

Notice of Public Meeting

Tuesday, July 18, 2017

3:00 p.m.

**LEGISLATIVE
COMMITTEE***Door County Government Center
Chambers Room (C102), 1st floor
421 Nebraska Street, Sturgeon Bay, WI***AGENDA**

1. Call Meeting to Order
2. Establish a Quorum ~ Roll Call
3. Adopt Agenda / Properly Noticed
4. Approve Minutes of June 13, 2017 Legislative Committee Meeting
5. Communications
6. Public Comment
7. Supervisor Response
8. Old Business
 - A. Potential Changes to the Visa Program
 - B. Status on State Budget and Modifications from Joint Finance
 - C. Update on Federal Budget and Impact on Counties
9. New Business
 - A. Review Resolutions from Other Counties and Refer to Appropriate Committees for Recommendation as to Action of the County Board
 1. Outagamie County – Opposing Legislation to Repeal Wisconsin’s Prevailing Wage Law
 2. Outagamie County, Chippewa County, Forest County, Portage County – Supporting Creation of a Non-Partisan Redistricting Plan
 3. Outagamie County – Opposing Legislation Permitting Inmates Confined to County Jails, County Houses of Correction, or Tribal Jails, Under a Department of Corrections Contract to Leave the Facility to Participate in Employment Related Activities or Other Approved Programs
 4. Outagamie County – Opposing Legislation to Allow a Person, Meeting Certain Requirements, to File a Petition for Expungement with the Sentencing Court After He/She Completes Their Sentence
 5. Shawano County – Recommending Change in Unemployment Compensation Laws
 6. Town of Baileys Harbor, Town of Liberty Grove, Town of Egg Harbor – Supporting a Constitutional Amendment to Allow Limits on Campaign Contributions and Conducting a Non-Binding Statewide Referendum
 - B. Discussion on Process for County Referendum – WI United to Amend
 - C. Discussion / Action on the proposed “Back Forty Mine” – Aquila Resources
 - D. Discussion / Action on Unemployment Compensation Laws
 - E. Discussion of Medicaid Reimbursement
10. Matters to be Placed on a Future Agenda or Referred to a Committee, Official, or Employee
11. Next Meeting Date: tbd
12. Meeting Per Diem Code
13. Adjourn

Deviation from the order shown may occur

MINUTES

Tuesday, June 13, 2017

**LEGISLATIVE
COMMITTEE***Door County Government Center
Chambers Room (C102), 1st floor
421 Nebraska Street, Sturgeon Bay, WI***Call Meeting to Order**

Chair Susan Kohout called the June 13, 2017 meeting of the Legislative Committee to order at 3:00 p.m. at the Door County Government Center.

Establish a Quorum – Roll Call

Committee members present – Steve Sohns, Susan Kohout, Roy Englebert, David Enigl, and Helen Bacon.

Others present – Administrator Ken Pabich, Assistant Corp Counsel Karyn Behling, County Clerk Jill Lau, Soil & Water Conservationist Erin Hanson, League of Women Voters Rep Barb Graul, Don Friex, and public.

"These minutes have **not** been reviewed by the oversight committee and are subject to approval at the next regular committee meeting."

Adopt Agenda / Properly Noticed

Motion by Enigl, seconded by Bacon to approve the agenda. Motion carried by unanimous voice vote.

Approve Minutes of May 17, 2017 Legislative Committee Meeting

Motion by Sohns, seconded by Englebert to approve the meeting minutes of May 17, 2017. Chair Kohout noted the minutes should reflect only one federal legislator was unwilling to meet with the county. Motion carried by unanimous voice vote.

Communications

- Letter from Washington Island resident regarding concerns with the Back Forty Mine Project.

Public Comment

- Don Friex commented regarding the Back Forty Mine. Don will send links to more info to the committee.
- Don Friex questioned the committee if action had been taken on the non-partisan redistricting issue.
- Don Friex commented on Representative Kitchens Assembly Bill 226.
- Don Friex commented regarding the ordinary high water mark designation for the City of Sturgeon Bay's waterfront issue.
- Don Friex commented regarding the Sheriff's Department relationship with the Door County Community Foundation.

Supervisor Response

Chair Kohout noted the county had adopted a redistricting resolution.

Old Business**Potential Changes to the Visa Program**

Information included in the meeting packet was reviewed. Visa changes will affect summer workers. Chair Kohout has been in contact with Caleb Frostman from DCEDC. Frostman has reached out to Representative Gallagher's staff. There are no changes expected to current regulations until possibly 2018. Frostman is intending to reach out to businesses that are affected; as a county we can support this by letter, resolution or take no action. It was noted that CC Thomas suggested reaching out to House Speaker Ryan as well. Supervisor Englebert noted he has not heard any negative comments regarding businesses obtaining workers this year. Supervisor Enigl noted he hasn't heard any more comments than in the past.

General Duties of Committees and Rules of Legislative Committee – Review/Revise and/or Reaffirm

Information included in the meeting packet was reviewed. Administrator Pabich reviewed the changes to the duties of the Legislative Committee. Suggested wording change to rule #6 "Annually forward resolutions to be considered by the WI Counties Association".

Motion by Enigl, seconded by Bacon to approve the changes as presented with the change to rule #6 and forward to the Administrative Committee. Motion carried by unanimous voice vote.

New Business

Review Resolutions from Other Counties and Refer to Appropriate Committees for Recommendation as to Action of the County Board

Walworth County, Burnett County – Change in Unemployment Compensation Rules

Reviewed and discussed. Supervisor Englebert recommends drafting a resolution specific to Door County with an explanation specific to the reasons for the resolution. Corp Counsel will draft a resolution to be brought back for committee review and action.

Outagamie County - Resolution to Close Loopholes that Shift a Greater Property Tax Burden from Commercial to Residential Homeowners

Reviewed. Door County has already adopted.

Outagamie County – Restore Funding for Land Conservation Departments

Reviewed. Door County has already adopted.

Outagamie County – Funding of Great Lakes Restoration Initiative

Chair Kohout noted if the committee decides a resolution should be pursued it will need to be forwarded to the Land Conservation Committee. Soil & Water Conservationist Erin Hanson noted the department has received a number of GLRI Grants in the past. Erin noted Door County isn't in the same position as Outagamie County, however, the department does support full funding for the GLRI. Administrator Pabich noted some items in the federal budget are proposed and there are uncertainties as to what will be included. Chair Kohout explained sending support resolutions is a proactive message to legislators that the county is watching and representatives need to represent. Assistant CC Behling will draft resolutions to send on to the Land Conservation Committee for consideration and possible action.

Burnett County – Amendment to Wisconsin Statute 59.22

Reviewed and discussed. County Clerk Lau explained the Wisconsin Counties Association is looking at this issue. Lau will report any movement by the WCCO or individual elected officials associations. The committee will continue to monitor.

Lincoln County – Increase Nursing Home Medicaid Funding

Reviewed and noted this does not apply to Door County and is related to county owned nursing homes. Assistant CC Behling noted this could be tied in to the county through protective placements. Chair Kohout suggested sending this issue to the Human Services Board for their review and recommendation.

Resolution 2017-__ Recount Reform

The draft resolution was reviewed and discussed. Supervisor Enigl suggested rewording the sentences related to Wisconsin Electoral College votes to “ensure submission of Wisconsin Electoral College votes”.

Motion by Englebert, seconded by Sohns to approve the draft resolution with the wording changes suggested and move it on to County Board. Aggrieved parties defined. Motion carried by unanimous voice vote.

Status on State Budget and Modifications from Joint Finance

No new information to report.

Update on Federal Budget and Impact on Counties

Article in the packet was reviewed. The County continues to monitor.

Matters to be Placed on a Future Agenda or Referred to a Committee, Official, or Employee

- County-Wide Referendum
- Potential Changes to Visa Program
- Back Forty Mine
- Uber Barbers

Next Meeting Date: tbd

Tentatively scheduled for July 18, 2017 – 3:00 p.m.

Meeting Per Diem Code

613.

Adjourn

Motion by Enigl, seconded by Bacon to adjourn. Time 4:23 p.m. Motion carried by voice vote.

Respectfully submitted by Jill M. Lau, County Clerk

LAU, JILL**Subject:** FW: NACo Urges Continued Outreach on Senate Health Care Bill**From:** NACo <naco@naco.org>**Sent:** Thursday, July 6, 2017 5:18 PM**To:** Kohout, Susan**Subject:** NACo Urges Continued Outreach on Senate Health Care BillHaving trouble viewing this email? [Click Here](#)

NACo Urges Continued Outreach on Senate Health Care Bill

Even during the July 4th recess, Senate leadership continues to consider additional changes to their health care overhaul bill, the "Better Care Reconciliation Act," in order to secure support for passage. This builds on the [House-passed](#) American Health Care Act (H.R. 1628). The legislation substantially alters the federal-state-local partnership for Medicaid and would significantly [shift health care costs](#) to counties. Click [here](#) to read more.

Senate Republicans are expected to continue to make additional changes to the bill when they return to Washington on July 10. For more on the state of play, [click here](#).

The National Association of Counties (NACo) opposes the "Better Care Reconciliation Act" because it would:

- Adversely alter the federal-state-local partnership for Medicaid;

- Significantly shift costs to county taxpayers; and
- Negatively impact counties as health providers, payors, administrators and employers.

CALL TO ACTION: Urge your senators to oppose this legislation. To assist your advocacy, NACo has compiled several resources below.

Counties are on the frontlines of ensuring residents' well-being. Our nation's health care system works best when counties have a strong federal partner in delivering quality affordable health care.

Cutting federal Medicaid investments by one-fourth over the next decade would significantly transfer health care costs to county hospitals and emergency rooms, homeless shelters and local jails. Not only would local taxpayers have to shoulder these increased costs, but residents – especially older adults, people with disabilities and children – would face greater barriers to accessing quality health care.

Resources



NACo's Analysis of Senate Health Proposal: Massive Costs for Counties

NACo's analysis breaks down the key provisions in the Senate bill that would impact counties.



Medicaid and Counties: Understanding the program and why it matters to counties

NACo's report on the county role in Medicaid.



The Medicaid Debate Should be about Health Care

Read NACo Executive Director Matthew Chase's June 22 op-ed in *The Hill*.



Press Release Template

Share your opposition to this legislation with your local media.



Senate Republican Health Care Bill

Read the full discussion draft for the Senate Republican health care bill.



County Explorer

Find your local data in the health and hospitals section in the indicator menu.

Spread the Word



.@Senator) View @NACoTweets analysis of #BCRA and why it hurts #counties



As Senate tries to advance its health care bill, stay up-to-date on how #BCRA would impact #counties w/ @NACoTweets



.@Senator) @NACoTweets opposes #BCRA because it would adversely alter the fed-state-local partnership for #Medicaid. Vote no #BCRA



.@NACoTweets opposes #BCRA, it would negatively impact #counties as health providers, payors, administrators & employers



.@Senator) Health care works best when #counties have a strong fed partner in delivering quality health care. Vote no #BCRA



.@Senator) #Counties are on the front line of health care. Vote no on #BCRA. View why below



.@Senator) @NACoTweets opposes #BCRA because it would shift \$772B to #county taxpayers. Vote no #BCRA



#Counties' 750 behavioral health providers = critical mental health & substance abuse services to combat the #OpioidEpidemic. Vote no #BCRA

Questions

For more information, contact Brian Bowden, Associate Legislative Director, at bbowden@naco.org or 202.942.4275.



GENERAL SESSION SPEAKERS



SATURDAY, JULY 22
PIPER KERMAN
"Orange is the New Black"



MONDAY, JULY 24
ED VIESTURS
Record-breaking mountain climber

2017 NACo ANNUAL CONFERENCE AND EXPOSITION

GREATER COLUMBUS CONVENTION CENTER • FRANKLIN COUNTY, COLUMBUS, OHIO • JULY 21-24, 2017

REGISTER TODAY

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Stronger Counties. Stronger America.

The National Association of Counties (NACo) unites America's 3,069 county governments. Founded in 1935, NACo brings county officials together to advocate with a collective voice on national policy, exchange ideas and build new leadership skills, pursue transformational county solutions, enrich the public's understanding of county government and exercise exemplary leadership in public service.

Click [here](#) to unsubscribe.

**OUTAGAMIE COUNTY BOARD MEETING
MAY 23, 2017**

RESOLUTION NO. 13—2017-18

Supervisor Griesbach moved, seconded by Supervisor T. Krueger, for adoption.

RESOLUTION NO. 13—2017-18 IS ADOPTED.

