

VOLUME 10 ISSUE NO. 1 — JANUARY/FEBRUARY 2025

MERIT SHOP

CONTRACTOR

WISCONSIN

2024 ELECTION UPDATE

**Q AND A WITH
TONY WIED**

**2025 WISCONSIN'S MOST
CONSEQUENTIAL ELECTION**

**HOW THE NEW POLITICAL
LANDSCAPE WILL CHANGE BUSINESS**

POLITICS

AND YOUR COMPANY

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**ABC Wisconsin**
Associated Builders and Contractors

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Pictured: JLG RT3369

FEATURED EQUIPMENT

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HOW THE NEW POLITICAL
LANDSCAPE WILL CHANGE BUSINESS

POLITICS

AND YOUR COMPANY

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Website: abcwi.org
ABC National: abc.org



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FROM OUR PRESIDENT




Maintaining Momentum

AS I BEGIN 2025 AS YOUR ASSOCIATION'S PRESIDENT,

I want to remember where we came from, and bring those past lessons and successes to move us forward in the next year. The work supporting ABC's merit shop mentality doesn't end. It continues, as we pursue excellence for our members in every arena. The theme of this *Merit Shop Contractor* is Politics and Your Company. November was a tough election cycle, and in this issue, you are going to read about ABC National's work to help deliver a Trump presidential victory. They also helped build a US Senate majority friendly to open shop contactors. This issue also includes the loss of some ABC champions in the Wisconsin legislature, and the importance of the next election to the Wisconsin Supreme court this Spring. You will also see that Wisconsin has been rated number #1 in the national Merit Shop scorecard. It is an impressive climb from being 25th a decade ago to the top today. We have an important challenge: Maintain the momentum and make Wisconsin an example for other states to follow.

There is also an article from the Wisconsin Institute of Law and Liberty, providing a Citizen's Guide to participating in Wisconsin's political process. This resource provides some easy and key ways to connect you to the decision makers who impact your business and life. This spring, ABC of Wisconsin will host an opportunity to visit the State Capitol and meet with lawmakers. Watch for more information on this!

Remember that we exist to help you with various challenges facing your business. As an ABC member, you have access to the one Free First Call Service for Legal Education that is detailed on page 13, in case you need it. I was just told of a new tactic by a union in southeast Wisconsin that offered a \$2,000 signing bonus for any employee that left an open shop contractor without giving notice. This challenge to member companies was unsuccessful because they used the employee triage kit and total benefits calculator provided as a member benefit. When employees are well informed, they can make informed decisions and educate their teams. As an ABC member, you have access to these tools.

Your chapter staff is committed to supporting you in every season. If you see an area where you could use more support or information, let us know! Our job is to make things better for our members. I look forward to seeing you at SuperCon in February, and at one of our nearly thirty social and networking events over the next year. Know that everyone on the ABC of Wisconsin team will be there for you in 2025. 

— Kelly Tourdot, President



**WISCONSIN
HAS BEEN RATED
NUMBER #1 IN
THE NATIONAL
MERIT SHOP
SCORECARD.**



2024

ELECTION

UPDATE



TRUMP SECURES DECISIVE VICTORY, REPUBLICANS TAKE SENATE AND HOUSE MAJORITIES

Former President Donald Trump surpassed the electoral vote count needed to win the election and is now only the second president to be elected to two nonconsecutive terms. Trump secured 312 electoral votes to Harris' 226, flipping the critical battleground states of Pennsylvania, Michigan, Wisconsin, and Georgia and holding North Carolina. Trump is also the first Republican presidential candidate to win the national popular vote in 20 years, garnering just under 77 million votes to Harris' 75 million. In an statement issued post-election, ABC President and CEO Mike Bellaman congratulated former President Trump on his victory and added that "ABC is optimistic about the future of America's construction industry and the opportunities to advance policies that protect free enterprise, reduce regulatory burdens and expand workforce development."

Republicans also won a majority in the U.S. Senate where three ABC-supported candidates secured victories. West Virginia Governor Jim Justice will be the state's next senator after securing almost 70% of the vote. Businessman Bernie Moreno officially handed the GOP its majority when he unseated Sen. Sherrod Brown in Ohio while former Navy Seal Tim Sheehy expanded the Republican edge after taking down Sen. Jon Tester in Montana. Other GOP candidates are still in competitive races that are still too close to call, including Dave McCormick in Pennsylvania and Sam Brown in Nevada.

Republicans have currently gained one seat while a few GOP incumbents fell to their Democrat challengers. ABC "All In" candidates had success on election night, with Michigan Rep. John James winning reelection and Tom Barrett claiming the state's 7th district, while Rep. Susan Wild conceded to ABC-supported state Rep. Ryan Mackenzie in Pennsylvania's competitive 7th district.

The Free Enterprise Alliance launched several issue advocacy videos this year, all of which can be viewed on YouTube and ABC PAC. They also launched their largest independent expenditure campaign spend in history – running digital ads in key states Florida, Michigan, Montana, Ohio, Pennsylvania, and Texas.

ABC Legislative and Regulatory Priorities for the Trump Administration:

With President Donald Trump's second term beginning in January 2025, and Republicans taking control of both chambers of Congress, ABC is ready to advance our members' legislative, legal and regulatory priorities.

