

<p><b>Notice of Public Meeting</b>  <b>Tuesday, September 11, 2018</b>  <b>3:00 p.m.</b></p>	<p><b>LEGISLATIVE  COMMITTEE</b></p>	<p><i>Door County Government Center  Chambers Room (C102), 1st floor  421 Nebraska Street, Sturgeon Bay, WI</i></p>
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**AGENDA**

1. Call Meeting to Order
2. Establish a Quorum ~ Roll Call
3. Adopt Agenda / Properly Noticed
4. Approve Minutes of June 12, 2018 Legislative Committee Meeting
5. Communications
6. Public Comment
7. Supervisor Response
8. Old Business
9. New Business
  - A. Review Resolutions from Other Counties and Refer to Appropriate Committees for Recommendation as to Action of the County Board
    1. Dunn County, Barron County, Sawyer County, Adams County, Winnebago County, Waushara County, Jackson County, Racine County – Urging the State of Wisconsin to Increase Compensation for Defense Counsel Assigned by the State Public Defender
    2. Barron County, Monroe County – Dark Stores
    3. Winnebago County – Request the WI State Legislature to Require an Audit of the Veterans Trust Fund
    4. Winnebago County – Conduct Countywide Advisory Referendum on Creation of Non-Partisan Procedure for the Preparation of Legislative and Congressional Redistricting Plans
    5. Winnebago County – Conducting a Constitutional Amendment to Allow Limits on Campaign Contributions and Conducting a Non-Binding Statewide Referendum
  - B. WCA Business Resolutions
  - C. Countywide Cannabis Referendum
  - D. Senate Bill SB 577 – Protective Status
  - E. Levy Limits
10. Matters to be Placed on a Future Agenda or Referred to a Committee, Official, or Employee
11. Next Meeting Date: At Call of Chair
12. Meeting Per Diem Code
13. Adjourn

*Deviation from the order shown may occur*

**Call Meeting to Order**

Chair Nancy Robillard called the June 12, 2018 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 – Nancy Robillard, David Enigl, Kathy Schultz, Linda Wait, and Bob Bultman.

Others present – Assistant CC Karyn Behling, County Clerk Jill Lau, Reporter Peter Devlin, and Public.

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

**Election of Vice-Chairperson**

Enigl motions to nominate Bob Bultman for Vice Chairperson, seconded by Wait. Wait motions to close nominations. Bultman elected Vice Chairperson by unanimous consent.

**Adopt Agenda / Properly Noticed**

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

**Approve Minutes of March 13, 2018 Legislative Committee Meeting**

Motion by Enigl, seconded by Wait to approve the minutes of March 13, 2018 meeting. Motion carried by unanimous voice vote.

**Communications**

- Email from Dan Powers
- Resolution regarding Campaign Contribution Limits from Village of Sister Bay

**Public Comment**

Dan Powers thanked the committee for approving the Campaign Contribution Limit Resolution. Dan noted the former committee was working toward sending the resolution on to Wisconsin Counties Association. Dan asked the committee to continue to work towards promoting the resolution with WCA.

**Supervisor Response**

None given.

**Old Business**

No old business was presented.

**New Business**

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

**Grant County, Burnett County – Create a Non-Partisan Procedure for Preparation of Legislative and Congressional Redistricting Plans**

Reviewed. Door County has already adopted a similar resolution.

**Burnett County – In Support of Increased Public Defender Access and Pay**

Reviewed. Assistant Corp Counsel Karyn Behling noted the Wisconsin Supreme Court has taken the issue up. They raised the court appointed attorney fee but took no action on the public defender fee. No further compensation was provided to counties. Discussion regarding passing the resolution on to the Administrative Committee as the judicial oversight committee. No further action taken at this time.

**WCA Submission of Resolutions for Consideration at Annual Meeting (Deadline June 25, 2018)**

The list of resolutions was included in the meeting packet and was reviewed.

Motion by Enigl, seconded by Wait to submit Resolutions 2018-33, 2017-51, 2017-52, and 2017-64 to WCA.  
Motion carried by unanimous voice vote.

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

None at this time.

**Review / Set Regular Meeting Time**

2<sup>nd</sup> Tuesday of the month at 2:00 p.m.

**Next Meeting Date**

July 10, 2018 – 2:00 p.m.

**Meeting Per Diem Code**

216.

**Adjourn**

Motion by Schultz, seconded by Enigl to adjourn. Time 3:48 p.m. Motion carried by voice vote.

Respectfully submitted by Jill M. Lau, County Clerk





11.9.1

DUNN COUNTY, WISCONSIN  
RESOLUTION NO. 52

**Urging the State of Wisconsin to Increase Compensation for  
Defense Counsel Assigned by the State Public Defender**

NOW, THEREFORE BE IT RESOLVED, that the Dunn County Board of Supervisors does hereby urge the State of Wisconsin to provide sufficient resources to the Office of the Public Defender to ensure that the criminal justice system operates effectively and efficiently, including increasing the rate of reimbursement for private attorneys appointed by the Public Defender to a market rate that will ensure the prompt appointment of counsel and that cases are handled in a timely and efficient manner; 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 League of Wisconsin Municipalities, all members of the state legislature, and to each Wisconsin county.

Offered this 20th day of June, 2018, at Menomonie, Wisconsin.

OFFERED BY THE EXECUTIVE COMMITTEE:

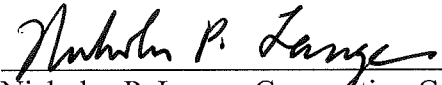
Adopted on: June 20, 2018

  
\_\_\_\_\_  
David Bartlett, Chair

ATTEST:

  
\_\_\_\_\_  
Julie A. Wathke, County Clerk

Approved as to Form and Execution:

  
\_\_\_\_\_  
Nicholas P. Lange, Corporation Counsel

**Budget Impact:** Approval of this resolution will have no impact on the 2018 adopted budget.

**Background Information:** Both the United States Constitution and the Constitution of the State of Wisconsin provide that persons accused of crime have the right to counsel. In Wisconsin, the Office of the State Public Defender ["SPD"] provides counsel to those persons meeting income eligibility guidelines for services. Where the SPD is unable to provide representation, due to conflict or other reason, the SPD appoints private attorneys to provide representation. Almost 40% of all SPD cases are appointed to private attorneys.

The compensation rate for private bar appointed attorneys in Wisconsin has not been increased since 1995. It is the lowest in the nation, failing to even cover an appointed attorney's overhead costs. As a result, private attorneys are increasingly declining to accept SPD appointments, which is creating an increasing burden on the courts and Wisconsin counties. Costs to counties are increasing as circuit court judges are being forced to appoint counsel at county expense and accused persons are being held in jail longer pending appointment of counsel. These delays also lead to inefficiency for courts and law enforcement agencies, and additional delay for obtaining justice for victims.

**BARRON COUNTY RESOLUTION NO. 2018 - 24**

**Resolution Urging the State of Wisconsin to Increase Compensation for Defense Counsel Assigned by the State Public Defender**

**TO THE BARRON COUNTY BOARD OF SUPERVISORS:**

1           **WHEREAS**, both the United States Constitution and the Wisconsin State  
2 Constitution provide that persons accused of a crime have the right to counsel. In  
3 Wisconsin the Office of the State Public Defender, SPD, provides counsel to those persons  
4 meeting income eligibility guidelines for services. Where SPD is unable to provide  
5 representation, due to conflict or other reasons, the SPD appoints private attorneys to  
6 provide representation. Almost 40% of all SPD cases are appointed to private attorneys,  
7 and  
8

9           **WHEREAS**, the compensation rate for private bar appointed attorneys in  
10 Wisconsin has not been increased since 1995 and currently stands at \$40.00 per hour. It is  
11 the lowest in the nation, failing to even cover an appointed attorney's overhead costs. As  
12 a result private attorneys are increasingly declining to accept SPD appointments, which is  
13 creating an increasing burden on the courts and Wisconsin Counties. Costs to Counties are  
14 increasing as circuit court judges are being forced to appoint counsel at county expense  
15 and accused persons are being held in jail longer pending appointment of counsel. These  
16 delays also lead to inefficiency for courts and law enforcement agencies, and additional  
17 delay for obtaining justice for victims, and  
18

19           **WHEREAS**, in May of 2018 the Wisconsin Supreme Court authorized an increase  
20 in the hourly rate from \$70.00/hr. to \$100.00/hr. for attorney's appointed by the County,  
21 this increase to go into effect on January 1<sup>st</sup>, 2020, and  
22

23           **WHEREAS**, the increase authorized to private attorneys, at County expense, may  
24 cost Barron County between \$70,000 and \$100,000 annually depending on case load, and  
25 complexity, and  
26

27           **WHEREAS**, the disparity created between the two rates, SPD \$40.00/hr., County  
28 \$100.00/hr., will cause private attorneys to refuse SPD cases, and  
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30           **WHEREAS**, other Counties in Wisconsin are passing resolutions similar to this  
31 one, including our neighboring County, Dunn, and