RollCall-Pro Advanced Tuesday, May 23, 2017					
1. THOMPSON	ABSTAIN	13. WEGAND	YES	25. NOOYEN	YES
2. MILLER	YES	14. DE GROOT	NO	26. DUNCAN	NO
3. GRADY	YES	15. VANDEN HEUVEL	YES	27. CULBERTSON	YES
4. PATIENCE	YES	16. LEMANSKI	Absent	28. STURN	NO
5. GABRIELSON	YES	17. CROATT	NO	29. BUCHMAN	YES
6. FOSS	NO	18. SPEARS	YES	30. GRIESBACH	YES
7. HAMMEN	YES	19. STUECK	NO	31. CLEGG	YES
8. T. KRUEGER	YES	20. THOMAS	NO	32. VANDERHEIDEN	YES
9. J. KRUEGER	YES	21. THYSSEN	YES	O'CONNOR-SCHEVERS	YES
10. LAMERS	NO	22. HAGEN	YES	34. RETTLER	Absent
11. MEYER	YES	23. KLEMP	ABSTAIN	35. MELCHERT	YES
12. McDANIEL	NO	24. PLEUSS	NO	36. SUPRISE	YES
Item 13 Passed (22 Y - 10 N - 2 A - 2 Absent) Majority Vote >					

RESOLUTION NO.: 13—2017-18

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 Wisconsin's prevailing wage law was enacted in 1931 and required employers to pay
2 workers what local workers were being paid in the area. Changes were made to the law in
3 1996 and significant changes were made in the 2015-17 State Budget. Beginning January
4 1, 2017 prevailing wage was eliminated for all but state projects, state agencies, and state
5 highway projects if they are \$48,000 or more for single trade and \$100,000 or more for
6 multi-trade. Federal prevailing wage laws are still effective on any public building or
7 works project that receives \$2,000 or more of federal funds.
8

9 Governor Walker's 2017-19 Biennial Executive Budget includes language repealing
10 Wisconsin's prevailing wage requirement. Both the Senate and Assembly have also
11 proposed legislation eliminating Wisconsin's prevailing wage law.
12

13 This resolution urges the Legislature to support Wisconsin workers by opposing the
14 repeal of Wisconsin's prevailing wage law because the skilled construction tradesmen and
15 women working on our public infrastructure deserve to be paid a fair minimum wage.
16 Wisconsin is already experiencing a worker shortage and a skills gap. Repealing
17 prevailing wage will only make the problem worse.
18

19 NOW THEREFORE, the undersigned members of the Legislative/Audit & Human Resources
20 Committee recommend adoption of the following resolution.

21 BE IT RESOLVED, that the Outagamie County Board of Supervisors does urge the Governor
22 and State Legislature to protect Wisconsin workers by opposing legislation to repeal Wisconsin's
23 prevailing wage law, and


24 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy
25 of this resolution to the Outagamie County Executive, all Wisconsin counties, and the Outagamie
26 County Lobbyist for distribution to the Governor and the Legislature.

27 Dated this 23rd day of May 2017

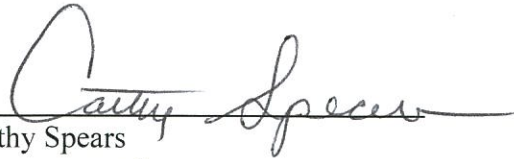
28
29 Respectfully Submitted,

30
31 LEGISLATIVE/AUDIT &
32 HUMAN RESOURCES COMMITTEE

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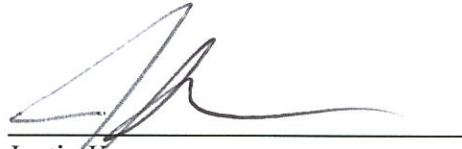
Travis Thyssen



Cathy Spears



Shane Griesbach



Justin Krueger



John Foss

Duly and officially adopted by the County Board on: May 23, 2017

Signed: 

Board Chairperson



County Clerk

Approved: 5.25.17 Vetoed: _____

Signed: 

County Executive

Protect Wisconsin Businesses and Workers by Supporting Prevailing Wage

What is the prevailing wage?

A fair minimum wage for the skilled construction tradesmen and women working on our public infrastructure.

It's only fair to be paying those workers a wage that is in line with their skills, training and experience.

Prevailing wage laws protect Wisconsin contractors and workers and keep taxpayer infrastructure dollars in Wisconsin.

In Indiana, 885 jobs along the state line were lost after they weakened their prevailing wage laws. The neighboring, lower wage state of Kentucky gained 770 jobs.

Repealing prevailing wage laws will result in a projected \$500 Million in construction value being completed by out of state contractors on an annual basis.

Weakening Prevailing Wage Hurts Local Contractors And Workers, Economic Commentary #40, Midwest Economic Public Policy Institute (June 2015); How Weakening Wisconsin's Prevailing Wage Policy Would Affect Public Construction Costs and Economic Activity, Duncan & Lantsberg (May 2015).

Construction worker wages will be cut if prevailing wage laws are repealed.

Repeal is projected to reduce construction worker income, health, and retirement benefits by \$756 Million annually.

Decrease in state and local tax revenue is projected to exceed \$39 million annually.

How Weakening Wisconsin's Prevailing Wage Policy Would Affect Public Construction Costs and Economic Activity, Duncan & Lantsberg (May 2015).

Even though wages will be lower, there are no taxpayer savings from repealing prevailing wage laws.

The Wisconsin Legislative Fiscal Bureau has advised legislators that there are **no budget savings** by repealing prevailing wage laws, and the Governor's 2017-19 budget has **no budget savings** assigned to repeal.

As little as 20% of the cost of public construction projects is labor, which means the claims of huge savings are untrue.

Prevailing Wage Laws and 2015 Assembly Bill 32, Wis. Leg. Fiscal Bureau (May 2015); Wisconsin's Prevailing-Wage Law, An Economic Impact Analysis, Philips (April 2015).

You get what you pay for.

Wisconsin's worker are more productive and efficient than workers in states without prevailing wage laws. This means that Wisconsin's infrastructure is constructed cheaper, faster and correctly the first time.

Why are Wisconsin construction workers more productive and efficient? Because the **private construction trades spend \$30 Million annually** on education, training and safety. States that repealed prevailing wage law experienced sharp decline in private construction trades training.

Wisconsin is already experiencing a worker shortage and a skills gaps. Repealing prevailing wage will only make the problem worse.

Wisconsin's Prevailing-Wage Law, An Economic Impact Analysis, Philips (April 2015); Road and Bridge Construction Workers in the Midwest, Manzo & Bruno (March 2015).

**Legislative Fiscal Bureau**

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873
Email: fiscal.bureau@legis.wisconsin.gov • Website: <http://legis.wisconsin.gov/lfb>

March 27, 2015

TO: Representative Robb Kahl
Room 322 West, State Capitol

FROM: Ryan Horton, Fiscal Analyst

SUBJECT: Prevailing Wage Laws and 2015 Assembly Bill 32

This memorandum provides information related to federal and state prevailing wage laws and reviews research on the potential impact of prevailing wage requirements on construction costs. In addition, the memo reviews recent changes to Wisconsin's prevailing wage law as well as the proposal to repeal the state prevailing wage requirement, 2015 Assembly Bill 32.

Prevailing Wage

Generally, federal and state prevailing wage laws for municipal and state public work projects require that certain laborers, workers, mechanics, and truck drivers employed on a state or local public works project be paid the prevailing wage rate. This rate is determined by the United States Department of Labor (DOL) with regard to federal law (Davis-Bacon Act), and the Department of Workforce Development (DWD) with regard to the state law. Though federal and state prevailing wage rates are typically similar, when federal and state prevailing wage laws both apply, project contractors must pay workers the higher of the two rates.

Federal and state prevailing wage laws apply based on certain project funding or cost thresholds. Federal prevailing wage applies to any public building or works project that receives \$2,000 or more of federal funds. In Wisconsin, the state law applies under various cost thresholds. For a single trade project, the threshold is \$48,000, whereas the threshold for a multiple-trade project is either \$100,000 or \$234,000 (the latter applies to public works projects erected, constructed, repaired, remodeled, or demolished by a private contractor for a city or village with a population less than 2,500, or for a town). A "single trade project" is defined as one in which a single trade (such as a carpenter, glazier, or electrician) accounts for 85% or more of the total labor cost of the project. A "multiple-trade project" is defined as one in which no single trade accounts for more than 85% of the total labor cost of the project.

With regard to federal funding of state highway projects, federal highway aid typically

requires a non-federal match from state and local funding sources. Therefore, federally funded highway projects are also generally supported by a mix of state or local funding, or a combination thereof. In the absence of state prevailing wage laws, or if highway construction projects were exempted from such state laws, federal prevailing wage laws would continue to apply to highway construction projects using federal funds in excess of \$2,000.

Federal prevailing wage rates are determined by DOL, typically once per year at the county level, based on a survey process. Similarly, state law requires DWD to determine prevailing wage rates, based on a statutorily prescribed annual survey process, for all types of local public works projects, state public works projects (except highways and bridges), and state contracted highway construction projects. Although DWD enforces all local and state prevailing wages laws in other contexts, the Department of Transportation (DOT) administers and enforces federal and state prevailing wages laws for highway and bridge construction projects.

Workers to whom federal and state prevailing wage laws apply may not be permitted to work a greater number of hours per day or per week than the prevailing hours of labor, unless they are paid for all hours worked in excess of prevailing hours of labor (40 hours per week) at a rate of at least 1.5 times their hourly basic rate of pay. State law also stipulates that prevailing hours of labor do not include hours worked in excess of 10 hours per day, on Saturday or Sunday, or on certain holidays, and that these hours must be paid at a rate of at least 1.5 times the hourly basic rate of pay. The term "prevailing wage rate" means the hourly basic rate of pay, plus the hourly contribution for health insurance benefits, vacation benefits, pension benefits and any other bona fide economic benefit, paid directly or indirectly for a majority of the hours worked in a trade or occupation on projects in an area (generally the county).

Prevailing Wage Law Changes and Proposals: 2009 to 2014

Wisconsin's prevailing wage law has recently undergone two significant revisions, in 2009 and 2011.

In 2009, the state budget included provisions which expanded the applicability of the state's prevailing wage laws. The threshold for requiring payment of the prevailing wage rate was lowered to \$25,000 in total project costs and a new class of project was created - publically funded private construction projects - which required the payment of the prevailing wage rate. Publically funded private construction projects included any project that received \$1 million or more in governmental grants, loans, funding, or property transfers from a local government unit. In addition, the bill required a contractor, subcontractor, or agent on a project subject to prevailing wage requirements to electronically submit to DWD a certified monthly payroll report. See Appendix I for a summary of the law changes included in the 2009-11 biennial budget.

In 2011, the state budget reversed several of the 2009 law changes. The act generally prohibits local prevailing wage laws and repealed the applicability of the state prevailing wage law to publically funded private construction projects. The act also created the tri-tiered threshold (\$48,000, \$100,000, and \$234,000) that exists today. Certain project types were exempted from the prevailing wage law. In addition, contractors on a prevailing wage project were no longer required

to submit a monthly certified record of their employees to DWD. See Appendix II for a summary of prevailing wage law changes included in the 2011-13 biennial budget.

In the 2013-14 legislative session, five Assembly bills and three Senate bills were introduced that directly addressed Wisconsin's prevailing wage law. The session expired without passage of any of the eight bills.

From 2009 through 2014, fiscal notes attached to bills addressing the state's prevailing wage law have been produced by state agencies including DWD, DOT, Department of Public Instruction (DPI), Department of Administration (DOA), and Department of Corrections. In no instance did an agency calculate an estimate of the potential project cost savings to a government associated with changes to the state's prevailing wage law. In some instances, fiscal estimates from the Department of Workforce Development have described that project savings "may" or are "likely to" materialize, but do not provide actual estimates. DWD did caution in several of its fiscal notes that "to the extent that prevailing wage rates reflect the rates paid locally there would be no savings by having a construction project not covered by the prevailing wage laws as compared to being covered."

2015 Assembly Bill 32

Under AB 32, the state prevailing wage law, the local prevailing wage law and the state highway prevailing wage law would be eliminated. The bill would retain the prohibition against local governments enacting or administering their own prevailing wage laws or similar ordinances. The effective date of the bill would be January 1, 2016. The initial applicability of provisions within the bill would be on the effective date of the bill for projects subject to bidding, projects subject to a request for bids, and to project contracts entered into. Projects utilizing at least \$2,000 in federal funds would still be subject to the federal Davis-Bacon Act.

Fiscal notes for 2015 AB 32 were submitted by eight state agencies. Fiscal notes from the Department of Natural Resources (DNR), Department of Justice (DOJ) and Wisconsin Technical College System (WTCS) cited either indeterminate or no state and local fiscal effect.

DOA determined that there would be a decrease in existing appropriations and in existing revenues to the Department for project oversight due to decreased state building project costs as a result of the bill. However, the amount of decreased costs were indeterminate because data was not available to ascertain the rate that may be bid by contractors in the absence of the prevailing wage law. DOA noted that for the past two years 93% to 97% of building construction contracts were subject to prevailing wage laws, but the number of these contracts subject to federal law was not available.

The fiscal note from the UW System stated that insufficient data existed to make an estimate of the bill's impact on capital projects while noting that labor is a significant component of construction costs and the impact would likely vary based on local labor markets. The note also raised concerns regarding the potential migration of skilled workers to other states and that a wage reduction could result in hiring more lower skilled workers which could affect project quality and

longer-term maintenance and repair costs.

The Department of Revenue (DOR) identified no state fiscal effect. DOR's fiscal estimate for local governments is marked indeterminate, although the Department did include a description of potential savings on local government construction projects which would no longer be subject to prevailing wage requirements. DOR's calculation assumed \$1.32 billion in local government construction expenditures in Wisconsin subject to state prevailing wage requirements. 18.9% of the net value of construction being attributable to labor costs, a potential decrease in wages of 14.1% due to the absence of prevailing wage laws (derived by comparing a statewide U.S. Bureau of Labor Statistics sample of construction occupations to a weighted average of a sample of DWD prevailing wage determinations), and 50% of labor savings being passed through from contractors to local governments as reduced construction bids. Using this set of assumptions, DOR noted the potential of \$18 million in savings (1.3% of total project costs) on an annual basis to local governments as a result of the bill. The Department does not identify local government expenditures for projects which receive federal funds and thus would still be subject to federal Davis-Bacon wage requirements. The estimate also assumes that the absence of a prevailing wage requirement would not result in any decrease in worker efficiency. Further, the sample of county-level prevailing wage data used does not match up the expenditure data to actual local projects undertaken.