Some ABC priorities entering 2025 and the 119th Congress include:

- **Labor and Employment:** Strengthening the rights, flexibility and privacy protections of workers by reintroducing and passing legislation such as the Employee Rights Act.

- **Tax and Fiscal Policy:** Preserving provisions of the 2017 Tax Cuts and Jobs Act that support small businesses in the construction industry.

- **Nominations:** Advancing qualified nominees at the U.S. Department of Labor, National Labor Relations Board, Department of Transportation, Environmental Protection Agency, Education Department and other relevant agencies.


- **Fair and Open Competition:** Supporting fair and open competition in the construction industry through legislation and regulation, ensuring that all construction companies can compete for federal construction projects, regardless of labor affiliation.

- **Workforce Development:** Promoting an all-of-the-above strategy to workforce development.

- **Immigration:** Creating a market-based merit visa system specifically for the construction industry.

- **Permitting Reform:** Advocating for common sense permitting policies that streamline and modernize the federal permitting process.

- **Regulatory Reform:** Repealing and reforming regulations that prevent taxpayers from getting their best value on their investments, disrupt longstanding relationships in the construction industry, limit flexibility, and disproportionately impact small businesses.

ABC looks forward to advancing policies that support small businesses and workers in the construction industry during the Trump administration. See more on ABC's priorities in our 2024 Legislative Cheat Sheet posted online at www.abc.org. 

ASSOCIATED BUILDERS AND CONTRACTORS CHAMPIONS WIN – LOSS RECORD

2024 November Elections

President

Donald Trump	W – 49.7%
	Wisconsin
	49.9% nationwide

WI Congress

Tom Tiffany	W – 63.6%
Glenn Grothman	W – 61.1%
Scott Fitzgerald	W – 64.5%
Tony Wied	W – 57.4%

State Senate

Rob Stafsholt	W – 61%
Dan Feyen	W – 70%
Mary Felzkowski	W – 67%
Pat Testin	W – 64%
Duey Stroebel	W – 49.2%
Eric Wimberger	W – 64.5%

State Assembly

Scott Allen	W – 57.2%
Deb Andraca	W – 62.6%
Elijah Behnke	W – 67.4%
Amy Binsfeld	L – 48.5%
Mark Born	W – 68.6%
Rob Brooks	W – 75.8%
Chanz Green	W – 62.5%
Nate Gustafson	W – 60.4%
Joy Goeben	W – 62.8%
Rick Gundrum	W – 71.3%
Dan Knodl	W – 60%
Tony Kurtz	W – 63.1%
Dave Maxey	W – 61%
Paul Melotik	W – 58.1%
Clint Moses	W – 53.3%
Amanda Nedweski	W – 68%
Adam Neylon	W – 59.1%
Jerry O'Connor	W – 60.1%
Will Penterman	W – 67.3%
Shannon Zimmerman	W – 54.3%

Q+A

*John Schulze,
Director of Legal
and Government
Relations at
ABC of Wisconsin
recently met up
with newly elected
Congressman
Tony Wied to
discuss his goals
for the next
session.*

WITH CONGRESSMAN **TONY WIED**



Tony Wied talks to the GlobalFab employees in Hortonville, Wisconsin.



Tony Wied and the employees of CTI Hospitality in Algoma.



I BELIEVE STRONGLY THAT THE AMERICAN PEOPLE WORK HARD FOR THEIR MONEY, AND IT BELONGS TO THEM, NOT THE GOVERNMENT.

Q: I know the ABC members in northwest Wisconsin know a little about you, but can you tell all ABC of Wisconsin members a little about your background.

A: I am a small businessman and political outsider with nearly three decades of experience starting, building, and operating businesses in northeast Wisconsin.

My goal is to bring that experience to Washington to solve problems for the people of Wisconsin's 8th Congressional District. Alongside my wife, Angela,

I owned several Dino Stop gas station convenience stores, and Little Caesars restaurants. I know firsthand how burdensome government regulations can be on small businesses, and I'm committed to reducing the size and scope of government.

Q: Why did you decide to run for Congress?

A: Our country is at a crossroads. We face serious challenges both at home and abroad, rising prices, open borders, crime, and global instability. These issues demand

strong leadership in Congress. As I traveled across all 11 counties of Wisconsin's 8th Congressional District, I asked voters, "Are you better off than you were four years ago?" The answer was a resounding "no." I ran for Congress because I can no longer stand by while politicians prioritize their own interests and those of foreign nations over that of the American people. Over the past four years, the Biden Administration's policies have led to record inflation, a border crisis, and growing conflicts abroad.



ONE OF MY TOP PRIORITIES IS RESTORING OUR ECONOMY. INFLATION IS A TAX, AND IT HITS THE POOR AND MIDDLE CLASS THE HARDEST.

Q: What did you hear from the voters during the campaign?

A: Throughout my campaign, I met with several ABC members who all shared the same frustration with high taxes and overbearing regulations. I'm committed to working with the House GOP and President Trump to cut red tape and allow Wisconsin businesses to thrive. With Trump's tax cuts set to expire, another priority is extending these cuts. I believe strongly that the American people work hard for their money, and it belongs to them, not

the government. I will ensure we put more money back in your pockets.

