

## A Flurry of New Policy Slipped in by Budget Committee

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***The Joint Finance Committee ended its work on the state budget last week by slipping in some policy changes in it's last minute Motion, #999. One of them affects landline phone service, which many rural residents depend upon for all purposes including emergencies. They don't have the option of a cell phone because of lack of coverage in many rural areas of the state.***

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MADISON - I didn't expect to look up telephone laws reading the state budget.

Snuck in the end of the Joint Finance Committee's work is a law change that could affect the safety of rural residents. It had me asking, "What if you picked up the phone to call 911 and heard no dial tone?"

Rural residents rely on small legal protections to keep a dial tone on their landline phones. Thousands of rural residents live in an area where cell phones do not work and cable services do not exist.

We rely on landlines for business, neighborliness, family communication, and emergencies and safety.

In 2011 a "modernization" of the laws governing telephones removed state law protecting consumers. Part of this legal language was known as the "provider of last resort". That "provider" would be your local rural phone company.

Some phone companies are cooperatives heavily invested in serving rural residents - even providing high-speed Internet in some areas. But other rural providers are big city companies looking to invest in urban, not rural areas.

Recently the state's budget writing committee finished its work. The final committee budget motion contained over 60 items amending state laws. Most of these items were policy unrelated to the spending of state dollars. In "capitol speak" we call these "non-fiscal provisions".

One overlooked provision removed a date from state law – that is it. But the date, tying state law to consumer protections in federal law on January 1, 2010, protected rural telephone consumers from big telephone companies pulling the plug on their landline.

In another provision, the job of cleaning up those old telephone poles is left to land owners and local government (I find this incredibly irresponsible).

AT&T has made it clear they intend to eliminate all copper lines in the U.S. in the next decade. Call me pessimistic, but I do not see cable or cell coverage coming to the hills of western Wisconsin or the north woods any time soon.

So how are you going to call 911? Did anyone ask those 12 budget committee legislators – many represent rural folks – before they voted "aye"?

Much recent budget action would not endear legislators to their constituents if the people knew details about policy for which the 12 voted.

Here's a sampling of the recent budget action. Take away powers of a locally elected (Milwaukee) county board to oversee contracts. Get rid of the (Madison) sanitary district county board appointees. Change the tax code to give more breaks to big business; Tax every dime of wage earners but remove mention of 'living wage' in Wisconsin law. Rewrite the minimum wage law. Make it harder to get employees represented by a union.

Added are new regulations of “pharmacy benefit managers” (those companies who tell you which generic drug you can have). Allow out-of-state “risk retention groups” to sell insurance. Increase the ways payday loan companies can dupe unsuspecting consumers. Provide details of how to resolve unpaid health insurance claims for chiropractors. Changes in septic and well pump installer electrician licensing and sprinkler codes adopted by cities. Some of these ideas might have merit – but they all deserve an open and transparent public hearing.

Fortunately, egregious changes to the state’s open record laws – sheltering the work of lawmakers from the public’s eye – became public. Under significant public pressure, the governor and legislative leaders agreed to remove any changes related to open records laws.

What about the remaining policy in the budget? All too often bills that fail to pass through the normal legislative process end up in the budget.

This is especially true with education policy that did not clear the Education Committee: special education “vouchers” for private schools; expanding who can “authorize” privately run charter school paid for with tax dollars; changes to the rules on “school report cards” for private schools paid for with public money and allow private schools to choose among several alternatives to the statewide student test.

Not all states struggle with policy hidden in the state budget.

Colorado, Oklahoma and Illinois are a few states I found that limit non-fiscal policy in the state budget. The latter uses a very simple Constitutional statement: Appropriation bills shall be limited to the subject of appropriations.

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