The fiscal note from DWD details administrative cost savings from the elimination of the state's prevailing wage program. The Department would no longer need to administer its annual survey or computer applications that calculate prevailing wage rates. According to DWD, this would enable the Equal Rights Division to reduce total FTE by 4.0. Eliminating these positions would save \$358,000 GPR annually in salary, fringe, supplies and services costs. Further, DWD noted potential savings related to a reduction in complaints from state prevailing wage projects. However, due to construction timelines and the two-year window for complaints to be filed, these savings would not be fully realized for two to five years after enactment. Beyond these savings in administration of the state prevailing wage law, DWD was unable to determine the fiscal impact of the bill on local and state governments.

DOT found that the bill would result in fewer investigations required by staff relating to wage and compliance matters. The Department estimated this would result in an estimated "one-time" decrease in administrative costs of approximately \$194,800 associated with prevailing wage activities; with this workload being absorbed to meet other required duties in the longer term. The Department noted indeterminate cost decreases for state and local units of government. Concerning DOT project costs, construction projects that are advertised for bid, or "let," are generally subject to prevailing wages. DOT project "delivery" costs, such as design, engineering, consulting, real estate, and state staff costs are typically not subject to prevailing wage requirements and were not included in their analysis. Project lets with at least \$2,000 in federal participation would not be impacted by this bill due to Davis-Bacon. State only spending on construction lets with no federal participation represents approximately 17.5% of spending (\$1.12 billion annual average for the last three years) on highway construction projects, or approximately \$196 million annually, with labor costs estimated at 20% to 25% of construction costs. These calculations could result in non-federal project labor costs of roughly \$44 million per year. However, DOT did not make an estimate of

overall labor savings and noted that any potential savings would only be realized if passed on by contractors through lower bids.

The Prevailing Wage Debate

Debates about prevailing wage laws have occurred as long as the laws have existed. Prevailing wage laws are opposed because such laws may unnecessarily increase labor, compliance and administrative costs as well as interfere with the efficient operation of markets. It is also argued that the method of determining the "prevailing" wage may be biased and unfair, because of the nature and extent of prevailing wage surveys (that is, survey results based on limited or unrepresentative returns). The potential negative impact on small firms is also cited as a cost of prevailing wage laws.

Prevailing wage laws are supported as a mechanism for encouraging development of the economy along a high-skill path that leads to more productive and cost-effective production. As a result, it is argued that workers are paid higher wages while not significantly increasing the cost of public construction. It is also argued that prevailing wage laws may increase the likelihood that public construction projects will have a higher multiplier effect on the economy by increasing local economic output and the tax base. Proponents also argue that contractors are more likely to train and hire the most skilled workers available, which increases the level of safety of the workplace, and decreases the likelihood of poor quality and cost over-runs on the project.

The following is a review of research which attempts to assess the impact of prevailing wage laws on construction costs.

Evidence on the Impact of Prevailing Wage Laws on Construction Costs

A large body of research analyzing the impact of prevailing wage laws on construction costs has developed over time. Some of the more recent studies follow:

A 2006 study, conducted by the Kentucky Governor's Office for Policy Research (Jones, 2006), used U.S. Bureau of Labor Statistics (BLS) data to compile a weighted wage rate comparison of prevailing wage rates and average wage rates in Kentucky counties. The study found that, statewide, there was an average savings of 17.1% on the labor share of state construction projects in the absence of a prevailing wage. The county-specific difference ranged from 6.4% to 40.8%. The study estimated that elimination of the prevailing wage requirement would result in average savings of 6.65% of project costs. The report also notes that the prevailing wage requirement artificially raises the price of labor, resulting in a distortion of the capital-labor input ratio used by construction firms on prevailing wage projects. Firms would substitute away from the relatively more expensive labor, and utilize a greater level of capital equipment.

A Mackinac Center for Public Policy study compiled wages in the construction industry in Michigan from BLS statistics and compared those wages to prevailing wages established for various construction workers, such as carpenters and electricians (Kersey, 2007). The data indicated that Michigan's prevailing wage law resulted in an average wage increase of 39.1%. The

study concluded that the prevailing wage law caused contractors to pay wages that averaged 40% to 60% higher than those determined by the market. Based on U.S. Census data, the prevailing wage law was estimated to increase the cost of construction by 10% to 15%. Repeal of the law would have saved state taxpayers an estimated \$216 million in 2002. Exempting school districts from the law would have saved an estimated \$109 million in 2002, and repeal of local prevailing wage laws would have saved municipalities an estimated \$16 million. The report states that although there is some evidence that prevailing wage laws are associated with modest improvements in productivity, the increase would not offset the higher wage costs.

The Center for Governmental Research (CGR) produced a report in 2008 for the New York State Economic Development Council to assess the impact of prevailing wage requirements on the cost of construction in New York State. CGR recorded the median market wages (including benefits) of metropolitan statistical areas in New York and across the U.S., and the prevailing wages in the New York areas and then used the data to determine the costs of constructing a virtual prototype project in each of those regions. The study found that, within the state, the prevailing wage increased the total cost of a typical construction project by 36% across the state's major metropolitan areas. The cost differential ranged from 23% for upstate regions, to 53% for downstate regions. Project costs were 28% higher for upstate projects than for out-of-state competitors, while costs were 76% higher for downstate communities than for out-of-state competitors.

A 2013 report from the Anderson Economic Group commissioned by the Associated Builders and Contractors (Rosaen, 2013), estimated that the state of Michigan could have saved nearly \$225 million annually between 2002 and 2011 on K-12 and public higher-education school construction costs in the absence of the state's prevailing wage law. The study assumed that prevailing wage costs were directly passed on to state and local government. The analysis did not consider changes in worker productivity, material costs, or labor share due to the absence of prevailing wage.

A 2005 econometric analysis found that, all else equal, low-income housing projects were significantly more expensive if developers were required to pay prevailing wages (Dunn, Quigley, and Rosenthal, 2005). Based on a sample of 205 low-income housing projects subsidized by the California Tax Credit Allocation Commission during 1997 through 2002, and using a number of statistical models to determine costs, the authors concluded that prevailing wage requirements increased construction costs between 9% and 37%. Imposition of the law decreased the number of low-income housing units by more than 3,100 units per year.

A 2006 report prepared for the Minnesota Office of the Legislative Auditor (Jordan, 2006) included a review and evaluation of the literature that measured the relationship between prevailing wage laws and the cost of construction. Studies reviewed included: (a) the relationship between prevailing wage and quality of construction and productivity of workers; (b) the effect of prevailing wage laws on project cost; and (c) other impacts of prevailing wage laws, such as the impact on construction worker wages, training and apprenticeship programs, and state tax revenues. In reviewing the various studies of the effects of prevailing wage laws on total costs of construction, the author indicates that some failed to control for the range of variables that affect

costs. The studies failed to allow for factor substitution, and assumed labor is homogeneous. Other studies used regression analysis to control for factors other than prevailing wage laws that might impact total cost. The results of these types of studies is mixed, but the "preponderance" of available studies show that prevailing wage laws do not have a statistically significant impact on the total cost of public construction projects.

Several reports prepared by economist Peter Philips show that prevailing wage laws do not raise costs. Due to technological changes, improved materials, and increased managerial efficiency, the share of wage costs as a percent of total construction costs has been falling. In 1972, wage costs were about 27% of total construction costs in the U.S., while in 2002 wage costs had declined to approximately 20% of total construction costs. During the mid-1990s, Kentucky enacted a prevailing wage law, Ohio, repealed the state law, and a Michigan court suspended prevailing wage regulations on school construction for over two years. Using FW Dodge construction data for 391 new schools constructed in Kentucky, Ohio, and Michigan, Philips found the mean square foot construction cost for rural schools in the periods in which there was no prevailing wage law was \$96, compared to \$98 when there was a law. For urban schools, the mean square foot cost was \$114, with or without a prevailing wage law. The author then applied an econometric model to control for other factors and estimated that prevailing wage regulations raised school construction costs 0.7%, a result that was not statistically significant (Philips, 2001). A subsequent peer-reviewed study of 4,000 new schools built nationally found that there was no measurably or statistically significant effect of prevailing wage regulations on total construction costs (Azari-Rad, Philips, and Prus, 2002).

A 2011 study by economist Kevin C. Duncan examined the effect of prevailing wage requirements on the relative cost of state and federally funded highway resurfacing projects in Colorado. Colorado does not have a state prevailing law but, like all other states, road projects with federal funding are subject to federal Davis-Bacon wage requirements. The report found that, on average, projects funded by the federal government are substantially more expensive than state-level projects which are not subject to prevailing wage requirements. However, the federal projects were larger and more likely to require complex tasks (asphalt removal, blading of road surfaces, etc.) than state-funded projects. When controlling for these and other factors, the study found no statistically significant difference between the costs of projects that do, and do not require the payment of prevailing wages. The author concludes that the results from the study imply that the State of Colorado could adopt current federal wage standards without an increase in the cost of construction.

A review of the literature related to prevailing wages and government contracting costs reveals three main research categories:

- a. wage differential approach,
- b. cross-sectional analysis ("with and without-law" comparisons), and
- c. time series analysis ("before and after" comparisons)

The wage differential approach consists of determining if wages under prevailing wage laws are higher, and assumes that the increase in wages is directly passed on to the government in higher

contract costs. This is an intuitive approach and is consistent with the notion that if wage rates increase, so will the total construction costs. However, such approaches typically assume no change in the behavior of contractors in the face of higher wages and, therefore, pass the entirety of the increase in labor costs on to governments in the form of higher contract costs. This approach typically assumes that productivity, material costs, and the labor share of construction all remain constant. In addition, these studies typically do not control for other factors such as project location, project type, or time of year which also can significantly affect costs. A number of such studies including those studies by the GAO (1979), the Mackinac Center for Public Policy (1999 and 2007), the Beacon Hill Institute (2008), the Center for Government Research (2008), and the Anderson Economic Group (2013) all find that prevailing wage laws increase project costs.

The cross-sectional approach uses econometric techniques to compare the costs of construction when it is subject to prevailing wage laws and when it is not. The first econometric cross-sectional study of prevailing wage laws and construction costs used regression analysis to compare the costs of public construction contracts subject to federal prevailing wage regulation with the costs of private construction contracts that were not (Fraundorf et al. 1984). The results showed that public construction was on average 26.1% more expensive than private construction. (The authors acknowledged that, with labor costs about 30% of total construction costs, the estimate seemed somewhat high). This analysis was partially replicated in 1996 (Prus), but the comparison made was between public and private construction costs in states with prevailing wage laws to those costs in states without the laws. Prus did not find a statistically significant difference in construction costs in states with prevailing wage laws and in states without such laws. Studies by Philips (1996, 1998), Prus (1999), Azari-Rad et al. (2002; 2003), and Duncan (2011) generally found construction costs were not statistically different for contracts subject to prevailing wage laws and those that were not. However, a study by Dunn et al. (2005) did conclude that prevailing wage rates in California increased construction costs for low-income residential projects. A study by Vincent and Monkkonen (2010) found that while the presence of prevailing wages laws increased school construction costs by 13%, it was the entire regulatory environment of a particular place that had the largest cost impact.

Time series analysis also uses econometric techniques to compare construction costs before and after, either repeal or enactment, of prevailing wage laws. Thieblot (1986) used President Nixon's suspension of the Davis Bacon Act in 1971 to compare contract bids before suspension with rebids after suspension. The differences in re-bids suggested a savings of 4.7% on government construction contract costs from suspension of Davis-Bacon. However, the original contract bids were made public before the re-bid process, meaning bidders had knowledge of their competitors' offers for projects. Studies by Bilginsoy and Philips (2000), and Philips (2001) found that prevailing wage laws caused no statistically significant increase in government construction costs. A 2009 and 2012 follow-up study by Duncan et al. finds that the introduction of prevailing wage laws in British Columbia disrupted construction efficiency in the short term but that, within a relatively short period of time, the construction industry adjusted to wage requirements by increasing overall efficiency. The authors conclude that a short-term decrease in construction efficiency, followed by a sharp and durable increase, supports the view that prevailing wage laws are not associated with higher, long-term construction costs.

Existing research on the impact of prevailing wage laws on construction costs is mixed and inconclusive. Excluding studies which assume that the entirety of any increase in wages is passed on to the government in higher contract costs (wage differential), the evidence on prevailing wage effects generally range from relatively small effects to no statistically significant effects (cross sectional and time series). These findings echo a 2007 report prepared by the nonpartisan Minnesota Office of the Legislative Auditor which, in a review of the literature that measured the relationship between prevailing wage laws and the cost of construction, concluded that while some studies found a small impact on costs, more comprehensive studies have found that the impact is not statistically significant. These findings are further corroborated in a comprehensive review of research related to prevailing wages and government contracting costs by Mahalia (2008). The report concluded that a growing body of economic studies finds that prevailing wage regulations do not inflate the cost of government construction contracts. The report indicates that a basic premise is that prevailing wage laws raise costs for contractors, and contractors pass the costs on to the government. Possible explanations for the breakdown in the seemingly intuitive relationship between wage rates and projects costs may include: (a) contractors might already be paying wages that are required under prevailing wage laws; (b) labor costs are not the predominant costs in government contracts; (c) prevailing wage rates can attract higher-skilled workers, and more efficient management, so that increased productivity would offset higher wages; and (d) higher wages may be offset by factor substitution, such as more efficient materials.