Another top issue I heard from constituents during my campaign was the need to secure our border. The Biden Administration's policies have led to unprecedented levels of illegal immigration. This is nothing short of an invasion. Every state is now a border state. I've spoken with sheriffs in my district who are dealing with criminals in their jails who aren't U.S. citizens.

We must reinstate the "Remain in Mexico" policy, continue building the bor-

der wall, and fully fund our border agents, giving them the resources they need to protect our country.

Q: In addition to continuing the Trump tax cuts and securing the borders, what are your top three priorities during your first term?

A: One of my top priorities is restoring our economy. Inflation is a tax, and it hits the poor and middle class the hardest. Over the past few years, we've seen rising prices at the grocery store and gas pumps, stretching household budgets. The root cause of



Ryan Hartman (left) of Tri City glass talks to Tony Wied with fellow Tri City Glass leaders Ann Herman and Justin Stambuck.

inflation is reckless government spending. Under the Biden Administration, government spending has reached unprecedented levels. Our country is already \$36 trillion in debt, and we're now paying more interest on that debt than on the debt itself. Yet, the Biden Administration's solution was more spending. The so-called "Inflation Reduction Act" only increased costs for everyday goods. During President Trump's first term, we saw lower prices and interest rates, and I believe he can achieve that again.

Second, We must also become not just energy independent, but energy dominant. The Biden Administration canceled new drilling leases and shut down pipelines while allowing foreign nations like Russia to develop their own energy infrastructure. The House GOP will work with President Trump to cut the red tape and unleash


American energy, driving our economy and reducing our dependence on foreign adversaries.

Finally, with President Trump back in the White House, we can restore peace and security around the world. Under President Biden, we've seen conflicts in Eastern Europe and the Middle East, a disastrous withdrawal from Afghanistan, and currently have drones flying over U.S. airspace that the administration seems either disinterested in or incapable of addressing.

Under President Trump, we will end endless wars abroad and lead the world with peace through strength. President Trump was the first president in recent history to prevent any new wars. When he returns to office, the world will know that the U.S. means business. The House GOP has already shown its

commitment to strengthening our military by passing the National Defense Authorization Act for FY25, with my support.

Q: So, you get the feeling that the Republican controlled House of Representatives will be able to get work done even with its narrow majority?

The House GOP will work with President Trump to ensure these policies are permanent, preventing future administrations from undoing our progress and bringing us back to the chaos we're seeing today. There's much work ahead, but I'm ready to join President Trump and the House GOP in solving these problems and getting our country back on the right track. In the 119th Congress, the Republican Party is united and ready to work with President Trump from day one to get our country back on track. 

EVENT REMINDERS



- **PROJECT SUPERVISION SERIES**

Begins January 14, DeForest

- **HAPPY HOUR & BUCKS GAME**

January 14, Milwaukee

- **CONSTRUCTION ESTIMATING PRINCIPLES & APPLICATION**

January 14, Live-online

- **READING CONSTRUCTION DOCUMENTS**

January 15, Live-online

- **PROJECTS OF DISTINCTION AWARDS BANQUET**

January 16, Wisconsin Dells

- **BLUEBEAM BASELINE BASICS**

January 20, Live-online

January 21, Live-online

- **BLUEBEAM BASICS MATERIALS TAKEOFFS & ESTIMATES**

January 22, Live-online

- **BLUEBEAM ADVANCED MATERIALS TAKEOFFS & ESTIMATES**

January 23, Live-online

- **BLUEBEAM FOR ADMINISTRATIVE PROFESSIONALS**

January 28, Live-online

- **MEMBER LUNCH**

January 28, Monroe

- **2025 SUPERCON**

February 11-13, Wisconsin Dells

- **MEMBERSHIP UNPLUGGED PANEL DISCUSSION**

February 11, Wisconsin Dells

- **SUPERCON WELCOME RECEPTION**

February 11, Wisconsin Dells

- **SUPERCON CASINO NIGHT**

February 12, Wisconsin Dells

- **NETWORKING SOCIAL**

February 20, Sheboygan

- **FA/CPR TRAINING**

February 21, Milwaukee

February 28, West Bend



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HR CONSULTING

Doug Witte, Boardman & Clark, LLP, MADISON

Call Doug to get answers to your human resource-related questions including employee handbooks, policies and procedures, wage and hour issues, discrimination, Davis Bacon federal prevailing wage, and more.

* Federal law prohibits ABC of Wisconsin from providing specific legal advice for free, but this service enables members to better understand their legal issue and potential solutions.