32           **WHEREAS**, this resolution was approved by the Executive Committee on June  
33 29, 2018, on a vote of 9 - 0 with Okey, Buchanan, Bartlett, Hanson, Horstman, McRoberts,  
34 Heinecke, Heller and Rindsig (alternate for Thompson) voting in favor and no members  
35 voting against. Thompson was absent.  
36

37           **NOW, THEREFORE, BE IT RESOLVED**, that the Barron County Board of  
38 Supervisors does hereby urge the State of Wisconsin to provide sufficient resources to the  
39 Office of the Public Defender to ensure the criminal justice system operates effectively and

BARRON COUNTY RESOLUTION NO. 2018 - 24

Resolution Urging the State of Wisconsin to Increase Compensation for Defense Counsel Assigned by the State Public Defender


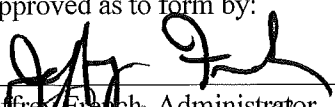
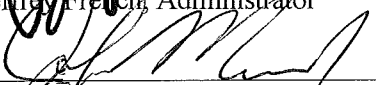
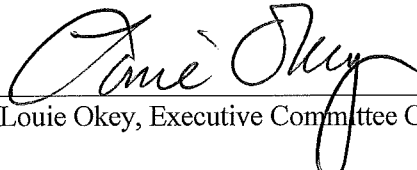
40 efficiently, including increasing the rate of reimbursement for private attorney appointed
41 by the Public Defender to a market rate that will ensure prompt appointment of counsel
42 and that cases are handled in a timely and efficient manner, by at minimum, increasing the
43 hourly rate paid to SPD appointed private attorney's to the same amount as those recently
44 authorized by the Wisconsin Supreme Court.

45
46 BE IT FURTHER RESOLVED, that the County Clerk is directed to send a copy
47 of this resolution to Governor Scott Walker, the Wisconsin Counties Association, the
48 Wisconsin Towns Association, the League of Wisconsin Municipalities, all members of
49 the State Legislature and to each Wisconsin County, and

50
51 BE IT FURTHER RESOLVED that publication of this resolution may occur
52 through posting in accordance with Section 985.02 of the Wisconsin Statutes.

53

OFFERED THIS 16th day of July, 2018.

<p>Number of readings required: One (X) Two ( )</p> <p>Vote required for passage: Majority ( ) 2/3 Entire Board (20) (X)</p> <p>Source of funding: Budgeted ( ) General Fund (X) Grant ( ) Contingency (X) Other ( ) Details _____</p> <p>Fiscal impact: - Current year total amount: \$ - Future years total amount: \$ - Effect on tax levy – current year: \$ - Effect on tax levy – future years: \$</p> <p>Fiscal impact reviewed by:  Jodi Busch, Finance Director</p> <p>Approved as to form by:  Jeffrey French, Administrator</p> <p> John Muench, Corporation Counsel</p>	<p> Louie Okey, Executive Committee Chair</p> <p>(The Committee Chair signature verifies the action taken by the Committee.)</p> <p>Board Action: Adopted (X) Failed ( ) Tabled ( )</p> <p>Administrator French gave an explanation of the Supreme Court ruling regarding County assigned attorneys and the pay discrepancy in comparison to State Public Defenders. Administrator French and Corporation Counsel Muench answered questions from the Board. <b>Motion: (Schradle/Rindsig) to approve. Carried.</b></p>
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Resolution 2018-28

Urging the State of Wisconsin to Increase Compensation for  
Defense Counsel Assigned by the State Public Defender

**WHEREAS**, there is a severe shortage of Criminal Defense Attorneys in Sawyer County; and,

**WHEREAS**, State Public Defender Appointed Private Bar Attorneys regularly travel over 100 miles, one way, to represent Sawyer County clients; and

**WHEREAS**, Sawyer County has the fifth (5<sup>th</sup>) highest percentage of people living in poverty in the State of Wisconsin; and

**WHEREAS**, the lack of Defense Attorneys is causing excessive delays and inefficiencies for the Sawyer County Criminal Justice System, including but not limited to excessive pretrial confinement in the Sawyer County Jail; and

**WHEREAS**, in an effort to protect the Constitutional Rights of the citizens of Sawyer County, the Sawyer County Circuit Court Judge is being forced to appoint private attorneys to represent individuals at the expense of the citizens of Sawyer County; and,

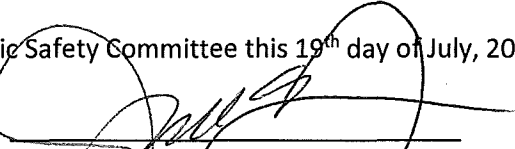
**THEREFORE, BE IT RESOLVED**, that the Sawyer County Board of Supervisors does hereby urge the State of Wisconsin to provide sufficient resources to the Office of the Public Defender ensuring the criminal justice system is operated effectively and efficiently thereby protecting the constitutional rights of its citizens, including increasing the rate of reimbursement for private attorneys appointed by the Public Defender to a market rate that will ensure the prompt appointment of counsel and that cases are handled in a timely, efficient and competent manner; 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 Supreme Court, the Wisconsin State Public Defender, the Wisconsin Counties Association, the Wisconsin Towns Association, the League of Wisconsin Municipalities, all members of the state legislature, and to each Wisconsin county.


**FISCAL IMPACT:** None

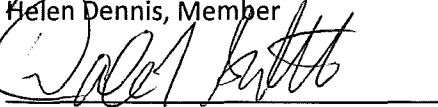
Recommended for adoption by the Sawyer County Public Safety Committee this 19<sup>th</sup> day of July, 2018.

  
Bill Voight, Chairman

  
James Schiender, Vice-Chairman

  
Helen Dennis, Member

  
Ron Buckholtz, Member

  
Dale Schleeter, Member

**RESOLUTION 31 -2018****Resolution In Support of Increased Public Defender Access and Pay**

1 **INTRODUCED BY:** Public Safety and Judiciary Committee

2

3 **INTENT & SYNOPSIS:** To urge the State of Wisconsin to increase public  
4 defender access and pay.

5

6 **FISCAL NOTE:** None.

7

8 **WHEREAS,** criminal cases continue to rise due to a variety of factors including  
9 increased drug crimes; and

10

11 **WHEREAS,** both the United States Constitution the Constitution of the State of  
12 Wisconsin provide that persons accused have the right to counsel; and

13

14 **WHEREAS,** in Wisconsin the Office of the Public Defender provides counsel to  
15 those persons meeting income eligibility guidelines for services; and

16

17 **WHEREAS,** judges are being forced to appoint counsel at county expense for  
18 persons for whom the public defender cannot find representation due to a lack of  
19 available counsel as a result of the low compensation rate; and

20

21 **WHEREAS,** this results in costs to counties to appoint counsel, increased costs  
22 to jail persons held pretrial pending appointment of counsel, inefficiency for  
23 courts and law enforcement and a delay in obtaining justice for victims; and

24

25 **WHEREAS,** the rate of compensation for private bar attorneys has not been  
26 increased since 1995 and currently is the lowest hourly rate in the nation; and

27

28 **WHEREAS,** this has created a burden on the courts and Wisconsin counties.

29

30 **NOW, THEREFORE BE IT RESOLVED,** that the Adams County Board of  
31 Supervisors does hereby urge the State of Wisconsin to provide sufficient  
32 resources to the Office of the Public Defender to ensure that the criminal justice  
33 system operates effectively and efficiently; and

34

35 **BE IT FURTHER RESOLVED,** that the State of Wisconsin is urged to increase  
36 the rate of reimbursement for assigned counsel to a market rate that will ensure  
37 the prompt appointment of counsel and that cases are handled in a timely and  
38 efficient manner; and

39

40 **BE IT FURTHER RESOLVED,** that the County Clerk is directed to send a copy  
41 of this Resolution to the Governor of the State of Wisconsin, the Wisconsin  
42 Counties Association, the Wisconsin Towns Association, the Wisconsin League of  
43 Municipalities, all members of the state legislature, and to each Wisconsin  
44 county.

45

RESOLUTION 31 -2018

Resolution In Support of Increased Public Defender Access and Pay

46 Recommended for adoption by the Public Safety and Judiciary Committee this  
47 13 day of June, 2018.

48 [Signature]  
49 [Signature]  
50 [Signature]  
51 [Signature]  
52 [Signature]  
53 [Signature]

[Signature]  
[Signature]  
[Signature]

54 Adopted X  
55 Defeated         
56 Tabled        by the Adams County Board of Supervisors this  
57 17 day of July, 2018.

