programs while requiring an equivalent transfer of federal moneys out of the account. In a memo to lawmakers, Stroebel and Brooks said the use of federal transportation dollars burdens local governments with unnecessary and stifling regulations. The bill provides a four-year phase in for the swap, intended to give the DOT time to adjust project funding.

## **Roggensack Re-Elected Chief Justice**

Pat Roggensack was re-elected to a second term as state Supreme Court chief justice. She has held the post since 2015, following passage of a constitutional amendment that let the justices choose who fills the top post. Prior to that, it went to the most senior member of the court, who from 1996 to 2015 was Justice Shirley Abrahamson. Roggensack was elected to the Supreme Court in 2003, and she won re-election in 2013. She will now hold the chief justice position for another two years.

## **Lawmakers, Attorney General Advocate for Marsy's Law**

Attorney General Brad Schimel weighed in with support of legislation recently introduced by a group of GOP lawmakers that would amend the state's constitution to create stronger protections for victims of crime. The bill, authored by state Sen. Van Wanggaard and Rep. Todd Novak, has been dubbed Marsy's Law, named after a woman in California who was murdered by her ex-boyfriend. Following the murder, her family was confronted by the killer after he had been released without them knowing. Not everyone is in support of the measure, as some critics have said the law could deprive defendants of critical information needed for their defense and lead to wrongful convictions, along with increasing prosecution costs. Schimel, however, has said the court system is currently set up in favor of defendants and that victims are disadvantaged. Marsy's law, he contends, would bring about the right balance and continue protecting the right to a fair trial. Under the bill, a number of existing protections in state statutes for victims would be put in the state constitution, something supporters say is needed to ensure equal rights for crime victims that are clear, enforceable, and permanent. It would also allow for victims to be more involved in courtroom processes and present for hearings that the defendant is currently only allowed to be at. It also seeks to prevent disclosure of records that could be used to locate or harass the victim or the victim's family. The bill must be approved by two consecutive sessions of the Legislature and then approved by a majority of voters in order to pass. It could be on the ballot as early as 2019.