RH/sas
Attachments

ATTACHMENT I

Prevailing Wage Provisions included in 2009 Wisconsin Act 28

Publicly Funded Private Construction Projects

- Creates a prevailing wage law for publicly funded private construction projects, other than a project of public works, that receives financial assistance from a local governmental unit.
- Applies to workers employed on the site of the project.
- Excludes most residential development projects and the Milwaukee Riverwalk.

Project Threshold

- \$25,000 for municipal and state projects.
- Direct financial assistance of \$1,000,000, for publicly funded private construction projects.

Reporting Requirements

- Monthly submission of individual records or submission of collective bargaining agreements.
- DWD posting of records or agreements on internet site.
- Creates penalty for frivolous requests to examine records.
- Requires DWD to post exceptions or waivers included in contracts related to employment of apprentices.

Liability and Penalties

- Specifies payment of unpaid wages plus 100% of the amount as liquidated damages where DWD determines underpayment.
- Specifies payment of unpaid wages plus 100% of the amount as liquidated damages where underpayment is determined in court action.

Other Provisions

- Excludes projects with labor provided by unpaid volunteers.
- Specifies that municipal and state laws apply to projects undertaken by one local governmental unit or state agency under contract for another local governmental unit or state agency.
- Specifies that municipal and state laws apply to sanitary sewer and water main projects turned over to a local governmental unit or state agency. (Also, applies to road and bridge projects for local governmental units.)
- Specifies that municipal and state laws apply to projects in which a completed facility is acquired, leased, or dedicated to a local governmental unit or state agency.
- Creates a statutory definition of minor service and maintenance work and a statutory exclusion for minor service or maintenance work, warranty work, or work under a supply and installation contract.
- Creates a definition of bonafide economic benefit.

ATTACHMENT II

Prevailing Wage Provisions included in 2011 Wisconsin Act 32

Exemption for Nursing Homes

Provide an exemption from local prevailing wage law for a nursing home project of public works in a county with a population of less than 50,000, if the project breaks ground within one year after the effective date of the budget bill.

Exemption for Residential Projects

Specify that a project of state or local public works involving the erection, construction, repair, remodeling, or demolition of a residential property containing two dwelling units or less is not subject to prevailing wage law.

Exemption for Residential Development

Provide an exemption for any residential development from laws governing municipal prevailing wage and hour scales. Define "residential development" to mean any development where 90% of the approved lots contain or will contain a dwelling. Define "dwelling" to mean any building that contains one or two dwelling units. Specify that the determination of whether a development is a residential development is determined at the time the development was approved by the applicable government authority. Specify that this exemption would apply to any work that is paid for by a developer and then dedicated over to a municipality, including work performed on a road, street, bridge, sanitary sewer, or water main project.

Exemption for Chip/Slurry Seal

Specify that, in addition to the exemption under current law for chip and slurry work with a projected life span of less than five years, all chip and slurry work performed by towns is exempt from the prevailing wage law, except for work funded through the Town Road Improvement Program under the Local Roads Improvement Program.

Exemption for Trucking Activities

Make the following changes to pre-existing state and local prevailing wage laws governing covered employees. Prior law stated that the prevailing wage provisions not apply to a laborer, worker, mechanic, or truck driver who is regularly employed to process, manufacture, pick up or deliver materials or products from a commercial establishment that has a fixed place of business from which the establishment regularly supplies processed or manufactured materials or products unless either of the following applies:

- a. The individual is employed to go to the source of mineral aggregate that is to be immediately incorporated into the work, and not stockpiled or further transported by truck, pick up

that mineral aggregate, and deliver that mineral aggregate to the site of a covered project by depositing the material substantially in place, directly or through spreaders from the transporting vehicle: or

b. The individual is employed to go to the site of a covered project, pick up excavated material or spoil from the site of the project, and transport that excavated material or spoil away from the site of the project.

The act modified the above provisions by: (1) specifying that the individual would not have to be regularly employed in the activities described above in order to be exempt from coverage; (2) specify that prevailing wage law also does not apply to an individual delivering products from a facility that is not dedicated to a project; and (3) amending "a" above to specify that in order to be covered, the individual would have to be employed to go to the source of mineral aggregate and deliver that mineral aggregate to the site of a covered project by depositing the materials directly in final place, from the transporting vehicle or through spreaders from the transporting vehicle.

Work Performed Without Compensation

Eliminate the current law exemption from the municipal and state prevailing wage laws for public works projects in which labor for the project is provided by unpaid volunteers. Instead, specify that the state and municipal prevailing wage laws do not apply to projects for which the governmental unit contracting for the project is not required to compensate any contractor, subcontractor, contractor's or subcontractor's agent, or individual for performing the work.

Night Shift Differential and Holiday Pay

Modify current law regarding certification of prevailing wage rates for highway projects to require that DWD must, in addition to the current prevailing wage rates, include Sunday pay, holiday pay, and shift differential, with the exception of height pay, pay for work with particular products, and supervisory pay, provided for in the collective bargaining agreement or a successor agreement.

Prevailing Wage Survey

Specify that governmental units are exempt and precluded from filing a prevailing wage survey if the governmental unit performs any construction work

Statewide Concern; Uniformity - - Local Ordinances

Provide that the Legislature finds that the enactment of ordinances or other enactments by local governmental units requiring laborers, workers, mechanics, and truck drivers employed on projects of public works or on publicly funded private construction projects to be paid the prevailing wage rate and to be paid at least 1.5 times their hourly basic rate of pay for hours worked in excess of the prevailing hours of labor would be logically inconsistent with, would defeat the purpose of, and would go against the spirit of laws governing municipal prevailing wage and hours and the repeal of laws governing publicly funded private construction projects. Specify

that these provisions must be construed as an enactment of statewide concern for the purpose of providing uniform prevailing wage rate and prevailing hours of labor requirements throughout the state.

Prohibit a local governmental unit from enacting and administering an ordinance or other enactment requiring laborers, workers, mechanics, and truck drivers employed on projects of public works or on publicly funded private construction projects to be paid the prevailing wage rate and to be paid at least 1.5 times their hourly basic rate of pay for hours worked in excess of the prevailing hours of labor or any similar ordinance or enactment. Specify that any such ordinance or other enactment that is in effect on the effective date of this provision is void.

Project Thresholds

Eliminate the current provision specifying that the prevailing wage laws for municipal and state public works projects do not apply to projects for which the estimated cost of completion is below \$25,000. Instead, specify project thresholds of: (a) \$48,000 for single-trade projects; (b) \$234,000 for multiple-trade construction projects conducted by townships or by cities and villages with populations of less than 2,500, provided that the work is contracted with a private contractor; and (c) \$100,000 for all other multiple-trade municipal and state public works projects. Define "single-trade project" as a project in which a single trade accounted for 85% or more of the total labor cost of the project. Define "multiple-trade project" as a project in which no single trade accounted for 85% or more of the total labor cost of the project.

Reporting Requirements

Repeal the monthly wage reporting requirements for contractors, subcontractors, or contractor's or subcontractor's agents enacted in 2009 Act 28. Under prior law, if a contractor, subcontractor, or agent of a contractor or subcontractor performed work on a project that is subject to the prevailing wage laws, the contractor, subcontractor, or agent must submit to DWD in an electronic format a certified record of hours worked by, and wages paid to, its employees who worked on the project in that preceding month. However, if all persons employed by the contractor, subcontractor, or agent who were performing work on a covered project are covered under a collective bargaining agreement and the wage rates for those persons are not less than the prevailing wage rate, the contractor, subcontractor, or agent must submit to DWD in an electronic format a copy of all collective bargaining agreements that are pertinent to the project of public works by no later than the end of the first week of the first month in which the contractor, subcontractor, or agent performed work on the project of public works.

Repeal the requirement that DWD post the reported information on its Internet site. Prior law required DWD to post on its Internet site all certified records and collective bargaining agreements submitted under the above (prior law) provisions, except that DWD may not post the name of or any other personally identifiable information relating to any employee of a contractor, subcontractor, or agent that submitted the information to the Department.

Inspection of Records

Modify the prior law provisions requiring DWD to inspect contractor wage records for state and local projects subject to prevailing wage law when requested by individuals to, instead, specify that if another party requests that DWD inspect a contractor's records, the contractor is required to submit records for four weeks of payroll only once per calendar quarter for each project. Require these reports to be available for public inspection. Specify that, once a request is made under this provision, the Department may not approve a request for an inspection of records if made by any other party in the same calendar quarter for that project. Specify that no fee would be charged to any party making such a request. Require that a unique identifier must be included on the report so that the identity of employees listed is in compliance with state and federal laws governing divulging personal information. These provisions would replace the prior law provisions governing inspection of records.

Publicly Funded Private Construction Projects

Repeal the prevailing wage statutes regarding publicly funded private construction projects, which were adopted in 2009 Act 28.

2009 Act 28 created the state prevailing wage law for publicly funded private construction projects, which is similar to prevailing wage laws for municipal and state public works projects. These provisions generally applied to any owner or developer of real property who enters into a contract for the erection, construction, remodeling, repairing, or demolition of any publicly funded private construction project. "Publicly funded private construction project" means a construction project in which the developer, investor, or owner of the project receives direct financial assistance from a local governmental unit for the erection, construction, repair, remodeling, or demolition, including any alteration, painting, decorating, or grading, of a private facility, including land, a building, or other infrastructure. A "publicly funded private construction project" does not include a project involving any of the following:

- a. Residential property, if the project is supported by affordable housing grants, home improvement grants, or grants from a local housing trust fund.
- b. A residential property containing four dwelling units or less.
- c. A residential property that contains retail, office, or commercial components, if the project is intended to increase the supply of affordable housing in the community.

"Direct financial assistance" is defined as moneys, in the form of a grant or other arrangement or included as part of a contract or cooperative agreement, or any other arrangement, including a redevelopment agreement under the municipal blight elimination and slum clearance law, economic development agreement contract for a project under the tax increment finance law, or assistance provided under the municipal business improvement district law, that a local governmental unit directly provides or otherwise makes available to assist in the erection, construction, repair, remodeling, or demolition of a private facility. The Act 28 provisions did not apply to projects that receive less than \$1 million in direct financial assistance from local units of government.

**OUTAGAMIE COUNTY BOARD MEETING
MAY 23, 2017**

RESOLUTION NO. 14—2017-18

Supervisor Grady moved, seconded by Supervisor Patience, for adoption.

RESOLUTION NO. 14—2017-18 IS ADOPTED.

RollCall-Pro Advanced Tuesday, May 23, 2017					
1. THOMPSON	YES	13. WEGAND	YES	25. NOOYEN	YES
2. MILLER	YES	14. DE GROOT	NO	26. DUNCAN	YES
3. GRADY	YES	15. VANDEN HEUVEL	YES	27. CULBERTSON	YES
4. PATIENCE	YES	16. LEMANSKI	Absent	28. STURN	YES
5. GABRIELSON	YES	17. CROATT	YES	29. BUCHMAN	YES
6. FOSS	YES	18. SPEARS	YES	30. GRIESBACH	YES
7. HAMMEN	YES	19. STUECK	YES	31. CLEGG	YES
8. T. KRUEGER	YES	20. THOMAS	YES	32. VANDERHEIDEN	YES
9. J. KRUEGER	YES	21. THYSSEN	YES	O'CONNOR-SCHEVERS	YES
10. LAMERS	YES	22. HAGEN	YES	34. RETTLER	Absent
11. MEYER	YES	23. KLEMP	YES	35. MELCHERT	YES
12. McDANIEL	YES	24. PLEUSS	YES	36. SUPRISE	YES
Item 14 Passed (33 Y - 1 N - 0 A - 2 Absent) Majority Vote >					

RESOLUTION NO.: 14—2017-18

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 Pursuant to Article VI, Section 3 of the Wisconsin Constitution, the Wisconsin
2 Legislature is directed to redistrict legislative districts “according to the number of
3 inhabitants” at its next session following the decennial federal census. The legislature
4 also reapportions congressional districts pursuant to federal law.
5

6 State and federal legislative redistricting is controlled by the majority party at the time of
7 the redistricting, legislative and congressional plans in Wisconsin have been subject to
8 partisan influence that puts the desires of politicians ahead of the electoral prerogative of
9 the people. Redistricting to achieve partisan gains is improper, whether it is done by
10 Republicans or democrats.
11

12 A panel of federal district court judges has ruled that the redistricting done in Wisconsin
13 in 2011 was unconstitutional. Legal costs in defense of the 2011 redistricting has already
14 cost taxpayers in excess of \$2.1 million, with the litigation still ongoing.
15

16 The state and congressional districts belong to the citizens of Wisconsin and not to any
17 legislator, interest group or political party. The redistricting process should not be a tool
18 used by those in power to protect and bolster their power, but should be designed with the
19 best interest of Wisconsin’s democracy and its citizens.
20

21 Wisconsin’s historical practice of redistricting by the majority party in each legislative
22 chamber is an outdated practice that stifles political competition, discourages
23 compromise, ensures continued control by the party in power, and lacks the transparency
24 necessary to reinforce citizen’s faith in the democratic process.
25

26 There is a critical need at this time to restore trust, compromise and fair competition to
27 Wisconsin politics.
28

29 NOW THEREFORE, the undersigned members of the Legislative/Audit & Human Resources
30 Committee recommend adoption of the following resolution.