58 [Signature]  
59 [Signature]  
60 County Board Chair

[Signature]  
County Clerk

- 62  Reviewed by Corporation Counsel
- 63  Reviewed by County Manager/Administrative Coordinator

State of Wisconsin  
County of Adams  
This document is a full, true and correct copy  
of the original on file and of record in my  
office and has been compared by me  
Attest July 18 2018  
Cheryl Broening DEPUTY  
County Clerk



CARRIED BY VOICE VOTE

1 059-072018

2 **RESOLUTION: Authorize Support of Increased Public Defender Access and Pay**

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4  
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**TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

6 **WHEREAS**, criminal cases continue to rise due to a variety of factors including increased drug crimes; and

7 **WHEREAS**, both the United States Constitution and the Constitution of the State of Wisconsin provide that  
8 persons accused have the right to counsel; and

9 **WHEREAS**, in Wisconsin, the Office of the Public Defender provides counsel to those persons meeting  
10 income eligibility guidelines for services; and

11 **WHEREAS**, judges are being forced to appoint counsel at county expense for persons for whom the public  
12 defender cannot find representation due to a lack of available counsel as a result of the low compensation rate; and

13 **WHEREAS**, this results in costs to counties to appoint counsel, increased costs to jail persons held before  
14 trial pending appointment of counsel, and a delay in obtaining justice for victims; and

15 **WHEREAS**, the rate of compensation for private bar attorneys has not been increased since 1995 and  
16 currently is the lowest hourly rate in the nation; and

17 **WHEREAS**, this has created a burden on the courts and Wisconsin counties.

18  
19 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby  
20 urges the State of Wisconsin to provide sufficient resources to the Office of the Public Defender to ensure that the  
21 criminal justice system operates effectively and efficiently.

22  
23 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that it hereby supports  
24 increasing the rate of reimbursement for assigned counsel attorneys to a market rate that will ensure the prompt  
25 appointment of counsel and will ensure that cases are handled in a timely and efficient manner.

26  
27 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that it hereby directs the  
28 Winnebago County Clerk to forward a copy of this Resolution to the Office of Governor Scott Walker, the Wisconsin  
29 Counties Association, and all state senators and assembly members representing Winnebago County constituents.

30  
31 Respectfully submitted by:  
32 **LEGISLATIVE COMMITTEE**

33 Committee Vote: **14-0**  
34 Vote Required for Passage: **Majority of Those Present**

35  
36 Approved by the Winnebago County Executive this 23<sup>rd</sup> day of July, 2018.

37  
38   
39 \_\_\_\_\_  
40 Mark L Harris  
Winnebago County Executive

**RESOLUTION NO. 38-08-18**  
**IN SUPPORT OF INCREASED PUBLIC DEFENDER ACCESS AND PAY**

WHEREAS, criminal cases continue to rise due to a variety of factors including increased drug crimes; and

WHEREAS, both the United States Constitution and the Constitution of the State of Wisconsin provide that persons accused have the right to counsel; and

WHEREAS, in Wisconsin, the Office of the Public Defender provides counsel to those persons meeting income eligibility guidelines for services; and

WHEREAS, judges are being forced to appoint counsel at county expense for persons for whom the public defender cannot find representation due to a lack of available counsel as a result of the low compensation rate; and

WHEREAS, this results in costs to counties to appoint counsel, increased costs to jail persons held pre-trial pending appointment of counsel, inefficiency for courts and law enforcement and a delay in obtaining justice for victims; and

WHEREAS, the rate of compensation for private bar attorneys has not been increased since 1995 and currently is the lowest hourly rate in the nation; and

WHEREAS, this has created a burden on the courts and Wisconsin counties.

NOW, THEREFORE, BE IT RESOLVED that the Waushara County Board of Supervisors does hereby urge the State of Wisconsin to provide sufficient resources to the Office of the Public Defender to ensure that the criminal justice system operates effectively and efficiently; and

BE IT FURTHER RESOLVED, that the State of Wisconsin increase the rate of reimbursement for assigned counsel attorneys to a market rate that will ensure the prompt appointment of counsel and that cases are handled in a timely and efficient manner; and

BE IT FURTHER RESOLVED, that the Waushara County Clerk shall forward a copy of this resolution to Waushara County's State Legislators, Governor Scott Walker, the Wisconsin Counties Association, the Wisconsin Towns Association, the Wisconsin League of Municipalities, and each Wisconsin County.

FISCAL NOTE: No cost to Waushara County.

**Resolution No. 38-08-18**



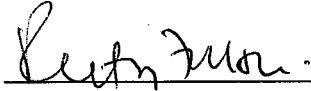
**Resolution No. 38-08-18**

Ayes \_\_\_ Nays \_\_\_ Abstain \_\_\_ Absent \_\_\_ ~~X~~ Voice Vote


Approved and adopted this 21st day of August, 2018.

Denied this 21st day of August, 2018.

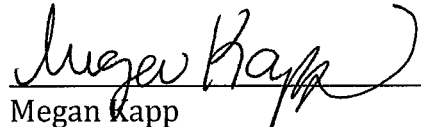
Approved as to Form:

  
\_\_\_\_\_  
Ruth Zouski  
Corporation Counsel

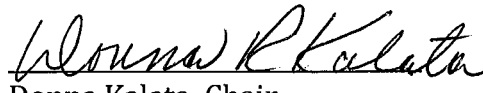
Submitted by:

  
\_\_\_\_\_  
Donna Kalata, Chair  
Executive Committee

Attest:

  
\_\_\_\_\_  
Megan Kapp  
Waushara County Clerk

Signed by:

  
\_\_\_\_\_  
Donna Kalata, Chair  
Waushara County Board of Supervisors

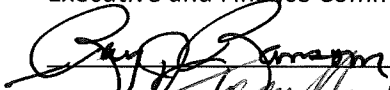

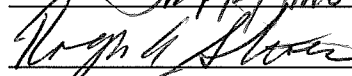
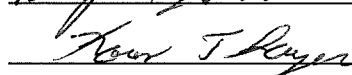
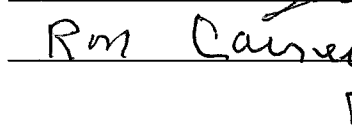
Resolution 30-8-2018

RE: Urging the State of Wisconsin to Increase Compensation for Defense Counsel Assigned by the State Public Defender

NOW, THEREFORE BE IT RESOLVED, that the Jackson County Board of Supervisors does hereby urge the State of Wisconsin to provide sufficient resources to the Office of the Public Defender to ensure that the criminal justice system operates effectively and efficiently, including increasing the rate of reimbursement for private attorneys appointed by the Public Defender to a market rate that will ensure the prompt appointment of counsel and that cases are handled in a timely and efficient manner; and

BE IT FURTHER RESOLVED, the County Clerk is directed to send a copy of this resolution to the Governor of the State of Wisconsin, the Wisconsin Counties Association, our state legislators and to each Wisconsin county.

Executive and Finance Committee:

Background Information: Both the United States Constitution and the Constitution of the State of Wisconsin provide that persons accused of crime have the right to counsel. In Wisconsin, the Office of the State Public Defender ("SPD") provides counsel to those persons meeting income eligibility guidelines for services. Where the SPD is unable to provide representation, due to conflict or other reason, the SPD appoints private attorneys to provide representation. Almost 40% of all SPD cases are appointed to private attorneys.

The compensation rate for private bar appointed attorneys in Wisconsin has not been increased since 1995. It is the lowest in the nation, failing to even cover an appointed attorney's overhead costs. As a result, private attorneys are increasingly declining to accept SPD appointments, which is creating an increasing burden on the courts and Wisconsin Counties. Costs to counties are increasing as circuit court judges are being forced to appoint counsel at county expense and accused person are being held in jail longer pending appointment of counsel. These delays also lead to inefficiency for courts and law enforcement agencies, and delay for obtaining justice for victims.

