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Chairman Wichgers and members of the Assembly Committee on Constitution and Ethics,

Wisconsin has received billions of federal dollars over the past year in response to the COVID-19 pandemic. Many of these dollars were directed by Congress to be allocated by the governor. Unfortunately for Wisconsin taxpayers and families, that means Governor Evers can direct (or not) these funds without any accountability to the state legislature or voters. Assembly Bill 149 is an important proposal to ensure that any future federal dollars for pandemic relief allocated to the Governor's office will receive prompt attention from both the executive and legislative branches of state government.

The state has already received \$2.0 billion in stimulus funding under the federal CARES Act and is expected to receive billions more in the latest round of stimulus. While the Department of Administration has developed a dashboard displaying CARES Act funding allocations, this tool fails to keep the public adequately informed on how and when this money has actually been spent. Having greater legislative input can also help ensure that these funds are spent in a manner that does not create long-term, ongoing fiscal obligations to the state.

In 2009, legislative Democrats recognized the importance of having both the legislative and executive branches involved in the allocation of federal stimulus funds by passing similar legislation that required Joint Finance oversight.

A prime example for why AB 149 is a necessary proposal today is the delay of the Governor's Emergency Education Relief (GEER) funds by Governor Evers in 2020.

The first allocation of federal funding to Governor Evers was a result of the CARES Act, which included the Governor's Emergency Education Relief (GEER) fund. Governor Evers received over \$46 million in GEER funds that could be allocated to institutions of higher education, K-12 public schools, and other education-related entities.¹

Unfortunately, these funds were delayed in getting to Wisconsin schools. Other governors worked quickly to complete the necessary paperwork to the U.S. Department of Education to receive the grant of these funds, while Governor Evers submitted his paperwork in late May 2020². Many other states, including Alaska, California, Louisiana, Maine, Michigan, and Oklahoma, completed the process weeks, if not a month, before Governor Evers.³

¹ US Department of Education, CARES Act Governor's Emergency Education Relief Fund, state allocations table, <https://oese.ed.gov/files/2020/04/GEER-Fund-State-Allocations-Table.pdf>

² US Department of Education Certificate and Agreement for Funding under Education Stabilization Fund Program Governor's Emergency Education Relief Fund, Wisconsin, dated May 28, 2020, <https://oese.ed.gov/files/2020/06/WI-GEER-Certification-and-Agreement-5-28-20.pdf>

³ US Department of Education, GEER Awards, <https://oese.ed.gov/offices/education-stabilization-fund/governors-emergency-education-relief-fund/geer-certifications-agreements/>



Even after the paperwork was submitted, the GEER funds were further delayed by the Governor. Governor Evers didn't announce the allocation of these federal funds until June 17, 2020⁴. Then, after the Governor's announcement of the funds, the GEER applications were not available to local districts until October 2020.⁵ Ultimately, this was a delay of nearly five months for much needed federal dollars.

In addition to the lack of timeliness, Governor Evers and his administration focused these funds only for public school students⁶, ignoring the immense need of support for students in all sectors across the state. Other states, like Oklahoma Governor Stitt⁷, funded education initiatives to help families from all sectors of schools who were impacted by the pandemic. In April 2020, WILL also published a report on how Governor Evers could use the funding to benefit K-12 students across the state, including literacy programs, stipends for teachers, and support for schools in all sectors, including private and public charter.⁸

To ensure that history does not repeat itself, AB 149 will bring much-needed transparency to Governor Evers' allocation of future pandemic-related federal dollars. Wisconsin should join the growing number of states that have passed similar legislation that provides greater oversight of these key decisions.

Thank you,

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⁴ Governor Evers Press Release, June 17, 2020, "Gov. Evers announces more than \$80 million in COVID-19 financial assistance to K-12 schools and higher education institutions," <https://content.govdelivery.com/accounts/WIGOV/bulletins/2913a7e>

⁵ Department of Public Instruction, GEER funds, "GEER Grant applications for LEAs became available in WISEgrants on October 15, 2020. The grant performance period is 7/1/20-9/30/22." <https://dpi.wi.gov/cares/governors-emergency-education-relief-geer-grant-program>

⁶ Governor Evers list of 155 school districts who received GEER funds. https://content.govdelivery.com/attachments/WIGOV/2020/07/22/file_attachments/1501040/GEER%20Breakout.pdf

⁷ Governor Stitt Press Release, July 17, 2020, "Governor Stitt announces \$30 million education allocation plan," https://www.governor.ok.gov/articles/press_releases/governor-stitt-announces--30-million-education

⁸ Sobiech, Szafrin, "How Wisconsin should spend its CARES K-12 Funding," April 2020, <https://www.will-law.org/wp-content/uploads/2020/12/cares20act20memo20-204.6.20.pdf>