



## Resolution No. 2009-30

### RESOLUTION OPPOSING THE GOVERNOR'S PROPOSED CHANGES TO INSURANCE LAWS AND 2009 SENATE BILL 20

**DOOR COUNTY**

Page 1 of 2

1 **TO THE DOOR COUNTY BOARD OF SUPERVISORS:**

2  
3 **WHEREAS**, Governor Jim Doyle's 2009 Budget Bill (2009 Assembly Bill 75) contains several  
4 anti-tort reform proposals including, but not limited to:

- 5  
6 • Changing comparative negligence laws to force a defendant to pay one hundred percent of  
7 the damages when they have as little as one percent of liability;  
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9 • Forcing individuals, companies and local governments to pay for higher levels of insurance  
10 by increasing mandatory minimum auto liability insurance limits;  
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12 • Changing the definition of an "underinsured motorist" in a way that increases insurance  
13 claims;  
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15 • Requiring insurance companies to cover "uninsured motorist" insurance claims when no  
16 contact was made between the insured's car and another car, thereby increasing the risk  
17 of fraudulent claim;  
18  
19 • Allowing "stacking" of coverage for "underinsured motorists" such that the coverage limits  
20 for an accident are not limited to the policy relating to the particular vehicle involved in the  
21 accident;  
22  
23 • Forcing excess or umbrella insurers to offer to cover certain claims when the coverage was  
24 not requested by the insured; and  
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26 **WHEREAS**, The aforementioned anti-tort reform proposals would significantly increase the  
27 cost of providing insurance in Wisconsin; and  
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29 **WHEREAS**, Door County currently procures its liability insurance through Wisconsin County  
30 Mutual Insurance Corporation (WCMIC); and  
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32 **WHEREAS**, WCMIC is a county owned and operated mutual insurance company created for  
33 the purpose of providing long-term stability in insurance coverage and insurance costs for  
34 counties; and  
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36 **WHEREAS**, As a mutual insurance company, WCMIC's increased cost of providing  
37 insurance resulting from the anti-tort reform proposals would be borne by counties and their  
38 taxpayers directly in the form of increased insurance premiums; and  
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40 **WHEREAS**, 2009 Senate Bill 20 is currently pending before the Senate Labor, Election and  
41 Urban Affairs Committee; and  
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43 **WHEREAS**, Senate Bill 20 would have a dramatic financial impact on counties by changing  
44 employment discrimination laws as follows:  
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- 46 • Allowing claimants to collect unlimited punitive damages against counties contrary to current  
47 state and federal law;



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ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BEMMAN	X		
BOGENSCHUTZ	X		
BRANN	X		
DEBAKER	X		
DEWITT	X		
FISHER	X		
FONTAINE	X		
GUNNLAUGSSON			X
HAINES	X		
JEANQUART	X		
LIEBE	X		
MEYER	X		
MOELLER	X		
MULLIKEN	X		
NEINAS	X		
OLSON	X		
RUNQUIST	X		
SAVARD	X		
VIRLEE	X		
ZIPPERER	X		
	20	0	1

**BOARD ACTION**

Vote Required: Majority Vote of a Quorum

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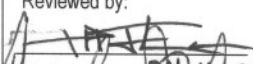
Motion to Approve Adopted

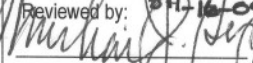
1st Runquist Defeated

2nd Bemman

No: 0 Yes: 20 Exc: 1

Reviewed by:


 Corp. Counsel

Reviewed by: 04-16-09  
 Administrator

**FISCAL IMPACT: There is no fiscal impact with the adoption of this resolution.**  
**sms**

**Certification:**

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 21st day of April, 2009 by the Door County Board of Supervisors.

  
Jill M. Lau  
County Clerk, Door County

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- Forcing counties to pay a punitive 10% surcharge to the court system in addition to unlimited damages;
- Forcing counties to litigate issues of compensatory and punitive damages years after the initial discrimination complaint was filed.
- Creating an irrational and inefficient complaint process where both parties have an incentive to litigate claims to the fullest extent possible; and

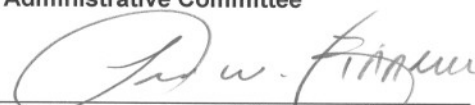
**WHEREAS,** Door County faces significant budgetary challenges related to the provision of critical state and county services at a time when state and federal financial support for such services is decreasing and the burden placed on Door County taxpayers is growing; and

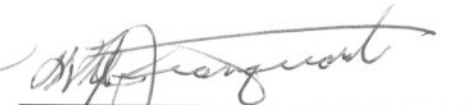
**WHEREAS,** Adding new costs for counties and forcing counties to increase their tax levies during our current economic downturn would be devastating to property taxpayers who can ill afford increased taxes or increased insurance costs.

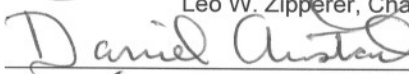
**NOW, THEREFORE, BE IT RESOLVED,** That the Door County Board of Supervisors hereby opposes the Governor's proposed changes to insurance laws included in his 2009 Executive Budget and the proposed changes to employment discrimination laws in 2009 Senate Bill 20 and strongly encourages its senators and representatives in the Wisconsin State Legislature to reject the Governor's proposals and Senate Bill 20.


**BE IT FURTHER RESOLVED,** A copy of this resolution is sent to the Governor, legislators representing Door County, all other counties in the state, and the Wisconsin Counties Association.


**SUBMITTED BY:**  
**Administrative Committee**

  
Leo W. Zipperer, Chairman

  
Will Jeanquart

  
Daniel Austad

  
Merrell Runquist

  
Kenneth Fisher