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August 13, 2018

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**RESOLUTION NO. 2018-45**

**RESOLUTION BY THE GOVERNMENT SERVICES COMMITTEE IN SUPPORT OF INCREASED PUBLIC DEFENDER ACCESS AND PAY**

To the Honorable members of the Racine County Board of Supervisors:

**WHEREAS**, criminal cases continue to rise due to a variety of factors including increased drug crimes; and

**WHEREAS**, both the United States Constitution the Constitution of the State of Wisconsin provide that persons accused have the right to counsel; and

**WHEREAS**, in Wisconsin the Office of the Public Defender provides counsel to those persons meeting income eligibility guidelines for services; and

**WHEREAS**, judges are being forced to appoint counsel at county expense for persons for whom the public defender cannot find representation due to a lack of available counsel as a result of the low compensation rate; and

**WHEREAS**, this results in costs to counties to appoint counsel, increased costs to jail persons held pre-trial pending appointment of counsel, inefficiency for courts and law enforcement and a delay in obtaining justice for victims; and

**WHEREAS**, the rate of compensation for private bar attorneys has not been increased since 1995 and currently is the lowest hourly rate in the nation; and

**WHEREAS**, this has created a burden on the courts and Wisconsin counties.

**NOW, THEREFORE BE IT RESOLVED**, that the Racine County Board of Supervisors does hereby urge the State of Wisconsin to provide sufficient resources to the Office of the Public Defender to ensure that the criminal justice system operates effectively and efficiently; and


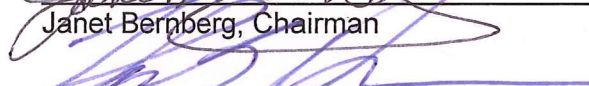
**BE IT FURTHER RESOLVED**, that the State of Wisconsin increase the rate of reimbursement for assigned counsel attorneys to a market rate that will ensure the prompt appointment of counsel and that cases are handled in a timely and efficient manner; and

**BE IT STILL 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.

Respectfully submitted,

**Government Services Committee**

1st Reading 8-13-18  
2nd Reading 8-28-18  
BOARD ACTION  
Adopted yes  
For \_\_\_\_\_  
Against \_\_\_\_\_  
Absent \_\_\_\_\_

  
\_\_\_\_\_  
Janet Bernberg, Chairman  
  
\_\_\_\_\_  
Thomas Roanhouse, Vice-Chairman

1 Res No. 2018-45

2 Page Two

3

4 VOTE REQUIRED: Majority

5

6 Prepared by:

7 Corporation Counsel

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Melissa Kaprelian-Becker, Secretary

\_\_\_\_\_  
John A. Wisch  
  
\_\_\_\_\_  
Scott Maier

\_\_\_\_\_  
Tom Kramer  
  
\_\_\_\_\_  
Eric C. Hillery

The foregoing legislation adopted by the County Board of Supervisors of Racine County, Wisconsin, is hereby:

Approved: \_\_\_\_\_

Vetoed: \_\_\_\_\_

Date: \_\_\_\_\_,

\_\_\_\_\_  
Jonathan Delagrave, County Executive

**BARRON COUNTY RESOLUTION NO. 2018 - 23**

**Resolution Supporting Dark Store Loophole Referendum**

**TO THE BARRON COUNTY BOARD OF SUPERVISORS:**

1  
2       **WHEREAS**, each time a big box retailer gets a Dark Store tax break, homeowners,  
3 small businesses and other property owners have to pick up a greater share of the property  
4 tax levy; and  
5

6       **WHEREAS**, over the past several months, municipal, county, city, and town  
7 officials have been in contact with state legislators testifying against the Dark Store tax  
8 loophole in order to avoid a property tax burden shifting to other tax pay entities such as  
9 residential homeowners and other businesses and/or cuts in essential services provided by  
10 an affected municipality; and  
11

12       **WHEREAS**, unless the Dark Store loopholes are closed, residents will realize the  
13 impact when they receive their property tax bills in the mail in December; and  
14

15       **WHEREAS**, Wisconsin State Statute 59.52(25) allows for a county board to  
16 conduct a county-wide referendum for advisory purposes; and  
17

18       **WHEREAS**, a county-wide advisory referendum on the issue of Dark Stores would  
19 provide guidance to the state legislature as to the will of the Barron County electorate on  
20 this issue; and  
21

22       **WHEREAS**, this resolution seeks authorization to conduct such a county-wide  
23 advisory referendum; and

24       **WHEREAS**, this resolution was approved by the Executive Committee on June  
25 29, 2018 on a vote of 9 - 0, with Okey, Buchanan, Bartlett, Hanson, Horstman, McRoberts,  
26 Heinecke, Heller and Rindsig (alternate for Thompson) voting in favor and no members  
27 voting against. Thompson was absent.  
28

29       **NOW, THEREFORE, BE IT RESOLVED**, that the Barron County Board of  
30 Supervisors does hereby recommend adoption of the following resolution, and that Barron  
31 County Board of Supervisors does resolve to conduct a county-wide advisory referendum,  
32 to be held with the November 2018 general election; that a concise statement of the  
33 question is given and that the question will state as follows:  
34

35       *Question: Should the state legislature enact proposed legislation that*  
36 *closes the Dark Store loopholes, which currently allow commercial retail*  
37 *properties to significantly reduce the assessed valuation and property tax*  
38 *of such properties, resulting in a substantial shift in taxes levied against*  
39 *other tax paying entities, such as residential home owners, and/or cuts in*  
40 *essential services provided by an affected municipality?*  
41

BARRON COUNTY RESOLUTION NO. 2018 - 23

Resolution Supporting Dark Store Loophole Referendum

42 BE IT FURTHER RESOLVED that the Corporation Counsel prepare a Notice of
43 Referendum to be published by the Barron County Clerk in accordance with statutory
44 requirements.


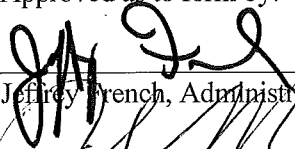
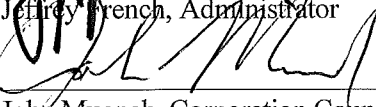
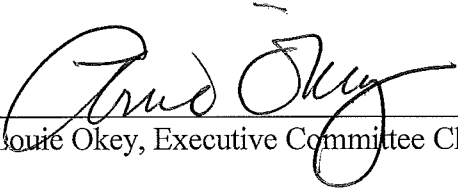
46 BE IT FURTHER RESOLVED that this resolution and the referendum shall be
47 filed with the Barron County Clerk no later than 70 days prior to the election at which the
48 question will appear on the ballot.

50 BE IT FURTHER RESOLVED That this resolution, upon passage, be forwarded
51 to Barron County's elected State Representatives, Representative Quinn, and Senator
52 Bewley, Governor Scott Walker, and all other Wisconsin Counties, and

54 BE IT FURTHER RESOLVED that publication of this resolution may occur
55 through posting in accordance with Section 985.02 of the Wisconsin Statutes.

56

OFFERED THIS 16th day of July, 2018.

<p>Number of readings required: One (X) Two ( )</p> <p>Vote required for passage: Majority (X) 2/3 Entire Board (20) ( )</p> <p>Source of funding: Budgeted ( ) General Fund ( ) Grant ( ) Contingency ( ) Other (X) Details: N/A</p> <p>Fiscal impact: - Current year total amount: \$ - 0 - - Future years total amount: \$ - 0 - - Effect on tax levy – current year - \$ - 0 - - Effect on tax levy – future years - \$ - 0 -</p> <p>Fiscal impact reviewed by County Finance Department</p> <p> _____ Jodi Busch, Finance Director</p> <p>Approved as to form by:  _____ Jeffrey French, Administrator</p> <p> _____ John Muench, Corporation Counsel</p>	<p> _____ Louie Okey, Executive Committee Chair</p> <p>(The Committee Chair signature verifies the action taken by the Committee.)</p> <p>Board Action: Adopted (X) Failed ( ) Tabled ( )</p> <p>Administrator French gave an overview of the Dark Store Loophole Referendum, discussed the information included in the packet and the reason for adding it as a referendum for the November 2018 Election. French also answered questions from the Board. <b>Motion: (Hanson/Mosentine) to approve. Carried.</b></p>
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RESOLUTION 06-18-12**RESOLUTION AUTHORIZING AN ADVISORY REFERENDUM FOR DARK STORE TAX LOOPHOLES**

**WHEREAS**, each time a big box retailer gets a Dark Store tax break, homeowners, small businesses and other property owners have to pick up a greater share of the property tax levy. Over the past several months, municipal, county, city and town officials have been in contact with state legislators testifying against the Dark Store tax loophole in order to avoid a property tax burden shifting to other tax pay entities such as residential homeowners and other businesses and/or cuts in essential services provided by an affected municipality. Unless the Dark Store loopholes are closed, residents will realize the impact when they receive their property tax bills in the mail in December.

**WHEREAS**, Wisconsin State Statute Sec. 59.52(25) allows for a county board to conduct a county-wide referendum for advisory purposes. A county-wide advisory referendum on the issue of Dark Stores would provide guidance to the state legislature as to the will of the Monroe County electorate on this issue. This resolution seeks authorization to conduct such a county-wide advisory referendum.

**WHEREAS**, the members of the Administration/Personnel Committee recommend adoption of this resolution.

**NOW, THEREFORE BE IT RESOLVED**, that the Monroe County Board of Supervisors does resolve to conduct a county-wide advisory referendum, to be held with the November 2018 General Election; that a concise statement of the question is given and that the question will state as follows:

*Question: Should the state legislature enact proposed legislation that closes the Dark Store loopholes, which currently allow commercial retail properties to significantly reduce the assessed valuation and property tax of such properties, resulting in a substantial shift in taxes levied against other tax paying entities, such as residential home owners, and/or cuts in essential services provided by an affected municipality?*

**BE IT FURTHER RESOLVED**, that the Corporation Counsel prepare a Notice of Referendum to be published by the Monroe County Clerk in accordance with statutory requirements.

