



# WISCONSIN LEGISLATURE

P.O. BOX 8952 · MADISON, WI 53708

March 19, 2003

Ambassador Robert Zoellick  
United States Trade Representative  
600 17th Street, N.W.  
Washington, DC 20508

## **Re: Wisconsin State Authority to Protect Our Communities**

Dear Ambassador Zoellick,

We are writing regarding trade negotiations now underway that could impair Wisconsin's ability to protect our water supplies, ensure fair labor practices, ensure smart land use practices, promote our small businesses, and more. A new round of talks under the World Trade Organization's General Agreement on Trade in Services (GATS) – the GATS 2000 talks – will place binding legal constraints upon federal, state and local governments seeking to regulate service sectors of vital importance to our communities. Moreover, these talks could result in the privatization of vital public services.

State and local policy-makers are especially concerned that the GATS 2000 talks could constrain our authority regarding municipal drinking and wastewater services, public power and other energy services, waste disposal, zoning and other land use controls, health insurance, health facilities, professional services licensing, construction, transportation, alcoholic beverage distribution, and insurance regulations – all areas of traditional constitutional deference to state and local control. We are concerned because the European Union recently requested that the United States agree to subject each of these sectors to GATS regulatory constraints and market access requirements.

We understand that by March 31, 2003, the U.S. will make decisions about which service sectors to offer up to our trading partners for inclusion in the GATS 2000 agreement. We need to know more about the specific substance of these negotiations and how specific "requests" from foreign governments, "offers" by the U.S. government, and proposed new rules on domestic regulation could impact our state.

Despite that fact that an array of vital public services are under negotiation, state officials are not being consulted in these negotiations. Moreover, under the Fast Track trade delegating authority, if the GATS 2000 talks result in an agreement as planned, the Executive Branch would sign the agreement, write federal implementing legislation, and then bring it to Congress for a "yes or no" vote. If states are not allowed to protect our interests now, during negotiations, we will have no



opportunity to do so after the negotiations due to the Fast Track procedure which does not allow for amendments.

We would therefore like you to tell us what requests you have received that could impact the state laws and regulations of Wisconsin and what offers will you make March 31<sup>st</sup> that might impact state regulation of these sectors? We would like to see these negotiating documents and have substantive input into these negotiations.

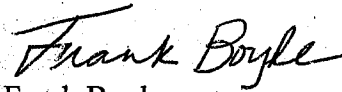
Additionally, please explain in detail how you will consult with state legislatures in the coming months. Given the scope of services in question, it is not appropriate to have only an individual "state point of contact" for receiving and processing information from your office. We would like to suggest that as a first step you send us, and make publicly available, the information requested in this letter, and as a second step you do not enter into any binding commitments with regard to any service regulated by the State of Wisconsin, or Wisconsin local officials without consulting our attorney general and obtaining the consent of our governor and state legislature.

We look forward to your fullest response to these questions and concerns.

Very truly yours,



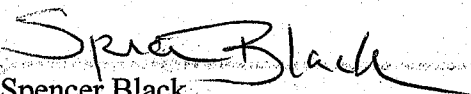
Mark Pocan  
State Representative, 78<sup>th</sup> District



Frank Boyle  
State Representative, 73<sup>rd</sup> District



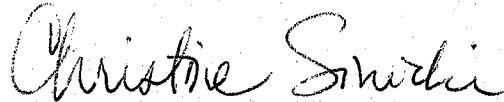
Mark Miller  
State Representative, 48<sup>th</sup> District



Spencer Black  
State Representative, 77<sup>th</sup> District



Terese Berceau  
State Representative, 76<sup>th</sup> District



Christine Sinicki  
State Representative, 20<sup>th</sup> District



Fred Risser  
State Senator, 26<sup>th</sup> District

cc: Governor James Doyle  
Attorney General Peg Lautenschlager  
WI Congressional Delegation