31 BE IT RESOLVED, that the Outagamie County Board of Supervisors does call upon the State
32 Legislature, before the start of the next redistricting process following the 2020 federal census, to pass
33 legislation that creates a fair, nonpartisan procedure for the preparation of legislative and congressional
34 redistricting plans, that promotes more accountability and transparency, prohibits the consideration of
35 voting patterns, party information, and incumbents’ residence information or demographic information

1 in drawing the maps, except as necessary to ensure minority participation as required by the U.S.
2 Constitution, and


3 BE IT STILL FURTHER RESOLVED, that the Outagamie County Board of Supervisors
4 advocates for an amendment to the Wisconsin Constitution giving the responsibility of legislative
5 redistricting to a nonpartisan commission, and

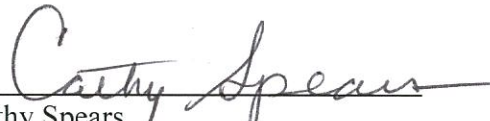
6 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy
7 of this resolution to the Outagamie County Executive, all Wisconsin counties, and the Outagamie
8 County Lobbyist for distribution to the Governor and the Legislature.


9 Dated this 23rd day of May 2017

10
11 Respectfully Submitted,

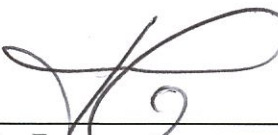
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13 LEGISLATIVE/AUDIT &
14 HUMAN RESOURCES COMMITTEE

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22 Cathy Spears

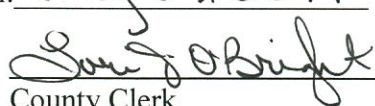
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26 Shane Griesbach

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30 Justin Krueger

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33 _____
34 John Foss

35 Duly and officially adopted by the County Board on: May 23, 2017

36 Signed: 
37 _____
38 Board Chairperson

36 Signed: 
37 _____
38 County Clerk

36 Approved: 5.25.17
37 _____

Vetoed: _____

36 Signed: 
37 _____
38 County Executive

Resolution No. 16 - 17

**RESOLUTION SUPPORTING CREATION OF A NON-PARTISAN PROCEDURE FOR THE
PREPARATION OF LEGISLATIVE AND CONGRESSIONAL REDISTRICTING PLANS**

WHEREAS, pursuant to Article IV, Section 3 of the Wisconsin Constitution, the Wisconsin Legislature is directed to redistrict state legislative districts “according to the number of inhabitants” at its next session following the decennial federal census; and

WHEREAS, the legislature also reapportions congressional districts at the same interval pursuant to federal law; and

WHEREAS, legislative and congressional redistricting plans enacted pursuant to this procedure are used to elect members of the legislature and Congress in the fall of the second year following the year of the census; and

WHEREAS, because state and federal legislative redistricting is controlled by the majority party at the time of redistricting, legislative and congressional plans in Wisconsin have been subject to partisan influence that puts the desires of politicians ahead of the electoral prerogative of the people; and

WHEREAS, redistricting to achieve partisan gains is improper, whether it is done by Republicans or Democrats; and

WHEREAS, a panel of federal district and appellate court judges from the Seventh Circuit Court of Appeals ruled that the redistricting done in Wisconsin in 2011 was unconstitutional; and

WHEREAS, the legal expenses in defense of the 2011 redistricting plan have already cost taxpayers in excess of \$2.1 million, with the litigation still ongoing; and

WHEREAS, the state and congressional districts belong to the citizens of Wisconsin and not to any legislator, interest group, or political party and therefore the redistricting process should not be a tool used by those in power to protect and bolster their power, but should be designed to promote the best interest of Wisconsin’s democracy and its citizens; and

WHEREAS, Wisconsin’s historical practice of redistricting by the majority party in each legislative chamber is an outdated practice that stifles political competition, discourages compromise, ensures continued control by the party in power, and lacks the transparency necessary to reinforce citizens’ faith in the democratic process; and

WHEREAS, there is a critical need at this time to restore trust, compromise and fair competition to Wisconsin politics.

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NOW, THEREFORE BE IT RESOLVED, that the Chippewa County Board of Supervisors does hereby call upon the State Legislature, before the start of the next redistricting process following the 2020 federal census, to pass legislation that creates a fair, non-partisan procedure for the preparation of legislative and congressional redistricting plans, that promotes more accountability and transparency, prohibits the consideration of voting patterns, party information, and incumbents' residence information or demographic information in drawing the maps, except as necessary to ensure minority participation as required by the United States Constitution; and

BE IT FURTHER RESOLVED, that the Chippewa County Board of Supervisors advocates for an amendment to the Wisconsin Constitution giving the responsibility of legislative redistricting to a non-partisan commission; and

BE IT FURTHER RESOLVED, that the County Clerk is directed to send a copy of this resolution to the Governor of the State of Wisconsin, all members of the State Assembly and the State Senate, the Wisconsin Counties Association, the Wisconsin Towns Association, the Wisconsin League of Municipalities, and to the County Board Chair of each Wisconsin County.

Forwarded to the County Board by the Executive Committee.

FINANCIAL IMPACT:

There is no fiscal impact to Chippewa County by passage of this resolution.

History:

06/01/17 Executive Committee FORWARD TO COUNTY BOARD

Approved as to Form:

James B. Sherman
James B. Sherman, Corporation Counsel 5/19/2017

Melissa J. Roach
Melissa J. Roach, Finance Director 5/19/2017

Frank R. Pascarella
Frank R. Pascarella, County Administrator 5/19/2017

1st Reading 6/13/17 2nd Reading N/A
Board Action - Vote Required 5/m
For 10 Absent 5
Against 0 Abstain 0
Clerk Signature: Jaclyn Stadler

85

RESOLUTION 20-2017

Supporting Creation of a Nonpartisan Procedure for the Preparation of Legislative and Congressional Redistricting Plans

Resolution offered by Forest County Executive Committee:

RESOLVED by the Board of Supervisors of Forest County, Wisconsin, That

WHEREAS, pursuant to Article VI, Section 3 of the Wisconsin Constitution, the Wisconsin Legislature is directed to redistrict state legislative districts “according to the number of inhabitants” at its next session following the decennial federal census. The legislature also reapportions congressional districts at the same interval pursuant to federal law; and

WHEREAS, because state and federal legislative redistricting is controlled by the majority party at the time of the redistricting, legislative and congressional plans in Wisconsin have been subject to partisan influence that puts the desires of politicians ahead of the electoral prerogative of the people. Redistricting to achieve partisan gains is improper, whether it is done by Republicans or Democrats; and

WHEREAS, a panel of federal district court judges has ruled that the redistricting done in Wisconsin in 2011 was unconstitutional. Legal costs in defense of the 2011 redistricting has already cost taxpayers in excess of \$2.1 million, with the litigation still ongoing; and

WHEREAS, the state and congressional districts belong to the citizens of Wisconsin and not to any legislator, interest group or political party. The redistricting process should not be a tool used by those in power to protect or bolster their power, but should be designed with the best interest of Wisconsin’s democracy and its citizens; and

WHEREAS, Wisconsin’s historical practice of redistricting by the majority party in each legislative chamber is an outdated practice that stifles political competition, discourages compromise, ensures continued control by the party in power, and lacks the transparency necessary to reinforce citizens’ faith in the democratic process; and

WHEREAS, there is a critical need at this time to restore trust,
{00056382.DOC}

compromise and fair competition to Wisconsin politics;

NOW, THEREFORE, BE IT RESOLVED THE FOREST COUNTY BOARD OF SUPERVISORS calls upon the State Legislature, before the start of the next redistricting process following the 2020 federal census, to pass legislation that creates a fair, nonpartisan procedure for the preparation of legislative and congressional redistricting plans, that promotes more accountability and transparency, prohibits the consideration of voting patterns, party information, and incumbents' residence information or demographic information in drawing the maps, except as necessary to ensure minority participation as requested by the U.S. Constitution; and

BE IT FURTHER RESOLVED, the Forest County Board of Supervisors advocates for an amendment to the Wisconsin Constitution giving the responsibility of legislative redistricting to a nonpartisan commission; and

BE IT FURTHER RESOLVED, that the County Clerk is directed to send a copy of this resolution to the Governor of the State of Wisconsin, the Wisconsin Counties Association, the Wisconsin Towns Association, the Wisconsin League of Municipalities, all members of the state legislature, and to each Wisconsin County.

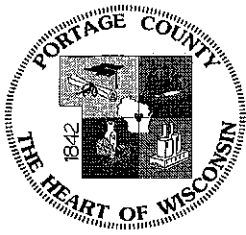
I, County Clerk, in and for the said County of Forest, State of Wisconsin, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the County Board of Supervisors of Forest County, Wisconsin, in legal session on the 20 day of June, 2017.

Dated this 30 day of June, 2017.

Nora Matuszewski
 Nora Matuszewski, Forest County Clerk

Paul Millan
 Supervisor

ROLL CALL SHEET COUNTY BOARD		Date <u>6/20/2017</u>		Ordinance	
No. <u>20-2017</u>		Resolution <u>✓</u>		Adopted	
Motion: <u>Campbell</u>		1st <u>Dehart</u>		Lost	
2nd				Tabled	
	Aye	No	Absent		
Berg	X				
Bunda	X				
Campbell	X				
Chaney	X				
Collins	X				
Connors, Jr.	X				
Dailey	X				
Dehart	X				
Gallion	X				
Houle	X				
Huettl	X				
Karl	X				
Laabs	X				
Lukas	X				
Marvin	X				
Matuszewski	X				
Millan	X				
Otto	X				
Shaffer	X				
Stamper	X				
Tauer	X				
TOTAL	20		1		



Portage County Clerk

Shirley M. Simonis

1516 Church Street

Stevens Point, WI 54481

Phone: 715-346-1351 Fax: 715-346-1486

CERTIFICATION

I, Shirley M. Simonis, Clerk of the County of Portage, Wisconsin do hereby certify that the foregoing is a true and correct copy of

RESOLUTION NO. 138-2016-2018

RE: RESOLUTION SUPPORTING THE CREATION OF A
NONPARTISAN REDISTRICTING PROCEDURE FOR THE
PREPARATION OF LEGISLATIVE AND CONGRESSIONAL DISTRICTS

which was considered by the County Board by a vote of:

23 for

_____ against

_____ abstained

_____ vacant

2 excused Dobratz, James Gifford

_____ vacant

at an Adjourned Session of the Portage County Board of Supervisors, held on the 20th day of June, 2017, and recorded in the minutes of said meeting, a quorum of members being present.

In testimony whereof, I have hereunto set my hand and the seal of the County of Portage, Wisconsin, this 23rd day of June, 2017.

Shirley M. Simonis KTB
SHIRLEY M. SIMONIS
Portage County Clerk (SEAL)

RESOLUTION NO. 138-2016-2018

TO: THE HONORABLE CHAIRMAN AND MEMBERS OF THE PORTAGE COUNTY BOARD OF SUPERVISORS

RE: RESOLUTION SUPPORTING THE CREATION OF A NONPARTISAN REDISTRICTING PROCEDURE FOR THE PREPARATION OF LEGISLATIVE AND CONGRESSIONAL DISTRICTS

WHEREAS, on December 17, 2013, Portage County passed Resolution No. 245-2012-2014, which is attached to this resolution, in support of creating nonpartisan procedures for legislative and congressional redistricting; and

WHEREAS, currently under the Wisconsin Constitution, the legislature is directed to redistrict state legislative districts "according to the number of inhabitants" at its next session following the decennial federal census by the majority party; and at the same intervals, the legislature also reapportions congressional districts pursuant to federal law; and

WHEREAS, legislative and congressional redistricting plans enacted pursuant to this procedure are used to elect members of the legislature and members of Congress in the fall of the second year following the year of the census; and

WHEREAS, the state and congressional districts belong to the citizens of Wisconsin, not any legislator, interest group, or political party. The redistricting process should not be a tool used by those in power to protect or bolster their power, but should be designed with the best interest of Wisconsin's democracy and its citizens; and

WHEREAS, the current redistricting practice is outdated and stifles political competition, discourages compromise, lacks transparency and has allowed for partisan influence and manipulation to put the desires of politicians ahead of the electoral prerogative of the citizens of Wisconsin; and

WHEREAS, the 2011 Wisconsin redistricting was ruled unconstitutional by a panel of federal district court judges costing taxpayers in excess of \$2.1 million with litigation still ongoing; and

WHEREAS, redistricting to achieve partisan gain is an improper process that both Republican and Democrats must be prohibited from doing; and

FISCAL NOTE: No appropriation of funds is required for this resolution.

NOW THEREFORE BE IT RESOLVED that Portage County Board of Supervisors insists upon the creation of a nonpartisan procedure and for the preparation of legislative and congressional redistricting plans to be in place and utilized as required pursuant to the Wisconsin Constitution, prior to Election Day on November 6th, 2018. That the Portage County Board of Supervisors advocates for an amendment to the Wisconsin Constitution giving the responsibility of legislative redistricting to a nonpartisan commission; and

BE IT FURTHER RESOLVED that the new process needs to promote more accountability and transparency, and prohibit the consideration of voting patterns, party information, and incumbents' residence information or demographic information in drawing the maps, except as necessary to ensure minority participation as required by the United States Constitution; and

BE IT FURTHER RESOLVED that the Portage County Clerk is hereby directed to send a copy of this resolution to the Governor of the State of Wisconsin, the Wisconsin Counties Association, the Wisconsin Towns Association, the Wisconsin League of Municipalities, all members of the state legislature, and to each Wisconsin County.

Dated this 20th day of June, 2017.