BUILDING AMERICA

THE MERIT SHOP SCORECARD

A Review & Ranking of State Construction Environments

WISCONSIN

2024

2014 (#26)

- ◆ Sales tax exemption passed through to contractors purchasing construction materials to do work for many tax-exempt entities like municipalities and school districts
- ◆ No government mandated project labor agreement or union-only requirement on Milwaukee Bucks Arena or surrounding Deer District
- ◆ Wisconsin prevailing wage law reformed
- ◆ Right to work passed into law
- ◆ Eliminated double commercial plan review requirement for hospice and community based residential facilities
- ◆ Statewide commercial building code preempts local building codes

2016 (#15)

- ◆ Wisconsin's prevailing wage law repealed
- ◆ No Wisconsin government at any level can mandate union-only projects
- ◆ Equipment and machinery exempted from personal property tax
- ◆ Shortened the time limits for construction lawsuits from ten to seven years
- ◆ High school seniors can participate in the adult registered apprenticeship program
- ◆ Local governments prohibited from enforcing their own laws relating to hours, overtime, and benefits for public work projects
- ◆ No union only government mandate for FoxConn Project
- ◆ Sale tax exemption pass through extended to UW school, UW-extensions, and tech colleges
- ◆ Defeated attempt to eliminate exams for licensed plumbers, electricians, automatic fire sprinkler fitters, and automatic fire sprinkler contractors.

2018 (#8)

- ◆ Apprenticeship ratio reformed to one apprentice to one skilled worker
- ◆ Defeated unnecessary fire and smoke damper inspection regulations
- ◆ Fixed electrical youth apprentice continuing education roadblock
- ◆ Allow local units of government to exchange federal dollars with state of Wisconsin to eliminate federal Davis Bacon requirements on local projects

2020 (#5)

- ◆ Construction deemed essential under COVID restrictions
- ◆ Forgiven PPP loans exempt from Wisconsin income tax
- ◆ COVID liability protection for employers
- ◆ ABC members exempted from COVID vaccine mandate
- ◆ Unemployment Insurance work search waived for extended time due to COVID
- ◆ Defeated upstream liability for worker misclassification
- ◆ Defeated increased fines for companies that accidentally misclassify workers



2024 Merit Shop Scorecard

The Merit Shop Scorecard is based on state policies and programs that promote open competition and free enterprise for the construction sector and highlights states' ranking in seven criteria.

WISCONSIN OVERALL RANK 1						
Project Labor Agreements	Prevailing Wage	Right to Work	Public-Private Partnerships	Workforce Development Incentives	Career & Technical Education	Job Growth Rate
A	A	A	B	A	B	B

ONSIN is number ONE

2025 And the best is yet to come!

2022 (#4)

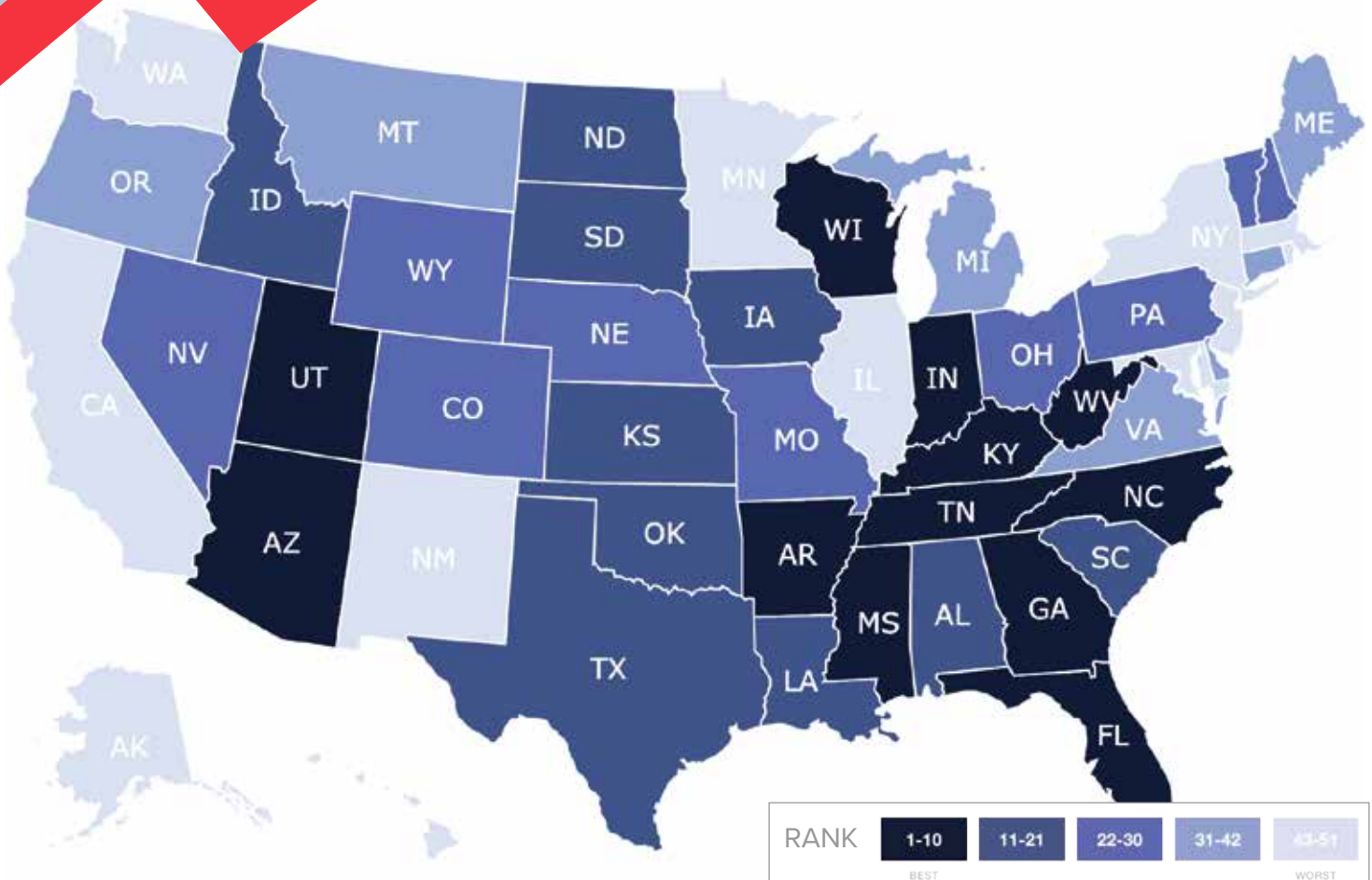
- ◆ Defeated contractor registration program that would have included fines for nonparticipation
- ◆ Defeated proposed new commercial building code that would have significantly increased construction costs and regulations in an effort to “green” commercial construction
- ◆ Brewer stadium improvements will require an RFP
- ◆ Personal property tax eliminated
- ◆ New state plumbing code in effect
- ◆ Local governments prevented from restricting a quarry’s hours of operating and blasting