**BE IT STILL FURTHER RESOLVED**, that this resolution and referendum shall be filed with the Monroe County Clerk no later than 70 days prior to the election at which the question will appear on the ballot.

**BE IT FINALLY RESOLVED**, that the Monroe County Clerk be directed to forward a copy of this resolution to the Monroe County Corporation Counsel and the Monroe County Administration/Personnel Committee in accordance with statutory requirements.

Offered by the Administration/Personnel Committee this 27<sup>th</sup> day of June, 2018.

Purpose: To avoid a property tax burden on other tax paying entities.

Fiscal Note: Funds are available in the Election Budget for the General Election.

Reviewed as to form on 6-20-18

Andy Kaftan

Andy Kaftan, Corporation Counsel

Committee of Jurisdiction Forwarded on: June 12 2018

5 Yes 0 No 0 Absent

Committee Chair: Pete Peterson

Finance Vote (If required):

     Yes      No      Absent

Mary Lou Buchholz  
Shelley R. Bohl

ADOPTED  FAILED  AMENDED

OTHER \_\_\_\_\_

County Board Vote on: June 27 2018

13 Yes 1 No 2 Absent

STATE OF WISCONSIN  
COUNTY OF MONROE

I, SHELLEY R. BOHL, Monroe County Clerk, DO HEREBY CERTIFY that the foregoing

is a true and correct copy of Resolution # 06-18-12 acted on by the County

Board of Supervisors at the meeting held on June 27, 2018

Shelley R. Bohl  
SHELLEY R. BOHL, MONROE COUNTY CLERK

(A raised seal certifies an official document)



CARRIED BY VOICE VOTE

1 058-072018

2 **RESOLUTION: Request the Wisconsin State Legislature to Require an Audit of the**  
3 **Veterans Trust Fund, Detailing the Revenues Received, All**  
4 **Disbursements from the Veterans Trust Fund, and the Amount of Direct**  
5 **Benefits Paid to Veterans for Each Year Since 2014**

6  
7  
8 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

9 **WHEREAS**, the Wisconsin Department of Veterans Affairs (WDVA) paid a significant amount of benefits  
10 directly to individual veterans from the Veterans Trust Fund prior to 2009; and

11 **WHEREAS**, the Veterans Trust Fund was funded primarily by interest income from loans made to Veterans,  
12 and the WDVA discontinued the loan programs between 2010 and 2013; and

13 **WHEREAS**, in recent years the Veterans Trust Fund has been funded largely by transfers of reserves from  
14 King Veterans Home, including nine (9) million dollars in December 2016 and 13 million dollars scheduled in each  
15 year of this biennium; and

16 **WHEREAS**, direct benefits to the Veterans have been reduced to very small amounts and the detail of these  
17 benefits is no longer readily available to the public.

18  
19 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby  
20 requests the State Legislature to require an audit of the Veterans Trust Fund, detailing the revenues received by and  
21 all disbursements from the Veterans Trust Fund and the amount of direct benefits paid to veterans for each year  
22 since 2014.

23 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that a copy of this Resolution  
24 be forwarded to all Wisconsin Legislators.  
25

26  
27 Respectfully submitted by:

28 **LEGISLATIVE COMMITTEE**

29 Committee Vote: **14-0**

30 Vote Required for Passage: **Majority of Those Present**

31  
32 Approved by the Winnebago County Executive this 23rd day of July, 2018.

33  
34 Mark L. Harris  
35 Mark L Harris  
36 Winnebago County Executive

## County-Level Delivery of WDVA-Administered Benefits 2007 - 2017

Note: The WDVA-Administered Primary Mortgage Loan Program (PML), Home Improvement Loan Program (HILP) and Personal Loan Program (PLP) were terminated on December 1, 2011.

County	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	TOTAL
Adams	\$80,516	-\$161,574	\$1,804	\$22,500	\$0	\$0	\$0	\$0	\$0	\$0	\$3,793	\$270,187
Ashland	\$68,263	\$64,684	\$65,630	\$37,895	\$41,792	\$2,314	\$0	\$0	\$0	\$0	\$0	\$280,578
Barron	\$252,293	\$320,596	\$47,636	\$8,193	\$764	\$1,211	\$0	\$0	\$0	\$0	\$1,750	\$632,443
Bayfield	\$25,372	\$27,188	\$6,000	\$10,020	\$28,630	\$311	\$6,258	\$0	\$58	\$0	\$0	\$103,837
Brown	\$2,273,994	\$2,007,443	\$660,476	\$151,650	\$146,334	\$13,063	\$28,047	\$40,607	\$20,049	\$21,580	\$19,720	\$5,382,963
Buffalo	\$0	\$14,680	\$0	\$14,098	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$28,778
Burnett	\$2,000	\$85,500	\$129,000	\$44,500	\$19,500	\$0	\$4,611	\$0	\$0	\$0	\$0	\$285,111
Calumet	\$197,055	\$421,581	\$143,525	\$5,000	\$106,454	\$0	\$0	\$0	\$0	\$0	\$0	\$873,615
Chippewa	\$841,754	\$267,992	\$32,064	\$15,300	\$11,525	\$6,664	\$7,986	\$7,856	\$836	\$2,902	\$3,090	\$1,197,969
Clark	\$449,170	\$239,657	\$158,400	\$28,418	\$52,500	\$0	\$3,000	\$6,939	\$5,974	\$0	\$0	\$944,058
Columbia	\$795,748	\$387,619	\$23,500	\$57,188	\$7,070	\$873	\$500	\$255	\$3,088	\$3,574	\$5,136	\$1,284,551
Crawford	\$170,150	\$568,250	\$8,000	\$10,000	\$0	\$3,000	\$0	\$0	\$0	\$0	\$0	\$759,400
Dane	\$9,856,837	\$10,321,823	\$2,556,647	\$303,520	\$125,469	\$8,125	\$3,165	\$13,136	\$24,894	\$22,140	\$6,611	\$23,242,367
Dodge	\$1,205,487	\$1,291,751	\$423,926	\$30,547	\$7,365	\$3,310	\$3,300	\$4,059	\$576	\$3,000	\$1,827	\$2,975,148
Door	\$174,219	\$47,976	\$181,250	\$91,622	\$80,662	\$0	\$400	\$500	\$8,822	\$500	\$0	\$585,951
Douglas	\$22,033	\$188,795	\$23,308	\$13,472	\$15,500	\$500	\$390	\$0	\$0	\$0	\$0	\$263,998
Dunn	\$416,700	\$725,052	\$366,469	\$5,000	\$5,000	\$2,228	\$3,000	\$242	\$3,750	\$7,847	\$1,900	\$1,537,188
Eau Claire	\$562,178	\$847,921	\$697,322	\$60,066	\$6,834	\$12,378	\$13,555	\$185	\$6,925	\$0	\$0	\$2,207,364
Florence	\$0	\$0	\$0	\$0	\$0	\$3,000	\$0	\$0	\$0	\$0	\$0	\$3,000
Fond du Lac	\$1,627,092	\$1,454,247	\$659,118	\$88,824	\$14,028	\$9,968	\$9,869	\$2,285	\$6,333	\$0	\$0	\$3,871,764
Forest	\$58,483	\$0	\$0	\$0	\$0	\$0	\$0	\$2,833	\$0	\$0	\$0	\$61,316
Grant	\$561,728	\$564,037	\$8,000	\$35,920	\$2,697	\$2,415	\$5,775	\$0	\$1,495	\$3,000	\$0	\$1,185,067
Green	\$493,000	\$340,004	\$179,000	\$1,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,013,504
Green Lake	\$0	\$20,000	\$177,000	\$20,941	\$2,787	\$0	\$3,000	\$0	\$0	\$0	\$0	\$223,728
Iowa	\$259,694	\$51,701	\$25,000	\$23,210	\$500	\$0	\$0	\$0	\$0	\$0	\$0	\$360,105
Iron	\$0	\$0	\$0	\$0	\$0	\$0	\$3,750	\$0	\$438	\$0	\$0	\$4,188
Jackson	\$272,283	\$129,800	\$117,600	\$14,000	\$21,655	\$0	\$0	\$0	\$3,000	\$3,000	\$0	\$561,338
Jefferson	\$1,144,787	\$1,895,080	\$246,325	\$235,689	\$106,632	\$7,750	\$23,573	\$12,948	\$18,135	\$5,806	\$21,249	\$3,717,974
Juneau	\$421,950	\$120,893	\$276,476	\$0	\$1,952	\$0	\$1,475	\$0	\$0	\$0	\$0	\$822,746
Kenosha	\$645,396	\$1,248,036	\$871,195	\$191,326	\$10,739	\$0	\$6,828	\$8,989	\$2,080	\$215	\$6,239	\$2,991,043
Kewaunee	\$261,953	\$65,242	\$247,956	\$19,335	\$25,000	\$3,000	\$10,085	\$3,000	\$3,000	\$1,952	\$0	\$640,523
LaCrosse	\$621,421	\$912,837	\$818,578	\$81,913	\$28,485	\$10,625	\$3,507	\$0	\$8,037	\$0	\$1,090	\$2,486,493



# County-Level Delivery of WDVA-Administered Benefits

## 2007 - 2017

Note: The WDVA-Administered Primary Mortgage Loan Program (PML), Home Improvement Loan Program (HILP) and Personal Loan Program (PLP) were terminated on December 1, 2011.