Respectfully submitted,

EXECUTIVE OPERATIONS COMMITTEE

excused
Philip Idsyoog (Chair)
James Gifford

Allen Haga
Don Butkowski

James Zdroik

**OUTAGAMIE COUNTY BOARD MEETING
MAY 23, 2017**

RESOLUTION NO. 18—2017-18

Supervisor Duncan moved, seconded by Supervisor Patience, for adoption.

RESOLUTION NO. 18—2017-18 IS ADOPTED.

RollCall-Pro Advanced Tuesday, May 23, 2017					
1. THOMPSON	YES	13. WEGAND	YES	25. NOOYEN	YES
2. MILLER	YES	14. DE GROOT	YES	26. DUNCAN	YES
3. GRADY	YES	15. VANDEN HEUVEL	YES	27. CULBERTSON	YES
4. PATIENCE	YES	16. LEMANSKI	Absent	28. STURN	YES
5. GABRIELSON	YES	17. CROATT	YES	29. BUCHMAN	YES
6. FOSS	YES	18. SPEARS	YES	30. GRIESBACH	YES
7. HAMMEN	YES	19. STUECK	YES	31. CLEGG	YES
8. T. KRUEGER	NO	20. THOMAS	YES	32. VANDERHEIDEN	YES
9. J. KRUEGER	YES	21. THYSSEN	YES	O'CONNOR-SCHEVERS	YES
10. LAMERS	YES	22. HAGEN	YES	34. RETTLER	Absent
11. MEYER	YES	23. KLEMP	YES	35. MELCHERT	YES
12. McDANIEL	YES	24. PLEUSS	YES	36. SUPRISE	YES
Item 21 Passed (33 Y - 1 N - 0 A - 2 Absent) Majority Vote >					

RESOLUTION NO.: 18—2017-18

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 Legislation has been proposed to allow the Department of Corrections to contract with
2 county jails to send inmates back to their county of origin to participate in local work
3 release or other approved programs. The intention is to allow inmates with a good record
4 of behavior and completion of training programs that are close to their release date to
5 return to their county of origin, establish a relationship with a local employer, and ease
6 the overall process of re-entry upon release. Participation would be optional for county
7 sheriffs, tribal jails, and houses of correction. If they chose to participate, the contractual
8 obligations of the Department of Corrections and the county would be articulated in a
9 Memorandum of Understanding.

10 NOW THEREFORE, the undersigned members of the Public Safety Committee recommend
11 adoption of the following resolution.

12 BE IT RESOLVED, that the Outagamie County Board of Supervisors does support proposed
13 legislation permitting inmates confined to county jails, county houses of correction, or tribal jails under
14 a Department of Corrections contract to leave the facility to participate in employment-related activities
15 or other approved programs designated by the Department of Corrections in its contract with the local
16 unit of government, and

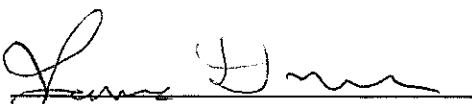
17 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy
18 of this resolution to the Outagamie County Sheriff, all Wisconsin counties, and the Outagamie County
19 Lobbyist for distribution to the Governor and the Legislature.

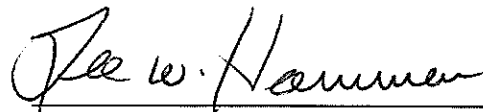
20 Dated this 23rd day of May 2017

21 Respectfully Submitted,

22 PUBLIC SAFETY COMMITTEE

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James Duncan


Lee W. Hammen

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Katrin Patience
Katrin Patience

Tony Krueger
Tony Krueger

Mike Thomas
Mike Thomas

Duly and officially adopted by the County Board on: May 23, 2017

Signed: *[Signature]*
Board Chairperson

[Signature]
County Clerk

Approved: 5.25.17

Vetoed: _____

Signed: *[Signature]*
County Executive



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-3038/1
MLJ:amn

2017 BILL

1 **AN ACT** *to renumber and amend* 302.27; *to amend* 20.410 (1) (ab); and *to*
2 *create* 302.27 (2) of the statutes; **relating to:** work release for inmates in
3 Department of Corrections contracted facilities.

Analysis by the Legislative Reference Bureau

This bill permits inmates confined in county jails, county houses of correction, or tribal jails under a Department of Corrections contract with a local unit of government to leave the facility to participate in employment-related activities or any other activity that has been designated by DOC in its contract with the local unit of government.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 20.410 (1) (ab) of the statutes is amended to read:
5 20.410 (1) (ab) *Corrections contracts and agreements.* The amounts in the
6 schedule for payments made in accordance with contracts entered into under ss.
7 301.21, 302.25, and 302.27 (1), contracts entered into with the federal government

2017 - 2018 Legislature

- 2 -

LRB-3038/1

MLJ:amn

SECTION 1

BILL

1 under 18 USC 5003, and intra-agency agreements relating to the placement of
2 prisoners.

3 **SECTION 2.** 302.27 of the statutes is renumbered 302.27 (1) and amended to
4 read:

5 302.27 (1) The department may contract with a local governments unit of
6 government, as defined in s. 16.957 (1) (k), for temporary housing or detention in
7 county jails ~~or~~ county houses of correction, or tribal jails for persons placed on
8 probation or sentenced to imprisonment in state prisons or to the intensive sanctions
9 program. The rate under any such contract may not exceed \$60 per person per day.
10 Nothing in this ~~section~~ subsection limits the authority of the department to place
11 persons in jails under s. 301.048 (3) (a) 1.

12 **SECTION 3.** 302.27 (2) of the statutes is created to read:

13 302.27 (2) Inmates who are confined or detained under sub. (1) may be granted
14 the privilege of leaving the facility during necessary and reasonable hours to engage
15 in employment-related activities including seeking employment, engaging in
16 employment training, working at employment, performing community service work,
17 or attendance at an educational institution, or for any other activity designated in
18 the contract under sub. (1). The sheriff or tribal chief of police, in conjunction with
19 the department, shall determine inmate eligibility to participate in such activities
20 and may terminate participation or return an inmate to state facilities, or both, at
21 any time.

22

(END)

**OUTAGAMIE COUNTY BOARD MEETING
MAY 23, 2017**

RESOLUTION NO. 19—2017-18

Supervisor J. Krueger moved, seconded by Supervisor Duncan, for adoption.

RESOLUTION NO. 19—2017-18 IS ADOPTED.

RollCall-Pro Advanced Tuesday, May 23, 2017					
1. THOMPSON	YES	13. WEGAND	YES	25. NOOYEN	YES
2. MILLER	YES	14. DE GROOT	YES	26. DUNCAN	YES
3. GRADY	YES	15. VANDEN HEUVEL	YES	27. CULBERTSON	YES
4. PATIENCE	YES	16. LEMANSKI	Absent	28. STURN	YES
5. GABRIELSON	YES	17. CROATT	YES	29. BUCHMAN	YES
6. FOSS	YES	18. SPEARS	YES	30. GRIESBACH	YES
7. HAMMEN	YES	19. STUECK	YES	31. CLEGG	YES
8. T. KRUEGER	YES	20. THOMAS	YES	32. VANDERHEIDEN	YES
9. J. KRUEGER	YES	21. THYSSEN	YES	O'CONNOR-SCHEVERS	YES
10. LAMERS	YES	22. HAGEN	YES	34. RETTLER	Absent
11. MEYER	YES	23. KLEMP	YES	35. MELCHERT	YES
12. McDANIEL	YES	24. PLEUSS	YES	36. SUPRISE	YES
Item 22 Passed (34 Y - 0 N - 0 A - 2 Absent) Majority Vote >					

RESOLUTION NO.: 19—2017-18

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

LADIES AND GENTLEMEN:

1 Under current law, a court may order a person's criminal record expunged of certain
2 crimes that a person committed before the age of 25. The expungement order must be
3 made only at sentencing and the record is expunged upon completion of the sentence.
4

5 A proposal is being considered to allow the person to file a petition with the sentencing
6 court after he or she completes their sentence. Upon receipt of the petition, the court
7 must review the petition at a hearing or, if the victim of the crime waives a hearing,
8 without a hearing, may then order the record expunged or may deny the petition. If the
9 petition is denied, the person may not file another petition for two years.
10

11 NOW THEREFORE, the undersigned members of the Public Safety Committee recommend
12 adoption of the following resolution.

13 BE IT RESOLVED, that the Outagamie County Board of Supervisors does support proposed
14 legislation to allow a person, meeting certain requirements, to file a petition for expungement with the
15 sentencing court after he or she completes their sentence, and

16 BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does support
17 permitting a person whose petition is denied to file another petition in two years, and

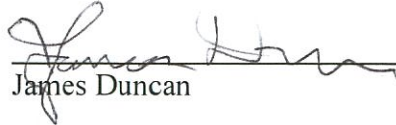
18 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy
19 of this resolution to the Outagamie County District Attorney, all Wisconsin counties, and the Outagamie
20 County Lobbyist for distribution to the Governor and the Legislature.

21 Dated this 23rd day of May 2017

22 Respectfully Submitted,
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24 PUBLIC SAFETY COMMITTEE
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James Duncan


Lee W. Hammen

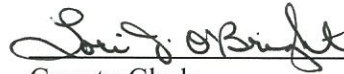

Katrin Patience


Tony Krueger


Mike Thomas

Duly and officially adopted by the County Board on: May 23, 2017

Signed: 
Board Chairperson


County Clerk

Approved: 5.25.17

Vetoed: _____

Signed: 
County Executive



Shawano County Courthouse
Room 104
311 N. Main St
Shawano WI 54166

Phone: 715-526-9150
Fax: 715-524-5157
pam.schmidt@co.shawano.wi.us
www.co.shawano.wi.us

SHAWANO COUNTY CLERK – PAMELA SCHMIDT

STATE OF WISCONSIN }
COUNTY OF SHAWANO }

I, Pamela Schmidt, County Clerk, in and for the County of Shawano, State of Wisconsin, do hereby certify that the following copy of Resolution No. 40-17 is a true and correct copy of the original Resolution No. 40-17 duly adopted by the Shawano County Board of Supervisors at a meeting held on June 28, 2017

Given under my hand and official seal, at the Shawano County Courthouse, in the City of Shawano, this 28th day of June, 2017.

Pamela Schmidt
Shawano County Clerk

Resolution No. 40-17

Recommending Change in Unemployment Compensation Rules

Whereas, many employers throughout Wisconsin rely on seasonal workers to provide goods and services to our citizens and visitors; and

Whereas, seasonal workers usually return to the same employers and professions; and

Whereas, these workers typically work full-time for roughly seven months per year; and

Whereas, employers have time and money invested in the recruitment and training of these workers; and

Whereas, current employment regulations require that these workers apply for employment knowing they will be returning to their previous employer; and

Whereas, this process forces workers to apply for numerous jobs they are not qualified for nor want; and

Whereas, the law creates an additional burden on employers in the form of time and money in reviewing applications from applicants who are unqualified or who will not accept employment or remain in the job because they intend to return to their seasonal job.

Now, therefore, be it resolved by the Shawano County Board of Supervisors, in session this 28th day of June, 2017, that it requests the Governor, Legislature and Department of Workforce Development to come together to promulgate clear, fair rules regarding unemployment and seasonal workers.

Be it further resolved, that a copy of this resolution shall be sent to Governor Walker, the Shawano County Legislative delegation, Wisconsin Counties Association and all Wisconsin counties.

Submitted by, Gerald Erdmann
SHAWANO COUNTY BOARD CHAIR

RESOLUTION #2017-02**Town of Baileys Harbor**

Supporting a Constitutional Amendment to Allow Limits on Campaign Contributions
And
Conducting a Non-Binding Statewide Referendum

Whereas, free and fair elections are essential to democracy and effective self-governance, and;

Whereas, even the appearance of being able to buy access to candidates or influence policy and governing decisions based on large donations erodes the voters' confidence in our elections and democracy

Whereas, the U.S. Supreme Court's decisions in Citizens United and related cases allow unlimited spending by certain groups known as Super-PACs to influence local, state, and federal elections

Whereas, the above mentioned Supreme Court cases:

- 1) have granted Corporations, Unions, SuperPACs, and other man-made entities the same Constitutional protections given only to "We the People..." (i.e., individual human beings) by the Framers of the Constitution, and;
- 2) have declared money to be 'free speech'

Now therefore, be it resolved that the Town Board of the Town of Baileys Harbor, Door County, Wisconsin, does hereby respectfully request the Door County Board of Supervisors to support this Resolution and ask the Wisconsin State Legislature, and our locally elected state representatives, to provide the voters of the state with the opportunity to speak through a non-binding state-wide Referendum asking if they, the voters, support an amendment to the United States Constitution stating:

1. Only human beings –not corporations, unions, SuperPACs or similar associations –are endowed with individual constitutional rights, and
2. Money is not speech, and therefore limiting political contributions and spending is not equivalent to restricting political speech.

Be it further resolved, that the Clerk for the Town of Baileys Harbor send a copy of this Resolution to the Door County Board and to our state and federal representatives with instructions to enact resolutions, referenda, and legislation to advance this effort.

Introduced by Dan Powers

Moved by Supervisor Roberta Thelen, seconded by Supervisor Peter Jacobs
That said resolution be adopted.

Passed by the Town Board of the Town of Baileys Harbor on the 12th day of JUNE, 2017.