2024 (#1)

- ◆ EdVest/College Savings Accounts can be used for apprenticeship tuition and expenses
- ◆ Local governments prevented from requiring EV charging stations on new construction projects
- ◆ Defeated crane operator registration requirement targeting open-shop contractors
- ◆ \$3.5 million more for youth apprenticeship and \$8 million more for career and technical education incentives grants

2022

2024



SUPREME COURT, APRIL 2025

WISCONSIN'S MOST CONSEQUENTIAL ELECTION

By Jeff Disher – Past-Chair of ABC of Wisconsin

I just finished up five rewarding years on the ABC of Wisconsin board of directors, including a one-year term as Chair. While I will miss serving you in that role, I am excited about joining the ABC of WI legislative committee, and my first priority is to work with the Chapter and its members on helping elect a true conservative to the Wisconsin Supreme Court – former Wisconsin Attorney General Brad Schimel.

Yes, it would be nice to rest on the political successes that we achieved last November – election of President Trump, Republicans taking control of the US Senate, and several key ABC champions being elected or re-elected, including Wisconsin's newest Congressman Tony Wied (ed note – see page 14 for a scorecard of how ABC of WI champions fared in November).



Brad Schimel is Law Enforcement's choice for Wisconsin Supreme Court.



Judge Schimel is a strong supporter of the 2nd Amendment.



I THINK THE APRIL 2025 ELECTION WILL BE DIFFERENT BECAUSE CANDIDATE QUALITY MATTERS.

But, it's important to do what we can going into the April 2025 elections, especially because of what happened during the last Wisconsin Supreme Court race, and the carnage the new liberal majority unleashed in a little over a year.

In 2023, liberal Milwaukee Judge Janet Protasiewicz dominated former Wisconsin Supreme Court justice Dan Kelly by 11 points, over 200,000 votes. Wisconsin is a purple state – Trump won the state by 29,000 votes, and Republican businessman Eric Hovde lost against Democrat US Senator Tammy Baldwin by 29,000 votes. So, how did Protasiewicz win so big?

First, Protasiewicz and her liberal allies spent more than \$30 million, twice as much as has ever been spent on a state Supreme Court race EVER in any state. She had five times

more campaign ads than Dan Kelly. You may be wondering why rich liberals from California and New York care about what's going on in Wisconsin? Well, it's because even though the Wisconsin Supreme Court is officially nonpartisan, Protasiewicz broke judicial norms, promising liberal voters exactly how she would vote if she won. There is a legal rule called "stare decisis" that courts are supposed to follow– it means that judges should honor the precedent of previous decisions, rulings, and opinions from prior cases. Apparently Protasiewicz and her fellow liberal Wisconsin Supreme Court judges missed the day that was talked about in law school.

In a little over a year of holding office, she has tipped the balance of the court from center-right to hard liberal. First, Protasiewicz was the deciding vote to rule that the Wisconsin

legislative maps that were just ruled constitutional are in fact illegal. The result is new maps that split communities and spread liberal Dane and Milwaukee Counties into rural Wisconsin seats, which flipped over a dozen races in favor of Democrats. Then she was the deciding vote to allow unmanned ballot drop boxes that only two years earlier were ruled illegal.

Protasiewicz is not up for re-election for eight years. But, next April there is an open race for Wisconsin Supreme Court. Liberal Ann Walsh Bradley (who has been on the court for 30 years) is not running. If a judicial conservative wins, the rule of law will be restored.

I think the April 2025 election will be different because candidate quality matters. Brad Schimel is the battle-tested champion for the moment. He has been vetted. He has statewide name recognition, serving as Attorney



IF A JUDICIAL CONSERVATIVE WINS, THE RULE OF LAW WILL BE RESTORED.