County	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	TOTAL
Lafayette	\$20,000	\$148,962	\$17,260	\$0	\$25,000	\$0	\$0	\$0	\$0	\$0	\$0	\$211,222
Langlade	\$21,496	\$59,171	\$70,740	\$30,566	\$24,100	\$4,258	\$9,679	\$3,289	\$6,777	\$7,105	\$7,649	\$244,830
Lincoln	\$222,412	\$161,686	\$224,500	\$66,468	\$45,412	\$4,460	\$0	\$3,887	\$0	\$1,500	\$1,970	\$732,295
Manitowoc	\$741,255	\$1,406,937	\$382,347	\$66,455	\$29,006	\$3,000	\$3,000	\$3,448	\$7,592	\$1,096	\$7,713	\$2,651,849
Marathon	\$1,561,515	\$1,441,910	\$385,425	\$75,614	\$178,680	\$8,031	\$13,701	\$5,169	\$18,508	\$8,704	\$3,000	\$3,700,257
Marinette	\$182,366	\$486,318	\$291,657	\$73,146	\$7,578	\$0	\$0	\$5,175	\$0	\$0	\$0	\$1,046,240
Marquette	\$47,541	\$35,314	\$152,689	\$6,000	\$8,839	\$0	\$0	\$0	\$0	\$0	\$3,812	\$254,195
Menominee	\$5,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$5,000
Milwaukee	\$6,113,293	\$6,030,024	\$2,371,131	\$537,957	\$313,644	\$192,135	\$158,334	\$104,402	\$105,764	\$86,369	\$89,426	\$16,102,479
Monroe	\$942,630	\$2,137,446	\$496,771	\$92,711	\$42,033	\$42,134	\$25,007	\$4,382	\$8,431	\$8,229	\$7,313	\$3,807,087
Oconto	\$45,393	\$199,395	\$105,917	\$0	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$360,705
Oneida	\$1,097,382	\$273,884	\$5,677	\$43,256	\$11,131	\$652	\$14,269	\$0	\$0	\$0	\$0	\$1,446,251
Outagamie	\$2,650,153	\$3,393,624	\$805,086	\$126,493	\$80,038	\$9,763	\$10,983	\$12,036	\$3,800	\$2,673	\$3,000	\$7,097,649
Ozaukee	\$1,102,150	\$1,589,870	\$345,450	\$5,000	\$15,000	\$3,000	\$388	\$459	\$1,500	\$0	\$0	\$3,062,817
Pepin	\$140,000	\$20,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$160,000
Pierce	\$430,550	\$689,142	\$253,060	\$49,000	\$100,500	\$0	\$0	\$0	\$0	\$0	\$0	\$1,522,252
Polk	\$804,243	\$349,322	\$349,446	\$56,263	\$105,504	\$6,154	\$1,782	\$11,566	\$18,761	\$4,144	\$3,059	\$1,710,244
Portage	\$392,874	\$936,685	\$175,200	\$55,074	\$37,838	\$1,288	\$7,112	\$0	\$5,849	\$3,000	\$0	\$1,614,920
Price	\$112,063	\$35,192	\$15,000	\$3,000	\$3,000	\$0	\$0	\$3,000	\$0	\$0	\$3,000	\$174,255
Racine	\$1,233,604	\$2,144,960	\$858,020	\$98,608	\$100,837	\$27,884	\$26,436	\$11,747	\$14,428	\$7,190	\$14,662	\$4,538,376
Richland	\$10,107	\$16,277	\$0	\$2,052	\$0	\$0	\$214	\$5,694	\$2,645	\$0	\$0	\$36,989
Rock	\$1,786,313	\$698,978	\$170,811	\$118,750	\$48,425	\$16,936	\$8,533	\$0	\$3,330	\$5,920	\$10,576	\$2,868,572
Rusk	\$103,377	\$0	\$20,000	\$7,754	\$11,066	\$0	\$0	\$0	\$0	\$0	\$0	\$142,197
Sauk	\$384,202	\$1,339,999	\$349,850	\$58,529	\$91,388	\$7,367	\$8,667	\$2,000	\$9,778	\$10,333	\$2,010	\$2,264,123
Sawyer	\$18,753	\$10,825	\$0	\$0	\$0	\$0	\$500	\$898	\$0	\$0	\$704	\$31,680
Shawano	\$98,082	\$483,645	\$60,429	\$51,489	\$18,133	\$0	\$2,152	\$7,950	\$7,049	\$1,095	\$542	\$730,566
Sheboygan	\$1,319,389	\$995,184	\$132,864	\$33,744	\$59,294	\$3,000	\$3,149	\$500	\$0	\$0	\$0	\$2,547,124
St. Croix	\$678,391	\$1,234,905	\$17,000	\$3,500	\$23,425	\$5,361	\$551	\$485	\$550	\$2,440	\$7,090	\$1,973,698
Taylor	\$23,629	\$12,560	\$87,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$123,189
Trempeleau	\$117,397	\$51,136	\$186,388	\$284	\$89,533	\$156	\$154	\$0	\$500	\$3,000	\$3,025	\$451,573
Vernon	\$390,000	\$204,858	\$111,000	\$105,920	\$500	\$0	\$0	\$0	\$3,440	\$0	\$4,250	\$819,968
Vilas	\$36,543	\$0	\$30,000	\$17,985	\$32,804	\$0	\$3,000	\$0	\$0	\$0	\$0	\$120,332

## County-Level Delivery of WDVA-Administered Benefits 2007 - 2017

Note: The WDVA-Administered Primary Mortgage Loan Program (PML), Home Improvement Loan Program (HILP) and Personal Loan Program (PLP) were terminated on December 1, 2011.

County	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	TOTAL
Walworth	\$1,305,569	\$276,782	\$374,191	\$50,016	\$18,685	\$19,075	\$7,467	\$3,244	\$4,701	\$5,642	\$4,892	\$2,070,264
Washburn	\$278,079	\$53,555	\$55,000	\$68,616	\$25,000	\$0	\$0	\$6,670	\$0	\$3,826	\$0	\$490,746
Washington	\$2,025,355	\$1,220,770	\$814,773	\$5,529	\$141,300	\$3,347	\$5,769	\$3,332	\$500	\$6,075	\$0	\$4,226,750
Waukesha	\$3,806,787	\$4,720,624	\$120,380	\$94,492	\$37,239	\$22,170	\$6,197	\$13,223	\$4,100	\$7,250	\$0	\$8,832,462
Waupaca	\$548,431	\$268,337	\$84,305	\$29,406	\$7,600	\$3,895	\$3,500	\$1,328	\$542	\$3,094	\$406	\$950,844
Waushara	\$323,173	\$266,745	\$7,106	\$81,865	\$67,911	\$3,710	\$3,234	\$1,517	\$3,278	\$13,476	\$776	\$772,791
Winnebago	\$1,934,599	\$2,430,981	\$454,354	\$191,396	\$72,505	\$16,381	\$8,265	\$16,593	\$18,650	\$19,425	\$26,424	\$5,189,573
Wood	\$874,638	\$922,193	\$137,041	\$158,250	\$633,340	\$3,170	\$3,000	\$10,502	\$13,500	\$9,000	\$3,000	\$2,767,634
<b>TOTAL</b>	<b>\$57,690,290</b>	<b>\$61,540,155</b>	<b>\$19,669,073</b>	<b>\$4,086,835</b>	<b>\$3,386,162</b>	<b>\$498,062</b>	<b>\$477,117</b>	<b>\$346,330</b>	<b>\$381,463</b>	<b>\$296,102</b>	<b>\$280,704</b>	<b>\$148,652,293</b>

WDVA Loan Programs Terminate -->

Precipitous Decline in Delivery

Total Drop in % -----> 56.36%

1 048-062018

2 **RESOLUTION: Conduct Countywide Advisory Referendum on Creation of Nonpartisan**  
3 **Procedure for the Preparation of Legislative and Congressional**  
4 **Redistricting Plans**

7 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

8 **WHEREAS**, the Winnebago County Board of Supervisors passed Resolution 047-062018 on June 19, 2018,  
9 urging the creation of a nonpartisan procedure for the preparation of legislative and congressional redistricting plans;  
10 and

11 **WHEREAS**, historically, legislative and congressional plans in the State of Wisconsin have been subject to  
12 partisan influences that places the desires of politicians ahead of the electoral prerogative of the people.  
13 Redistricting that achieves partisan gains is improper; and

14 **WHEREAS**, in order to determine whether the citizens of Winnebago County support the creation of a  
15 nonpartisan procedure for the preparation of legislative and congressional redistricting plans, the Winnebago County  
16 Board of Supervisors may conduct a county-wide advisory referendum pursuant to § 59.52(25), Wis Stats, to be  
17 placed on the ballot for the Fall Election on November 6, 2018.

