



SCOTT FITZGERALD

SENATE MAJORITY LEADER

February 10, 2016
Assembly Committee on State Affairs and Government Operations

Dear Representative Swearingen and Committee Members:

Thank you, Mr. Chairman and members of the committee for holding a hearing today on Assembly Bill 868, relating to prohibiting a legislator from concurrently holding office as county executive.

Currently, Wisconsin statute provides no prohibition against serving simultaneously in both state and local elected office, a practice commonly referred to as "double dipping." Given that the average annual salary of County Executives in Wisconsin exceeds \$100,000, I have proposed this legislation to help ensure that our state taxpayers will not have to foot the bill for a state legislator drawing on multiple public salaries.

This proposal has a long history of relevance, as members of both the Senate and Assembly have frequently served in county offices both prior to and after their service in the legislature. The vast majority of those who served in both offices did not do so concurrently, recognizing the inherent difficulties in adequately fulfilling both positions. This measure simply codifies that reality, and provides certainty for voters who will not be forced to guess whether a candidate seeking their support will opt to relinquish a lucrative County Executive position if elected to the legislature.

Assembly Bill 868 will by no means single out County Executives within our state's rules. Wisconsin law currently prohibits many of those serving in a major elected position from serving in another capacity. Article VI, 4(3) of the Wisconsin Constitution provides that "sheriffs shall hold no other office." Similarly, art. XIII, 3 of the Wisconsin Constitution provides that "No member of Congress, nor any person holding any office of profit or trust under the United States... shall be eligible to any office of trust, profit or honor in this state."

Representation of a county, assembly district, senate district, or congressional district necessitates working on behalf of the best interest of each region. To represent more than one of these entities naturally leads to conflicts of both time and interest. It is my contention that just as one individual may not be entrusted with the representation of their region at both the state and national level, one individual should not represent their region both at the state level and as the County Executive.

STATE CAPITOL

P.O. BOX 7882 • MADISON, WISCONSIN 53707-7882 • SEN.FITZGERALD@LEGIS.WISCONSIN.GOV
TELEPHONE: (608) 266-5660

Further, this proposal is not unique to our state. In fact, Wisconsin currently holds one of the weakest prohibitions to dual office holding for local officials in the nation, with over three-quarters of states currently employing similar—or stricter—standards.

Importantly, this proposal does not bar any County Executive from running for a seat in the legislature, or prohibit a legislator from seeking the county position. This bill simply ensures that any individual elected to both offices will only be permitted to hold one post and draw one taxpayer-funded salary.

I ask your support for this proposal. Thank you for your consideration.

Sincerely,



Senator Scott Fitzgerald
13th Senate District

STATE CAPITOL

P.O. Box 7882 • MADISON, WISCONSIN 53707-7882 • SEN.FITZGERALD@LEGIS.WISCONSIN.GOV

TELEPHONE: (608) 266-5660