

STATE SENATOR KATHY BERNIER
TWENTY-THIRD SENATE DISTRICT



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From: Senator Kathy Bernier
To: Senate Committee on Insurance, Financial Services, Government Oversight and Courts
Re: Testimony on Senate Bill 131
Relating to: self-insurance by religious sects for purposes of motor vehicle financial responsibility and liability insurance requirements
Date: July 16, 2019

Thank you Chairman Craig and committee members for allowing me to testify on Senate Bill 131 today. I am grateful for the opportunity to work with Rep. Kulp on this important piece of legislation.

Since our state's founding, Wisconsin has been home to many different religious communities. For some of these groups, buying car insurance through a regular insurance provider can be a hurdle as the purchase would violate their religious beliefs and go against longstanding community practices. Senate Bill 131 would allow these folks to meet the state car insurance requirement without violating their way of life by self-insuring their vehicles.

The state of Wisconsin already has a self-insurance system through the Wisconsin Department of Transportation (DOT). To qualify for the current insurance program, an applicant must own more than 25 motor vehicles and have enough assets to pay in the case of an accident. This bill would allow religious communities to apply for self-insurance if they meet current state qualifications and can additionally provide proof of 25 years of mutual financial assistance. It is important to note that this bill would not impact any other self-insurance applicants or those who get motor vehicle insurance from any other insurance company.

Senate Bill 131 is an important opportunity to protect religious liberty by allowing communities across Wisconsin to comply with state law without compromising their convictions. I ask that you please vote to recommend passage of Senate Bill 131 so that everyone in Wisconsin can comply with state law in good conscience. Thank you again for allowing me to testify.

BOB KULP

STATE REPRESENTATIVE • 69TH ASSEMBLY DISTRICT

July 16, 2019

**Senate Committee on Insurance, Financial Services, Government Oversight and Courts
Public Hearing
Rep. Bob Kulp Testimony in favor of AB 140/SB 131**

Chairman Craig and members of the committee,

Thank you for hearing this important bill. It's important to a small, yet very significant group of people in our State, the Mennonites. I think it's also important to our State as a whole. This is a bill designed to allow the Mennonites an alternate way to ensure that their obligations are met pertaining to motor vehicle financial responsibility and liability.

First, let me tell you a bit about Mennonites. As many of you may know, this is my faith heritage. I speak from first-hand knowledge of their culture and our history.

When Mennonites moved to the Americas back in the early and mid-1700's, they came primarily so they could be allowed to practice their faith and freedom. They had grown accustomed to, but never accepted, the state/church in Europe interfering with their beliefs and their conscience. I personally have 8 of my ancestors who lost their lives as martyrs because of these differences in Switzerland, and many modern Mennonites share that history.

Mennonites have been in America a very long time. They've enjoyed the freedom and prosperity that is common to all of us that work hard and take individual responsibility.

There are at least three reasons that Mennonites move into an area or to another State. Mennonites will move to a State where the laws are favorable to them, inexpensive land is available and the opportunity to be free to follow their calling before God.

They take that land and turn it into profitable family farms that are passed on from generation to generation. They start businesses and employ people. They pay taxes and are part of volunteer fire and emergency departments. They have a sense of community and responsibility that is unsurpassed. They pay their bills and meet their obligations. They avoid conflicts and give so much more back to the community than they are ever willing to take. These are good people that we need to retain in our communities. That's why this is important to all of us in the State.

Some years ago, when the legal ground shifted under them, they banded together and worked out arrangements to meet their obligations. This has resulted in a patchwork with local sheriffs and law enforcement officers. They initiated these discussions and these arrangements. Their passion has always been to show that they are financially responsible and will take care of the obligations incurred in accidents. Currently, there is a provision in State law that allows companies to self-

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insure their vehicles by issuing a certificate of self-insurance. This bill simply allows the DOT to do the same for religious sects that have a long-standing history of mutual financial assistance in time of need to the extent that they share in financial obligations of other members who would otherwise be unable to meet their obligations. As you can see from my testimony, this is the case for them. They will be required to register members' vehicles collectively with the DOT and those will be on file with the DOT. The DOT also will need to be "satisfied that the religious sect is possessed, and will continue to be possessed, of ability to pay judgments obtained against a religious sect".

Both parties in this State have always done a good job of respecting the religious and cultural beliefs of other cultures. That's especially true if those ideas have stood the test of time for many centuries and have not conflicted with others in our State. This bill in no way diminishes this group's responsibility. In fact, the reality that they are here today after having initiated this conversation, shows how much they care about being responsible citizens. States such as Georgia, Illinois, North Carolina and Pennsylvania have seen this alternate way of accommodating the beliefs to be good public policy. This community contributes so much to the fabric and vitality of the respective places they live. I encourage you to pass this bill so that our State can join the ranks of other States who have done the same.

I'll take any questions you may have.

Make it a great day!

Bob Kulp
69th Assembly District
State Representative

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