18  
19 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby  
20 authorizes that the following county-wide advisory referendum be placed on the November 3, 2018, ballot:

21 The question to appear on the ballot is as follows:

22 "Should the Wisconsin State Legislature create a nonpartisan procedure for the preparation of legislative and  
23 congressional redistricting plans?"

24  
25 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that it hereby directs the  
26 Winnebago County Clerk to forward a copy of this Resolution to the Wisconsin Counties Association, the Office  
27 Governor Scott Walker, and all state senators and assembly members representing Winnebago County constituents.

30 Respectfully submitted by:

31 **JULIE GORDON, District 17**

32 **MICHAEL NORTON, District 20**

33 Committee Vote: \_\_\_\_\_

34 Vote Required for Passage: **MAJORITY**

36 Approved by the Winnebago County Executive this 21st day of June, 2018.

37  
38 Mark L. Harris  
39 Mark L Harris  
40 Winnebago County Executive

CARRIED BY VOICE VOTE

1 047-062018 - AMENDED

2 **RESOLUTION: Support the Creation of a Nonpartisan Procedure for the Preparation of**  
3 **Legislative and Congressional Redistricting Plans**

6 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

7 **WHEREAS**, pursuant to Article VI, Section 3, of the Wisconsin Constitution, the Legislature for the State of  
8 Wisconsin is directed to redistrict state legislative districts "according to the number of inhabitants" at its next session  
9 following the decennial federal census. The Wisconsin Legislature also reapportions congressional districts at the  
10 same interval pursuant to Federal Law; and

11 **WHEREAS**, because state and federal legislative redistricting is controlled by the majority party at the time of  
12 the redistricting, legislative and congressional plans in Wisconsin have been subject to partisan influence that places  
13 the desires of politicians ahead of the electoral prerogative of the people. Redistricting to achieve partisan gains is  
14 improper, whether it is done by a Republican-controlled or a Democratic-controlled legislature; and

15 **WHEREAS**, a panel of federal district court judges has ruled that redistricting in the State of Wisconsin in  
16 2011 was unconstitutional. Legal costs in defense of redistricting in 2011 have already cost taxpayers in excess of  
17 \$2.1 million, and litigation is still ongoing; and

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

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

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

27 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that before the  
28 start of the next redistricting process following the 2020 federal census, it hereby calls upon the Wisconsin State  
29 Legislature to pass legislation that creates a fair, nonpartisan procedure for the preparation of legislative and  
30 congressional redistricting plans, that promotes more accountability and transparency, prohibits the consideration of  
31 voting patterns, party information, and incumbents' residence information or demographic information in drawing the  
32 maps, **except** as necessary to ensure minority participation as required by the U.S. Constitution.

34 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that it hereby advocates for  
35 an amendment to the Wisconsin Constitution giving the responsibility of legislative redistricting to a nonpartisan  
36 commission.

38 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that it hereby directs the  
39 Winnebago County Clerk to forward a copy of this Resolution to the Wisconsin Counties Association, the Office of  
40 Governor Scott Walker, and all state senators and assembly members representing Winnebago County constituents.  
41  
42



CARRIED BY VOICE VOTE

1 060-072018

2 **RESOLUTION: Support a Constitutional Amendment to Allow Limits on Campaign**  
3 **Contributions and conducting a non-Binding Statewide Referendum**  
4

5 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

6 **WHEREAS**, free and fair elections are essential to democracy and effective self-governance; and

7 **WHEREAS**, the appearance of buying access to candidates or influencing policy, governance, and judicial  
8 decisions because of large outsider donations erodes voter confidence in our elections and democracy; and

9 **WHEREAS**, Winnebago County has an interest in protecting itself and its citizens against intrusions on local  
10 control by mitigating the influence of money and privileged access in state and federal elections; and

11 **WHEREAS**, the US Supreme Court's decisions in *Citizens United* and related cases allow unlimited  
12 spending by certain groups known as Super-PACS to influence local, state, and federal elections; and

13 **WHEREAS**, the above-mentioned US Supreme Court cases have:

- 14 • granted corporations, unions, non-profits, and other manmade entities (such as Super-PACS) the same
- 15 constitutional protections given only to individual human beings by the framers of the constitution; and
- 16 • declared money to be "free speech"; and

17 **WHEREAS**, Winnebago County municipalities have called upon the Winnebago County Board of  
18 Supervisors to support their resolutions supporting a constitutional amendment to allow limits on campaign  
19 contributions and conducting a non-binding statewide referendum.

20  
21 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby calls  
22 upon our elected state assembly representatives and senators, and the Wisconsin State Legislature, to hold a non-  
23 binding statewide referendum asking the voters if they wish the State of Wisconsin to support an amendment to the  
24 US Constitution stating:

- 25 1. Only human beings are endowed with individual constitutional rights, not corporations, unions, non-profits, or
- 26 artificial entities (such as Super-PACS).
- 27 2. Money is not speech and, therefore, limiting political contributions and spending is not equivalent to limiting
- 28 political speech.

29  
30 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that it hereby directs the  
31 Winnebago County Clerk to forward a copy of this Resolution to the Office of Governor Scott Walker, the Wisconsin  
32 Counties Association, and all state senators and assembly members representing Winnebago County constituents.

33  
34 Respectfully submitted by:

35 **LEGISLATIVE COMMITTEE**

36 Committee Vote: **14-0**

37 Vote Required for Passage: **Majority of Those Present**

38  
39 Approved by the Winnebago County Executive this \_\_\_\_ day of \_\_\_\_\_, 2018.

40  
41 \_\_\_\_\_  
42 Mark L Harris  
43 Winnebago County Executive

2018  
Resolutions  
of the  
Wisconsin Counties  
Association

Presented by the

2018 WCA Resolutions Committee

August 13, 2018

Holiday Inn Madison at The American Center

Madison, Wisconsin



**2018 WCA RESOLUTIONS COMMITTEE**

<b>WCA District</b>	<b>Name</b>	<b>Title</b>
<b>North Central</b>	Mark Anderson	Marinette County Board Chair
	Donna Kalata	Waushara County Board Chair
<b>Northwest</b>	Jim Metz	Taylor County Board Chair
	Donald Taylor	Burnett County Board Chair
<b>Southeast</b>	Theodore Lipscomb, Sr.	Milwaukee County Board Chair
	Jennifer Rothstein	Ozaukee County Second Vice Chair
<b>Southern</b>	Sharon Corrigan	Dane County Board Chair
	Robert Keeney	Grant County Board Chair
<b>West Central</b>	Roger Larson	St. Croix County Board Chair
	Steven Anderson	Pepin County Board Chair
<b>East Central</b>	Jeff Nooyen	Outagamie County Board Chair
	Robert Weidner	Kewaunee County Board Chair
<b>Western</b>	Tara Johnson	La Crosse County Board Chair
	Dennis Brault	Vernon County Board Chair
<b>WCA Second Vice Chair (committee chair)</b>	Colleen Bates	Eau Claire County 1 <sup>st</sup> Vice Chair
<b>Health and Human Services Steering Committee Chair</b>	Alice Connors	Calumet County Board Chair
<b>Personnel, Finance, and County Organization Steering Committee Chair</b>	David Frohling	Dodge County Board 1 <sup>st</sup> Vice Chair
<b>Agriculture, Environment, and Land Use Steering Committee Chair</b>	Larry Jepsen	Polk County Supervisor
<b>Judicial and Public Safety Steering Committee Chair</b>	Vern Gove	Columbia County Board Chair
<b>Transportation and Public Works Steering Committee Chair</b>	Dave Ostness	St. Croix County Board Vice Chair

# Wisconsin Counties Association

## 2018 Conference Resolution 1

Offered for consideration this 23rd Day of September, 2018 by

### Rock County

Relating to

## Recommending Changes to the Wisconsin Farmland Preservation Program

WHEREAS, the Wisconsin Farmland Preservation Program (FPP) was established in 1978 to protect the state's most valuable agricultural lands from development. Two avenues were created via legislation: local land use zoning or a special agreement with the Department of Agriculture, Trade and Consumer Protection (DATCP). Landowners who participated in the program were then eligible for a Wisconsin state income tax credit, if they met the financial criteria and the state's soil conservation standards. The peak years of the program resulted in approximately 1,200 Rock County participants and 23,900 statewide participants; and