General for four years. Brad Schimel joined the race more than one year ago. That head start allowed him to visit 65 of 72 counties already, be endorsed by 50 Sheriffs, and raise nearly \$2 million. Brad is endorsed by the Milwaukee Police Association, Milwaukee Professional Firefighters Association, the Waukesha County Police Chiefs Association, and Americans for Prosperity. "Tough on crime" isn't a campaign slogan for Brad Schimel – it's a calling. He's spent his life making Wisconsin safe, working alongside law enforcement, locking up criminals, and delivering justice for victims.

His opponent is a cookie cutter of the other liberal Wisconsin Judges. Susan Crawford is a blatant partisan focused on making all of Wisconsin look like Madison. As an attorney, she attempted to repeal Wisconsin's Voter ID Laws and Act 10. She pushed to free 3,000 prisoners

early, supported no cash bail, and an end to real-time tracking of sex offenders.

Crawford is currently a Dane County Circuit Court Judge, where she has displayed a pattern of being soft on crime, defying prosecutors, and going easy on murderers.

If liberal Madison Judge Crawford wins the seat, the next opportunity to restore sanity to the Wisconsin Supreme Court will be three years away. During those three years, a liberal majority could get rid of every conservative reform passed by Governor Walker and the Republican legislature. For example:

- Elimination of Act 10.
- Elimination of Right to Work.
- Elimination of Voter ID
- Elimination of School Choice.

This isn't me being "Chicken Little". This is what the Democrats are promising. Protasiewicz did it once. They plan to run the same

playbook this time.

So, please do the following:
1. Donate to Brad Schimel through the ABC of WI political conduit. Here is a QR code.



2. Invite Brad to visit your business and let him talk to your employees. Contact John Schulze at the chapter to coordinate.

I know you, like me, pour blood and sweat into your company. And you also provide for your family and give to your community. But, if we don't win in April, the last two decades were for nothing, because our conservative victories will be reduced to nothing. This race is how we ensure Wisconsin does not become Illinois or Minnesota. If we fail, we won't recognize Wisconsin. [ABC Wisconsin](#)

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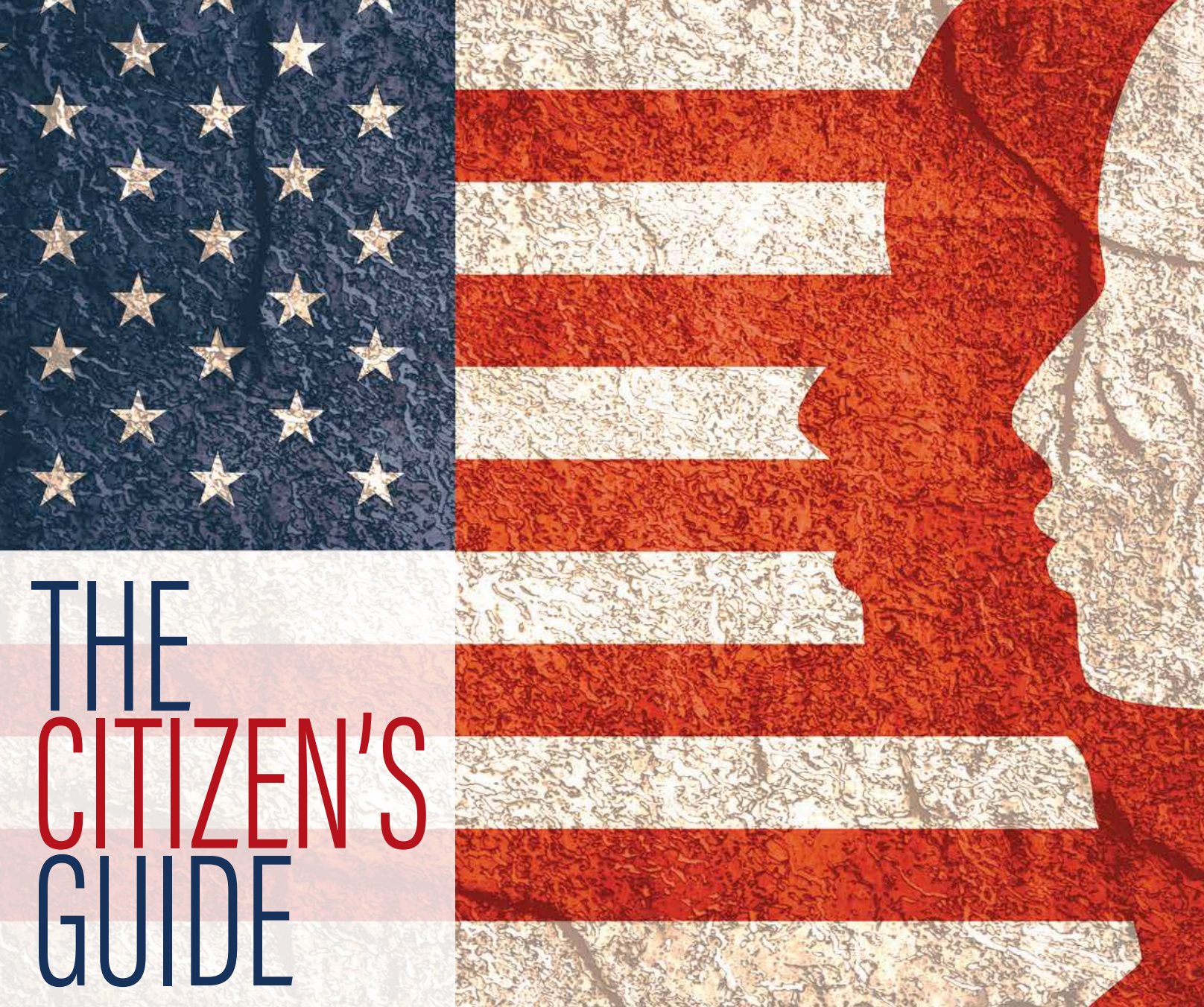
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THE CITIZEN'S GUIDE