Town of Baileys Harbor Chairperson Ronald Litta

**Town of Liberty Grove
Resolution 7-17
Supporting a Constitutional Amendment to Allow Limits on Campaign Contributions and
Conducting a Non-Binding Statewide Referendum**

Whereas, free and fair elections are essential to democracy and effective self-governance, and;

Whereas, even the appearance of being able to buy access to candidates or influence policy and governing decisions based on large donations erodes the voter's confidence in our elections and democracy, and;

Whereas, the U.S. Supreme Court's decisions in Citizens United and related cases allow unlimited spending by certain groups know as Super-PACs to influence local, state, and federal elections, and;

Whereas, the above mentioned Supreme Court cases:


- 1) Have granted Corporations, Unions, SuperPACs, and other man-made entities the same Constitutional protections given only to "We the People...." (i.e., individual human beings) by the Framers of the Constitution, and;
- 2) Have declared money to be 'free speech'

Now therefore, be it resolved that the Town Board of the Town of Liberty Grove, Door County, Wisconsin, does hereby respectfully request the Door County Board of Supervisors to support this Resolution and ask the Wisconsin State Legislature, and our locally elected state representatives, to provide the voters of the state with the opportunity to speak through a non-binding state-wide Referendum asking if they, the voters, support an amendment to the United States Constitution stating:

1. Only human beings, not corporations, unions, SuperPACs or similar associations, are endowed with individual constitutional rights, and
2. Money is not speech, and therefore limiting political contributions and spending is not equivalent to restricting political speech.

Be it further resolved, that the Clerk for the Town of Liberty Grove send a copy of this Resolution to the Door County Board and to our state and federal representatives with instructions to enact resolutions, referenda, and legislation to advance this effort.

I hereby certify that the above resolution was passed at a properly noticed meeting of the Liberty Grove Town Board on July 5, 2017. Mulliken moved, Goss second to approve. Passed 4-0.


Janet Johnson
Clerk/Treasurer

Resolution No. 95
Town of Egg Harbor

Supporting a Constitutional Amendment to allow Limits on Campaign Contributions
And
Conducting a Non-Binding Statewide Referendum

Whereas, free and fair elections are essential to democracy and effective self-governance, and;

Whereas, even the appearance of being able to buy access to candidates or influence policy and governing decisions based on large donations erodes the voters' confidence in our elections and democracy

Whereas, the U.S. Supreme Court's decisions in Citizens United and related cases allow unlimited spending by certain groups known as Super-PACs to influence local, state, and federal elections

Whereas, the above mentioned Supreme Court cases:

- 1) Have granted Corporations, Unions, SuperPACs, and other man-made entities the same Constitutional protections given only to "We the People..." (i.e., individual human beings) by the Framers of the Constitution, and;
- 2) have declared money to be 'free speech'

Now therefore, be it resolved that the Town Board of the Town of Egg Harbor, Door County, Wisconsin, does hereby respectfully request the Door County Board of Supervisors to support this Resolution and ask the Wisconsin State Legislature, and our locally elected state representatives, to provide the voters of the state with the opportunity to speak through a non-binding state-wide Referendum asking if they, the voters, support an amendment to the United States Constitution stating:

1. Only human beings –not corporations, unions, SuperPACs or similar associations –are endowed with individual constitutional rights, and
2. Money is not speech, and therefore limiting political contributions and spending is not equivalent to restricting political speech.

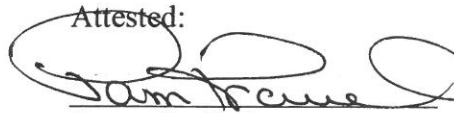
Be it further resolved, that the Clerk for the Town of Egg Harbor send a copy of this Resolution to the Door County Board and to our state and federal representatives with instructions to enact resolutions, referenda, and legislation to advance this effort.

Adopted this 19th day of June, 2017

Approved:


Town Chairman

Attested:


Town Clerk-Treasurer

Voice Vote:

For 5 Opposed 0

Resolution No. 461 - 16

Opposing the Aquila Resources' Back Forty Proposed Mine

WHEREAS, Aquila Resources' Back Forty Project, a proposed open pit metallic sulfide mine would be located on the banks of the Menominee River, which empties into Lake Michigan and is one of the largest watersheds in Northern Wisconsin and Michigan's Upper Peninsula; and

WHEREAS, the Menominee River provides a unique habitat for species of special concern such as lake sturgeon and freshwater mussels, which would be negatively impacted by discharges into the water; and

WHEREAS, the potential impacts of the mine include long term leaching of acid-producing wastes into the groundwater and the river; and

WHEREAS, the hazardous wastes generated by the mine would degrade water quality and present risks to human health and the environment in Wisconsin as well as Michigan; and

WHEREAS, potential economic losses including reduction in property values and loss of tourism revenue are not factored into the permitting review process; and

WHEREAS, the approval of this mine will result in the irreversible loss of significant cultural resources of the Menominee Tribe of Indians of Wisconsin, including Native American gravesites and other areas of historical significance.

NOW, THEREFORE, BE IT RESOLVED, the Marinette County Board of Supervisors strongly oppose Aquila's Back Forty metallic sulfide mine and urges the Michigan Department of Environmental Quality to deny a mining permit for the Back forty Project.

BE IT FURTHER RESOLVED, the County Clerk shall forward a copy of this resolution to Governor Scott Walker, Department of Natural Resources Secretary Cathy Stepp, Wisconsin Legislators representing Marinette County, the County Board Chairs of Florence, Oconto, Brown, Kewaunee and Door counties, Michigan Governor Rick Snyder, and the Michigan Department of Environmental Quality.

Approved this 20th day of September 2016 by a majority vote of a quorum of the Marinette County Board of Supervisors.

Mark Anderson, Chair

Kathy Brandt, County Clerk

Recommended: Executive Committee – September 14, 2016

AGENDA

LAU, JILL

Subject: FW: back 40**From:** Kitchens, Joel <Joel.Kitchens@legis.wisconsin.gov>**Sent:** Monday, June 26, 2017 6:14 PM**To:** Kohout, Susan**Subject:** FW: back 40

Hi Susan,

Because we do not have any authority over it, I have not studied the Back Forty Mine proposal extensively. I had Chris check with John Nygren's office, since he is right across the border in Marinette. They are not sure if they will do anything, since it is across the border, but they gave me this op-ed that they wrote and were considering putting out for publication. He is apparently supportive of the project overall, so this may give you a perspective you have not heard.

Joel

As an avid outdoorsman, living in a community that borders Michigan's Upper Peninsula (UP) definitely has its perks. Just across the river we can explore miles of snowmobile trails, plenty of lakes, and millions of acres of forests. That said, sometimes decisions made across the border can affect those of us who call Wisconsin home. The Back Forty mining project in Michigan's Upper Peninsula has been receiving a lot of attention lately. People from Marinette and beyond have contacted my office with apprehensions about the mine, including its environmental impact.

The Menomonee River is a great water source for both Wisconsin and Michigan residents; it should be monitored to ensure our water remains clean and safe. Many have raised concerns that the Back Forty Project will pollute the river and the water quality will dip below Wisconsin's regulatory standards. It's important to note that the Michigan Department of Environmental Quality (MDEQ) has assured that the project will meet both Michigan and Wisconsin's more strict environmental water quality standards because of our shared interest in the Menomonee River.

In total, this project will be subject to four major permits: regulating air, wetlands, water quality, and mining operations. These permits will ensure compliance with state and federal environmental regulations. Before the mine begins operations, it will have to receive approval from MDEQ, the Environmental Protection Agency, the Army Corps of Engineers, and consultation with the Wisconsin Department of Natural Resources. An environmental baseline study will be completed as well, ensuring adequate protection and monitoring for water, air, and aquatic biology. Additionally, a comprehensive environmental monitoring plan is also provided for monitoring of water quality in the Menomonee River, associated streams, and groundwater.

Once mining operations cease years from now, the project will be backfilled with limestone and reclaimed to a natural state. The proposal is modeled after the Flambeau Mine in Ladysmith, Wisconsin. That mine, located in close proximity to the Flambeau River, was successfully permitted, constructed, operated, and reclaimed. Additionally, the mine is required to have a financial assurance bond to ensure the environment will be protected in the unlikely event the project goes bankrupt.

The Back Forty Project is focused on mining zinc and gold. These resources will be a lucrative revenue source for the surrounding area, including Marinette. An independent study by the University of Minnesota - Duluth focused on the four counties surrounding the project, including Marinette County. The study projects the project will generate more than \$150 million annually in economic impact in this area. Additionally, state and local governments will receive an estimated \$11.6 million annually in tax revenue.

This project also will help reverse the steady decline in population that challenges our part of the state. It is estimated the project will create over 1,000 new construction jobs and mining operations are predicted to add more than 250 new jobs. The

study further projects additional job growth in the region in sectors of the economy ranging from transportation to healthcare services.

The mine will bring jobs and boost our economy, all while keeping accordance with important safety and quality regulations that help safeguard the environment. It's clear that our friends across the river will do all they can to ensure northeastern Wisconsin remains pristine. Our beautiful lakes, rivers, forests, and natural resources are important to our communities, and I look forward to enjoying the outdoors and all that our area has to offer for many years to come.

Chris Borgerding- Research Assistant
Office of State Representative Joel Kitchens
Chair, Committee on Children & Families
1st Assembly District
608-266-5350

LAU, JILL

Subject: FW: Proposed Copper/Gold Mine in the UP adjacent to the Menominee River

From: HANSON, ERIN
Sent: Friday, June 9, 2017 2:59 PM
To: Kohout, Susan; PABICH, KEN; Gunnlaugsson, Joel
Subject: RE: Proposed Copper/Gold Mine in the UP adjacent to the Menominee River

Susie,
Yes I've heard about this project near the Menominee River in Michigan, but only through the media. I'll check if the Wisconsin Land & Water Association took a position in the past (my guess is not).

Here is a recent Michigan Public Radio report:
<http://michiganradio.org/post/controversial-mining-project-one-step-closer-reality-new-permit>

Below is information provided on Wisconsin DNR's website:
<http://dnr.wi.gov/topic/Mines/Projects.html>

"Michigan Back 40 Deposit

Location: Town of Stephenson, Menominee County, Michigan

The Back 40 zinc and gold deposit is located in Michigan, just across the Menominee River from Wisconsin, approximately 21 miles north of Menominee, Michigan, and Marinette, Wisconsin.

The proposed Back 40 Mine project is located in Michigan; therefore, the State of Michigan has exclusive permitting authority for the proposed mine. Aquila Resources applied to the State of Michigan for the required permits to mine the deposit in late 2015. The State of Michigan issued the mining permit and air permit in December 2016 and a wastewater discharge permit in April 2017. A contested case hearing has been requested on the mining permit. The state is still reviewing the company's application for a wetland permit.

The applicant will not need to apply for any permits in Wisconsin. Because the project is located near the Wisconsin border and the Menominee River, a shared resource of both states, the Wisconsin DNR has been following the project and has coordinated with the State of Michigan's Department of Environmental Quality (MDEQ) from scoping the project through the present. Wisconsin DNR staff reviewed the applications and draft permits and attended the public hearings. Specifically, DNR water quality staff thoroughly reviewed the surface water discharge permit application and Michigan's draft surface water discharge permit – as required by the Clean Water Act, the proposed discharge meets Wisconsin's water quality standards.

Specific questions or concerns regarding the proposed Back 40 Mine should be directed to Joe Maki, MDEQ Mine Project Coordinator, at 906-250-4015."

Erin Hanson
Door County Soil and Water Conservation Department
Phone: (920) 746-2216

-----Original Message-----

From: Kohout, Susan
Sent: Friday, June 09, 2017 2:37 PM

To: PABICH, KEN <kpabich@co.door.wi.us>; Gunnlaugsson, Joel <District21@co.door.wi.us>; HANSON, ERIN <ehanson@co.door.wi.us>

Subject: Fw: Proposed Copper/Gold Mine in the UP adjacent to the Menominee River

Hello all,

This is the letter Bob Wagner referred to in the previous email. Erin, I'm wondering if you know anything about this.

Susie

From: Martha Wagner <martha9mercedes@gmail.com>

Sent: Thursday, June 8, 2017 6:48 PM

To: Kohout, Susan

Subject: Proposed Copper/Gold Mine in the UP adjacent to the Menominee River

Susan,

I'm a resident of Washington Island. Yesterday, Joel Gunnlaugsson suggested that, since you're the Chairperson of the Legislative Committee, I contact you regarding this proposed mine.

I only learned about this mine a few days ago when a friend of our's, Jim Soletsky, Green Bay, told me that, while the mine is in Michigan, it poses substantial risk of contaminating the Menominee River water. The river water doesn't recognize the boundary between Wisconsin/Michigan. Indeed, Jim mentioned that Marinette draws drinking water from this river. Finally it enters Green Bay where sport (and commercial?) Door County fishermen would be affected by any contaminated water. It seems to me that Door County residents should be concerned with this mine.

While I feel we should be concerned, it's only a "feeling". I have NO knowledge of the metal extraction process. Thus this letter is solely to let you know that Jim would be very pleased if he was given the opportunity to speak to you, or your committee, or the whole D.C. Board concerning this issue. He has indicated that next week he'll send you an e-mail regarding such a presentation/conversation.

In advance: Thank you for exploring this rather troubling metal extraction initiative that's almost at the point of (Michigan) approval.

