



HOWARD MARKLEIN

STATE SENATOR • 17TH SENATE DISTRICT

Capitol Update

By Senator Howard Marklein

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There Is No Bill, But There Is a Solution

For the seventh time, Governor Tony Evers has called the legislature into a Special Session. For the seventh time, the Governor has publicly released a draft idea that he has not discussed with any legislators. For the seventh time, the Governor has told us to vote on an idea that hasn't even been introduced, let alone put through the steps of the legislative process. There is no bill.

The Governor has not worked with any legislators – Republicans or Democrats – to introduce a bill. No legislators have introduced a bill, secured a public hearing, an executive session or a floor date. We cannot vote on something without a bill. Right now, there is no bill.

Even if there was a bill, the Governor's timeline between calling for a Special Session and the Special Session date is completely unrealistic and irresponsible. It would be the definition of "fast tracking" legislation. The Governor called for the Special Session less than one week in advance. How do we responsibly introduce a bill, analyze a bill, hold a public hearing in both houses of the legislature, pass it through a committee and schedule it for the floor within four business days? There still is no bill!

Either Governor Evers doesn't understand the legislative process or he has absolutely no intention of moving a real proposal through the legislative process with his seventh call for a Special Session. There is no bill.

So, what are we talking about this time? The seventh call to Special Session is for upgrades to the Unemployment Insurance (UI) System. The Governor is blaming technology for the unacceptable backlog of unemployment claims, while the Legislative Audit Bureau (LAB) and others have already determined that the backlog has more to do with a lack of leadership, agency hours of operation and staff productivity.

Regardless of the actual issues that created the backlog, the Governor's draft idea seeks to require all employers, with limited exceptions, to file quarterly contribution, employment and wage reports electronically, and to make contributions electronically. He also seeks to spend \$5,320,000 for the renovation and modernization of the UI Information Technology System. This includes \$400,000 to hire a consultant to create a request for proposal (RFP) to modernize the system.

The Governor does not need to call us into his seventh Special Session to take steps to upgrade the UI system. According to the non-partisan, Legislative Fiscal Bureau (LFB), the Governor has numerous resources he could use for these expenses. He could finance a system through the state master lease program (which is how IT upgrades are typically financed). Under existing authority, he could expedite the procurement of a new system and any contractors needed to successfully implement a new system. He could utilize past or future federal funds made available to the administration. He could apply existing appropriations which the Governor has the authority to prioritize. And finally, he could request expenditure authority through the Joint Committee on Finance (JFC) review process

I don't know if he will pursue the reasonable, efficient approach to upgrading UI. The Department of Workforce Development (DWD) submitted their agency budget request to the Governor two months ago without any requests for funding these issues. Why didn't they include these ideas? Why is it suddenly a crisis?

The seventh call to Special Session follows six other Special Sessions that were not serious either. None of these Special Sessions ever started with an introduced bill. He has never worked with a legislator to introduce any of the bills he uses to call a Special Session. This trend started in 2019 and continued throughout 2020, even in the midst of the COVID-19 pandemic.

Regardless of the trend and absence of a bill, I hope the Governor and his agency will get to work on fixing UI so that our citizens receive the support and service they deserve.

As always, please do not hesitate to connect with me to provide input, ideas or to seek assistance. Send an email to sen.marklein@legis.wisconsin.gov or call 608-266-0703.