TO THE WISCONSIN ADMINISTRATIVE STATE

By Lucas Vebber and Eric Searing

Through this Citizen's Guide we hope to spur an interest in greater civic engagement and involvement in the processes of government, namely in oversight of the administrative state in Wisconsin

History:

The administrative state has grown considerably since its "Progressive Era" inception. Here in Wisconsin progressive intellectuals conceived

the "Wisconsin Idea," which laid the groundwork for a robust centralized bureaucracy in state government. A core philosophy behind the "Wisconsin Idea" was that our elected

representatives should defer to the intelligentsia, like the professors of the University of Wisconsin.

This element of progressivism, that "experts" should be held above

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elected officials, has moved beyond deference to academics, but has expanded to agency officials and bureaucrats. Over the years, the Wisconsin Legislature enacted new laws much like Congress – delegating ever-increasing powers to the bureaucracy of agencies housed within the executive branch of government. These agencies, as we now know, eventually took on quasi-legislative and judicial functions antithetical to the separation of powers and our Founders' intent.

As the administrative state has become increasingly ascendant in all aspects of our lives, there is a greater need than ever before to fight back. As a result, it has become more important than ever for everyday citizens to get involved, demand transparency, and provide the necessary oversight to hold bureaucrats accountable to the very law which created them in the first instance. This guide is intended to help Wisconsin citizens do just that. Over the past decade, the Wisconsin Legislature began to re-assert its primary constitutional role as lawmaker in Wisconsin. Through various regulatory reform acts, the Legislature began the process of re-asserting its control over the administrative state in Wisconsin, especially through the elimination of "implied" agency power.

IMPORTANCE OF CITIZEN ENGAGEMENT

The Legislature stepping up is not enough – indeed the sheer size of the administrative state requires more oversight than legislators alone can provide. In order to truly pull back on the massive power that the administrative state wields over all of us, everyday citizens must actively participate in the regulatory process. This short guide is intended to provide an overview of the constitutional and statutory underpinnings of the administrative state, an overview of the rulemaking process, and an overview of how the Legislature and the public at large are empowered to hold agencies



OPPORTUNITIES FOR A CITIZEN TO SUBMIT COMMENTS OR TESTIFY ON A PROPOSED RULE:

- Scope Statement
- Comment Period/Hearings on Draft Rule
- Standing Committee Hearing
- Joint Committee for Review of Administrative Rules Hearing

accountable to the law, and what to do if an agency does not play by the rules

CITIZEN ENGAGEMENT OPPORTUNITY #1

Participate in Public Hearings: A great opportunity to be heard is by showing up to hear-

ings, submitting comments, or both. Agencies must read and respond to your comments.

There may be opportunities to testify at legislative reviews as well which helps hold government accountable. While the level of public interaction may differ for each rule depending



THE SHEER SIZE OF THE ADMINISTRATIVE STATE REQUIRES MORE OVERSIGHT THAN LEGISLATORS ALONE CAN PROVIDE.

on a number of factors, generally these are the opportunities for a citizen to submit comments or testify on a proposed rule:

■ **Scope Statement** – Scope statements are not always subject to public comment or hearing requirements, but when they are, citizens have the opportunity to submit comments or testify.

■ **Comment Period/Hearings on Draft Rule** – Typically, agencies have public hearings around the state and also offer a virtual option for citizens to testify. Alternatively, agencies must have a period of public comment, where citizens can submit comments on a rule that agencies must respond to.

■ **Standing Committee Hearing** – Once a proposed rule reaches the Legislature, it is referred to the appropriate standing committee. Committee chairs have the discretion on whether or not to hold a hearing on a rule. If you would like to request a hearing, contact the chair of the committee.

■ **Joint Committee for Review of Administrative Rules Hearing** – JCRAR is the final step before a rule is fully implemented, and co-chairs in both the Senate and Assembly must agree to hold a hearing on a proposed rule.

CITIZEN ENGAGEMENT OPPORTUNITY #2


Contact Public Officials: You do not have to be an expert to review administrative rules. Are you having trouble with an existing regulation? Is a proposed rule confusing? Reach out to your state representatives and ask them to take a closer look. Remember, they work for you. Alternatively, you can also contact WILL for assistance.

CITIZEN ENGAGEMENT OPPORTUNITY #3

Petition for a Rule Change: Any five individuals can petition for a rule change and the agency must respond within a reasonable amount of time. It can also aid in future policy decisions or possible future legal action.

