

STATE SENATOR KATHY BERNIER
TWENTY-THIRD SENATE DISTRICT



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From: Senator Kathy Bernier

To: Senate Committee on Government Operations, Technology and Consumer Protection

Re: Testimony on Senate Bill 641
Relating to: Requiring a supermajority county board vote to enact ordinances that affect only towns.

Date: January 29, 2020

Thank you Chairman Stroebel and committee members for allowing me to testify on Senate Bill 641 today. I am grateful for the opportunity to work with Rep. Plumer on this important piece of legislation.

As you know, counties are governed by elected boards with equal representation based on population. In counties with large urban areas, the county board membership is often concentrated with city and village residents. Cities and villages are incorporated entities and have statutory "home rule," meaning, county boards cannot pass laws that pertain to those municipalities unless state law allows it.

Wisconsin towns do NOT have home rule. County boards often pass ordinances or laws that pertain ONLY to towns. In this case, the percentage of board members that represent towns often times are outnumbered, by county board members who do not.

This legislation seeks to address that imbalance by requiring any ordinance or law affecting towns (and only towns) shall be adopted by a three-fourths majority of members elect. This should bring fairness to town residents who must abide the county ordinances that only pertain to them.

Ensuring fairness for state residents, no matter where they live, is why I ask you to please support the passage of Senate Bill 641. Thank you again for allowing me to provide testimony today.



JON PLUMER

STATE REPRESENTATIVE • 42nd ASSEMBLY DISTRICT

Testimony on **SB 641** – Requiring a supermajority county board vote to enact ordinances that affect only towns

Senate Committee on Government Operations, Technology, and Consumer Protection
Thursday, January 29, 2020
10:30 a.m. – 330 SW

I personally am in a unique position – I currently serve both on a county board and a town board and understand the issues that face both of them. That being said, I believe that, in counties that have a large population center surrounded by rural communities, towns could be negatively affected by decisions made at the county level. That is why I joined Senator Bernier in authoring this bill. County boards regularly decide issues that rural residents have to abide by. Depending on where they live, town residents may feel they do not have a voice in county government.

In counties with large urban centers, board members representing townships are often far outnumbered by those representing cities and villages. The urban areas dictate policy for the rural parts of the county made up of towns. Common examples of these types of issues include land use decisions, environmental regulations, and transportation regulations.

Also, cities and villages are incorporated entities and have statutory “home rule,” meaning, county boards cannot pass laws that pertain to those municipalities unless state law allows it. Wisconsin towns do not have home rule. **This legislation seeks to address that imbalance by requiring any ordinance affecting only towns to be passed by three-fourths of the membership of the county board (total members, not just those present at the meeting where the vote takes place).** This should bring fairness to town residents who must abide the county ordinances that only pertain to them.