Bob Wagner

LAU, JILL

Subject: FW: Protect Our Water, Oppose the Back 40 Mine**From:** contact@cleanwateractioncouncil.org <contact@cleanwateractioncouncil.org>**Sent:** Thursday, June 29, 2017 1:09 PM**To:** Kohout, Susan**Subject:** Protect Our Water, Oppose the Back 40 Mine

Dear Susan,

We urge you to consider the resolution recently passed by the Brown County Board of Supervisors against the Back 40 Mine and strongly encouraged you to pass a similar resolution against the destructive mine.

This proposed sulfide mine would create a hazardous environment putting our human health at risk, endangering the natural ecosystem, and damaging the local economy. The potential impacts include both immediate hazardous waste during mining and processing, as well as long-term leaching of acid producing wastes flowing into the river. The Green Bay and Lake Michigan currents could move polluted waters first along the western shore, and then along the eastern shore on to Door County.

Numerous other towns and counties have made their values known by passing formal resolutions against the mine. Our actions now have a lasting impact on future generations, make your voice heard by standing on the right side of history.

Sincerely,
Dean Hoegger



Dean Hoegger, President & Executive Director

920-495-5127

contact@cleanwateractioncouncil.org

P.O Box 9144

Green Bay, WI 54308

www.cleanwateractioncouncil.org

office at MAC Hall, A307, UWGB

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We welcome your support!

 [Facebook](#)



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LAU, JILL

Subject: FW: Back 40 mine

From: Charles Henriksen <chenriksen3@gmail.com>

Sent: Monday, July 10, 2017 1:32 PM

To: Kohout, Susan

Subject: Back 40 mine

I apologize for being so slow to get back to you. I thought I had saved your phone number but do not have it.

My opinion is this mining proposal is dangerously close to the upper Menominee River.

We would like to trust that safety precautions are adequate but as we have learned many times accidents can and will happen. They have catastrophic potential in this location.

I worked in the Gulf of Mexico in 2008 , running a supply ship in the oilfields. With all the safety standards in place there it was incomprehensible that something like the Deepwater Horizon spill could occur in 2010, but it did.

While I am reluctant to appear anti- business the tribal and environmental objections to this should be respected.

Thank you for asking my my input. I would be proud to say that Door County objected.

Menu » 2017 » Related Documents » Proposal Text » AB131: Bill Text

LRB-1809/1

AJM:amn

2017 - 2018 LEGISLATURE

2017 ASSEMBLY BILL 131

March 8, 2017 - Introduced by Representatives HESSELBEIN, POPE, BILLINGS, BERCEAU, BOWEN, CONSIDINE, GOYKE, MILROY, OHNSTAD, SARGENT, SPREITZER, SUBECK and C. TAYLOR, cosponsored by Senators BEWLEY, ERPENBACH, HANSEN, JOHNSON, RINGHAND, RISSER and VINEHOUT. Referred to Committee on Public Benefit Reform.

1
2
3

AN ACT *to amend* 108.04 (2) (a) 3. (intro.) of the statutes; **relating to:** an exemption from work search requirements for certain individuals claiming unemployment insurance benefits.

Analysis by the Legislative Reference Bureau

This bill provides that a claimant for unemployment insurance benefits who reasonably expects to be reemployed by the claimant's former employer within 26 weeks is exempt from the eligibility requirement of conducting weekly searches for suitable work.

Under current law, a claimant is generally required to conduct searches for work each week to be eligible for unemployment benefits. Current law provides that a claimant who is laid off is exempt from the work search requirement if the claimant reasonably expects to be reemployed by the former employer and the Department of Workforce Development verifies that expectation. DWD may grant a claimant a waiver of the work search requirement under certain conditions. Administrative rules promulgated by DWD require DWD to grant a claimant a waiver of the work search requirement for eight weeks if the claimant reasonably expects to be reemployed with the claimant's employer within that period. The rules permit DWD to provide an additional four-week extension of that waiver. The rules also provide additional reasons a claimant may qualify for a waiver.

2017-2018 Wisconsin Legislature

Assembly Bill 131

An Act to amend 108.04 (2) (a) 3. (Intro.) of the statutes; Relating to: an exemption from work search requirements for certain individuals claiming unemployment insurance benefits. (FE)

Status: Public Benefit Reform

History

Date / House	Action	Journal
3/8/2017 Asm.	Introduced by Representatives Hesselbein, Pope, Billings, Berceau, Bowen, Considine, Goyke, Milroy, Ohnstad, Sargent, Spreitzer, Subeck and C. Taylor; cosponsored by Senators Bewley, Erpenbach, Hansen, Johnson, Ringhand, Risser and Vinehout	
3/8/2017 Asm.	Read first time and referred to Committee on Public Benefit Reform	
3/23/2017 Asm.	Fiscal estimate received	
4/28/2017 Asm.	Fiscal estimate received	

Content subject to change after proofing by Chief Clerk staff.



Resolution No. 2017-___

IN OPPOSITION TO THE AQUILA RESOURCES, INC. PROPOSED BACK FORTY MINE PROJECT

ROLL CALL DOOR COUNTY Board			
AUSTAD			
BACON			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GUNNLAUGSSON			
HALSTEAD			
KOCH			
KOHOUT			
LIENAU			
LUNDAHL			
MOELLER			
NEINAS			
ROBILLARD			
SCHULTZ			
SITTE			
SOHNS			
VIRLEE			
VLIES WOTACHEK			
WAIT			

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st _____ Defeated

2nd _____

Yes: _____ No: _____ Exc: _____

Reviewed by: _____, Corp. Counsel

Reviewed by: _____, Administrator

FISCAL IMPACT: There is no fiscal impact to County of Door or its annual budget associated with the adoption of this resolution.
MEJ

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 25th day of July, 2017 by the Door County Board of Supervisors.

Jill M. Lau
County Clerk, Door County

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, Aquila Resources, Inc. Back Forty Project, a proposed
 2 open pit metallic sulfide mine, would be located on the banks of the
 3 Menominee River, which empties into Lake Michigan and is one of the
 4 largest watersheds in Northern Wisconsin and Michigan's Upper Peninsula
 5 and;
 6

7 **WHEREAS**, the Menominee River provides a unique habitat for species
 8 of special concern such as lake sturgeon and freshwater mussels, which
 9 would be negatively impacted by discharges into the water and;
 10

11 **WHEREAS**, the potential impacts of the mine include long term leaching
 12 of acid-producing wastes into the groundwater and the river and;
 13

14 **WHEREAS**, the hazardous wastes generated by the mine would
 15 potentially degrade water quality and present risks to human health and the
 16 environment in Wisconsin as well as Michigan and;
 17

18 **WHEREAS**, potential economic losses including reduction in property
 19 values and loss of tourism revenue are not factored into the permitting
 20 review process and;
 21

22 **WHEREAS**, the approval of this mine will result in the irreversible loss
 23 of significant cultural resources of the Menominee Tribe of Indians of
 24 Wisconsin, including Native American gravesites and other areas of
 25 historical significance.
 26

27 **NOW, THEREFORE, BE IT RESOLVED**, that the Door County Board
 28 of Supervisors opposes Aquila Resources, Inc. Back Forty Mine Project
 29 and urges the Michigan Department of Environmental Quality to deny a
 30 mining permit for the project.
 31

32 **BE IT FURTHER RESOLVED**, that the County Clerk is hereby
 33 directed to transmit a copy of this Resolution to the Governor of the State
 34 of Wisconsin, to legislators representing Door County constituents, to the
 35 Wisconsin Counties Association and all Wisconsin Counties, to the
 36 Governor of Michigan Rick Snyder, and to the Michigan Department of
 37 Environmental Quality.

SUBMITTED BY: LEGISLATIVE COMMITTEE

Susan Kohout, Chairman

David Enigl

Helen Bacon

Steve Sohns

Roy Englebert

TO THE HONORABLE CHAIRMAN AND MEMBERS
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, Aquila Resources, Inc. Back Forty Mine Project, a proposed open pit metallic sulfide mine, would be located on the banks of the Menominee River, which empties into Lake Michigan and is one of the largest watersheds in Northern Wisconsin and Michigan's Upper Peninsula; and

WHEREAS, the Menominee River provides a unique habitat for species of special concern such as lake sturgeon and fresh water mussels, which would potentially be negatively be impacted by discharges into the water; and

WHEREAS, the potential impacts of the mine include the long term leaching of acid-producing wastes into the groundwater and the river; and

WHEREAS, the hazardous wastes generated by the mine would potentially degrade water quality and present risks to human health and the environment in Wisconsin as well as Michigan; and

WHEREAS, potential economic losses including reduction in property values and loss of tourism revenue are not factored into the permitting review process; and

WHEREAS, the approval of this mine will potentially result in the irreversible loss of significant cultural resources of the Menominee Tribe of Indians of Wisconsin, including Native American gravesites and other areas of historical significance.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Brown County Board of Supervisors strongly opposes the Aquila Resources, Inc. Back Forty Mine Project and urges the Michigan Department of Environmental Quality to deny a mining permit for the project.

BE IT FURTHER RESOLVED, the County Clerk shall forward a copy of this Resolution to Governor Scott Walker, Department of Natural Resources Secretary Cathy Stepp, Wisconsin Legislators representing Brown County, the County Board Chairs of Florence, Oconto, Marinette, Kewaunee and Door Counties, Michigan Governor Rick Snyder, and to the Michigan Department of Environmental Quality.

Respectfully Submitted,
Land Conservation Committee

Approved By: /s/ Troy Streckenbach Date: 06/26/2017

Authored by Land and Water Conservation Department
Final Draft Approved by Corporation Counsel

Fiscal Impact: This resolution does not require an appropriation from the General Fund. The estimated cost of the resolution is \$8.74 and is within the existing 2017 Budget.

A motion was made by Supervisor Gruszynski and seconded by Supervisor Sieber **"to adopt"**. Voice vote taken, followed by a roll call vote.

Resolution 2017-05-74

REQUEST FOR STAFF LEGISLATURE TO INCREASE NURSING HOME MEDICAID FUNDING

WHEREAS, approximately 65% of nursing home residents in Wisconsin are Medicaid recipients,

WHEREAS, there is an overall Medicaid deficit of \$331.8 million between the costs incurred by Wisconsin nursing homes to provide services and what they actually receive in payment for those services,

WHEREAS, the average nursing home in Wisconsin loses \$55.89 each day for each Medicaid resident cared for,

WHEREAS, after the Supplemental Payment funding Pine Crest Nursing Home lost \$51.62 per day for each Medicaid resident for total loss of \$2,333,275 in fiscal year 2016.

WHEREAS, Wisconsin nursing homes and assisted living facilities are in major workforce crisis with one out of every seven positions vacant,

WHEREAS, the large number of Medicaid residents our facility serves makes it tremendously difficult to compete in the current tight labor market,

WHEREAS, there is a direct correlation between quality staffing and quality care,

NOW, THEREFORE BE IT RESOLVED, that Lincoln County Board of Supervisors urges Governor Scott Walker and the Wisconsin Legislature to provide sufficient Medicaid funding for nursing homes and assisted living facilities in the 2017-2019 state budget to help address the Medicaid deficit so these facilities have the financial resources available to compete for caregiver staff to ensure continued quality care to our residents and tenants,

BE IT FURTHER RESOLVED, that a copy of this resolution to be forwarded by the Lincoln County Clerk to the Wisconsin Counties Association, all Lincoln County State Representatives and Senators, the State Joint Finance Committee and Governor Scott Walker.

Dated: 05/16/2017

Introduced by: Pine Crest Board of Trustees

Date Passed: 5/15/2017 Committee Vote: All Ayes

Fiscal Impact: Increased Funding for Pine Crest Nursing Home

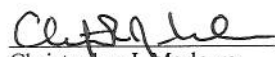
Drafted by: Lisa Gervais RN, BSN, NHA

Motion by: Weaver				
Second by: Gilk				
Dist.	Supervisor	Y	N	Abs
19	Allen	X		
10	Baughan	X		
1	Bialecki	X		
11	Breitenmoser	X		
13	Crosby	X		
12	Gilk	X		
14	Hafeman			
8	Heller	X		
17	Koth	X		
15	Lee	X		
16	Loka	X		
3	Mueller	X		
4				
21	Pike	X		
22	Reichelt	X		
7	Rusch	X		
5	Saal	X		
20	Vander Sanden	X		
18	Voermans	X		
2	Weaver	X		
6	Woller	X		
9	Zeit		X	
Totals		19	1	
Carried				
Defeated				
<input checked="" type="checkbox"/> Amended				
Voice vote				
<input checked="" type="checkbox"/> Roll call				

STATE OF WISCONSIN)
) SS:
 COUNTY OF LINCOLN)

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by Lincoln County Board of Supervisors on:

May 16, 2017


 Christopher J. Marlowe
 County Clerk



Resolution 2017-05-74 Amendment 1					
Motion by:		Gilk			
Second by:		Baughan			
to amend to strike "Staff" from the title and in the Be It Further Resolved paragraph include "to all Wisconsin Counties" after Association.					
District:	Supervisor	Yes	No	Abstain	Absent
19	Allen				
10	Baughan				
1	Bialecki				
11	Breitenmoser				
13	Crosby				
12	Gilk				
14	Hafeman				
8	Heller				
17	Koth				
15	Lee				
16	Loka				
3	Mueller				
4					
21	Pike				
22	Reichelt				
7	Rusch				
5	Saal				
20	Vander Sanden				
18	Voermans				
2	Weaver				
6	Woller				
9	Zeitz				
Totals					
<input type="checkbox"/> Carried <input type="checkbox"/> Defeated <input type="checkbox"/> Amended					
<input type="checkbox"/> Voice Vote <input type="checkbox"/> Roll Call					