CITIZEN ENGAGEMENT OPPORTUNITY #4

File a Lawsuit: If an agency fails to follow or engage in this process at all, a rule would not be lawfully adopted, and the Wisconsin courts

would be required to strike it down. A lawsuit is the only way to challenge the validity of a rule, and WILL can represent you in this type of agency action. 



Lucas Vebber



Before joining WILL, **Lucas Vebber** worked in a variety of roles in Madison in both the legislative and executive branches. At WILL, Lucas focuses on separation of powers and regulatory issues.



Eric Searing

Eric Searing is the Director of External Affairs at the Wisconsin Institute for Law & Liberty. Eric serves as a liaison to grassroots organizations, works on legislative outreach and assists in event planning to expand the influence of WILL across Wisconsin and the country. Before graduating from college, Eric served in the United States Marine Corps Reserve from 1995 to 2001. He later obtained a B.A. from the University of Wisconsin – Milwaukee and an MBA from the Keller School of Management. Since 2005, he has served in various policy and communications positions in the Wisconsin state legislature. The Wisconsin Institute for Law & Liberty (“WILL”) exists to advance the public interest in the rule of law, individual liberty, constitutional government, and a robust civil society.

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Mike McKay

11270 W Park Place, Suite 280
Milwaukee, WI 53224
608-347-2018

Description: Associate Member

Sponsor: Jessica Cannizzaro, Milestone Plumbing, Inc.

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Heidi Radloff

554 Grand Canyon Drive
Madison, WI 53719
608-316-2700

Description: Associate Member

Sponsor: Diana Schmidt, Hausmann Group
Beam Club Members-to-Date: 2

• **BuildOps**

Scott Larson

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Santa Monica, CA 90404
925-683-9185

Description: Associate Member

Sponsor: Dave Murphy, PDC - Electrical Contractors

Beam Club Members-to-Date: 28

• **DePagter Electric LLC**

Joshua DePagter

N3112 Cty Road OO
Oostburg, WI 53070
920-207-0234

Description: Contractor Member

Sponsor: Courtney Stelter, Ansay & Associates, LLC

Beam Club Members-to-Date: 4

• **Discovery Designs Refrigeration, LLC**

Steve Gnas

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262-373-6500

Description: Contractor Member

Sponsor: Jessica Cannizzaro, Milestone Plumbing, Inc.

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• **Maiden Building Supply DBA Schumacher Construction**

Brent Schumacher

N75W16232 Colony Road
Menomonee Falls, WI 53501
920-979-00650

Description: Contractor Member

Sponsor: Amber Anderson, Aerotek, Inc.

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• **Smartbuild Construction Solutions Inc.**

Patrick Sharpe

28 Westwyn Court, Unit #3
Brampton, ON L6T4T5
888-403-0421

Description: Associate Member

Sponsor: Connor Day, Baird Beam Club Members-to-Date: 2

• **Vertical Design Services**

John Molak

558 Plate Drive Unit 1
East Dundee, IL 60118
630-800-5312

Description: Associate Member

Sponsor: Robb Hogan, DAAXIT, The Contractor's CFO

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• **Badger Fleet Solutions**

Karl Rekowski

501 Maple Ave., Suite 101
Delafield, WI 53018
414-349-4988

Description: Supplier Member

Sponsor: Tim Probst, Ewald Fleet Solutions, LLC

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• **Dellona Electric**

Edward Giannoni

S2061 Herwig Road
Reedsburg, WI 53959
608-477-8458

Description: Contractor Member

Sponsor: Kyle Kraemer, Kraemer Brothers

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• **Humpal Financial Inc.**

Jess Humpal

525 McHugh Road, Suite 3
Holmen, WI 54636
608-782-2299

Description: Associate Member

Sponsor: Adam Wieser, Wieser Brothers General Contractor, Inc.

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• **J.E.M. Painting and Contracting LLC**

Mike Olson

7090 Sentinel Road
Rockford, IL 61107
815-985-4819

Description: Contractor Member

Sponsor: Mark Hartwig, Corporate Contractors, Inc. (CCI)

Beam Club Members-to-Date: 1

• **Midwest Mechanical**

Dan Van Den Wyngaard

P.O. Box 661
Kaukauna, WI 54130
920-205-3459

Description: Contractor Member

Sponsor: Jenna Milis, Milis Flatwork
Beam Club Members-to-Date: 6

• **Porter Construction Management**

Chris Porter

4911 Hahn Road
DeForest, WI 53532
608-977-0800

Description: Contractor Member

Sponsor: Dan Bertler, Supreme Structures
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• **Restored Electric LLC**

Jeremy Faulkner

4641 US Highway 51
Mercer, WI 54547
715-776-0530

Description: Contractor Member

Sponsor: Tory Meier, Meier Electrical Systems & Services

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• **Well Built Construction Consulting**

Coty Fournier

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Description: Associate Member

Sponsor: Jessica Cannizzaro, Milestone Plumbing, Inc.

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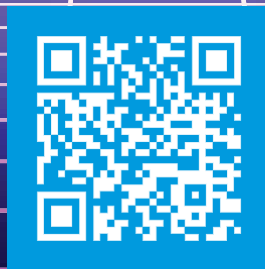
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