WHEREAS, in 2009, the state of Wisconsin made significant changes to FPP administrative codes and statutes as part of the Working Lands Initiative, a suite of programs to protect farmland from development. Among the many changes to the FPP were setting new flat rates per acre for the income tax credits, adding a process for local areas to establish Agricultural Enterprise Areas (AEA), establishing a Purchase of Agricultural Conservation Easements (PACE) Program, and finally adding additional conservation standards; and

WHEREAS, since the FPP rules were amended in 2009, the costs of implementing the required conservation standards has increased to a point where in some cases the cost of participating in the program has exceeded the available tax credits, which in turn has impacted the program participation not only in Rock County, currently at 404 participants, but statewide, currently estimated at 12,000 participants; and

WHEREAS, the premise of the FPP tax credit was to ensure landowners were compensated for their conservation stewardship and to help offset the costs of implementing and maintaining the required conservation practices. To date this program has been the best available tool to ensure conservation best management practices are being maintained in Rock County and statewide; and

WHEREAS, the long-term net result of aforesaid changes was a decrease in the value of the tax credits to maintain the conservation standards which in turn has decreased the overall enrollment within Rock County and statewide. This decrease in enrollment is alarming and needs to be addressed as soon as possible; and

## 2018 Conference Resolution 1

WHEREAS, as part of the FPP redesign, the state of Wisconsin recognized the importance of PACE as a valuable tool to complement the long-term preservation of the most valuable working farmlands in the state and subsequently enrolled 14 participants. The statewide program was defunded due to a controversial funding mechanism, but remains in the Wisconsin state statutes; and

WHEREAS, local units of government, towns and counties continue to pursue the purchase of agricultural easements through locally funded programs with, in some cases, United States Department of Agriculture – Natural Resources Conservation Service grants. Rock County developed a PACE program in 2009 and has been very active with this program ever since. Also, numerous Agricultural Conservation Easements (ACE) have been donated to local land trusts. Many have donated ACEs remain eligible for the FPP but are not recognized by DATCP for their true farmland preservation value; and

WHEREAS, Rock County urges the State of Wisconsin to review the Farmland Preservation Program and increase each existing tax credit category by a minimum of \$2.50 per acre, add a new tax credit category to recognize landowners with ACEs and set the credit level for easements at a minimum tax credit level that can be found in the FPP zoned AEAs, and review the program every five years making the appropriate adjustments that reflect Best Management Practices (BMP) cost changes in the agriculture sector.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby request that the State of Wisconsin review the Farmland Preservation Program statutes and administrative codes to increase the allowable tax credits; amend the program eligibility to allow landowners who have Agricultural Conservation Easements the ability to participate in the FPP, if they meet the financial and conservation criteria; establish a new tax credit level for Agricultural Conservation Easements; reestablish funding for the statewide PACE program through a redesigned funding mechanism; and increase the frequency of review of the Farmland Preservation Program allowable tax credits to assure they are meeting the basic costs associated with program participation.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Jepsen, second by Taylor, to adopt.  
Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

## 2018 Conference Resolution 1

- II.D.5.q. Request that the State of Wisconsin review the Farmland Preservation Program statutes and administrative codes to increase the allowable tax credits; amend the program eligibility to allow landowners who have Agricultural Conservation Easements the ability to participate in the FPP, if they meet the financial and conservation criteria; establish a new tax credit level for Agricultural Conservation Easements; reestablish funding for the statewide PACE program through a redesigned funding mechanism; and increase the frequency of review of the Farmland Preservation Program allowable tax credits to assure they are meeting the basic costs associated with program participation.

# Wisconsin Counties Association

## 2018 Conference Resolution 2

Offered for consideration this 23rd Day of September, 2018 by

### Walworth County

Relating to

## Urging the Federal Government to Support the Agricultural Economic Sector by Maintaining and Strengthening Trade Ties with Canada and Mexico

WHEREAS, agriculture is an important part of the state's economy and has a nearly \$1 billion economic impact on Walworth County; and

WHEREAS, agricultural exports play a significant role in supporting prices paid to farmers for their commodities; and

WHEREAS, 51% of agricultural exports from Wisconsin are sent to Canada and Mexico; and

WHEREAS, approximately 249,000 jobs in Wisconsin would be impacted by the disruption of trade between the United States and Canada and Mexico; and

WHEREAS, Senator Ron Johnson has encouraged support for a strong NAFTA agreement between the United States and Canada and Mexico, including advocating with federal legislators and the current administration.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby urge the present administration, including the Secretary of Agriculture, Secretary of Commerce, and U.S. Trade Representative to maintain and strengthen trade ties with Canada and Mexico; and

BE IT FURTHER RESOLVED that the Wisconsin Counties Association urges members of the Wisconsin Congressional delegation to support the agricultural economic sector by advocating with the administration on behalf of farmers and producers, taking into account the importance of trade between our North American neighbors.

### STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Indefinitely postpone.

RESOLUTIONS COMMITTEE ACTION: Motion by S. Anderson, second by M. Anderson, to adopt. Motion carried.

2018 Conference Resolution 2

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

IX.E.2. Support maintaining and strengthening trade ties with Canada and Mexico.

Agriculture, Environment, and Land Use



# Wisconsin Counties Association

## 2018 Conference Resolution 3

Offered for consideration this 23rd Day of September, 2018 by

### Walworth County

Relating to

## Supporting Reform of Wisconsin's Eminent Domain Laws and Prohibiting the Use of Eminent Domain for Forcible Land Takings by For-Profit Oil Pipeline Companies

WHEREAS, the Fifth Amendment of the United States Bill of Rights and the Wisconsin Constitution both specify that, "The property of no person shall be taken for public use without just compensation;" and

WHEREAS, taking private land against a landowner's will is a power of the state that should be used only rarely and exercised with solemn deliberation; and

WHEREAS, when the state grants the power of land takings by eminent domain to a business entity, the power granted removes free market forces such that, unlike other transactions between two parties, the landowner is placed in a disadvantaged position, precluding a fair and balanced transaction; and

WHEREAS, when the land taking is for an easement, the threat of eminent domain diminishes not only the landowner's negotiating power for a fair land price, but also diminishes the power to negotiate important easement terms such as the duration of the easement, annual payments for use of the land, whether the easement can be transferred to another business or sovereign entity, plans for pipeline abandonment, responsibilities for negligence and liability, as well as many other easement terms; and

WHEREAS, studies have shown:

1. The threat of eminent domain reduces property values and the tax base, an effect known as "condemnation blight;" and
2. For long-term economic growth, it is crucial for landowners to trust that their property rights are secure; and
3. Government land takings for private development rarely result in a net economic gain; and

## 2018 Conference Resolution 3

WHEREAS, Enbridge is a Canadian oil pipeline company that owns four pipelines that traverse the entire length of Wisconsin from Superior to the Illinois border, and these pipelines carry 2.2 million barrels of oil per day through Wisconsin, which is approximately 15% to 20% of the daily oil demand in the United States; and

WHEREAS, Enbridge plans to acquire more land easements along their pipeline route from Superior to the Illinois border to add an additional pipeline called Twin 61 or Line 66 that could carry an additional 800,000 barrels of oil per day through Wisconsin; and

WHEREAS, in preparation for their pipeline expansion in Wisconsin, Enbridge has:

1. Conducted civil, biological and archaeological surveys along the entire proposed pipeline route; and
2. Announced to investors in January 2017 that the company is in the early developmental phase of their expansion in Wisconsin;
3. Applied for a permit for a new pipeline, the Line 3 Replacement in Minnesota that could carry up to 915,000 barrels of oil per day to the Enbridge terminal in Superior which, because the current pipeline system in Wisconsin is at capacity, must continue flowing south through Wisconsin in a new pipeline; and
4. Announced plans to start construction on the Line 3 Replacement in Canada in the summer of 2017; and

WHEREAS, during the 2015 Wisconsin budget process, Enbridge instigated, drafted and ultimately, inserted an amendment to the state budget to change Wisconsin's eminent domain statutes without public hearings and without normal legislative processes; and

WHEREAS, the changes ensure Enbridge's business structure is fully eligible for the state's granting of eminent domain power to Enbridge; and

WHEREAS, Enbridge is a for-profit company intended for the benefit of its investors and as such, the power Enbridge has exercised in the past and plans to exercise in the future for forcible land takings by eminent domain does not meet the United States and Wisconsin constitutional standard of land takings only for public use; and

WHEREAS, the rights of a landowner to own and control his or her property are the foundation of American democracy and individual liberty; and

WHEREAS, other states have taken action to protect citizens' property rights and prohibit the abuse of eminent domain powers by for-profit oil companies. State actions include:

1. South Carolina's governor signed a three-year moratorium on the use of eminent domain by oil pipeline companies in June 2016;



## 2018 Conference Resolution 3

2. Georgia passed a bill providing additional safeguards to landowners dealing with for-profit pipeline companies in 2017;
3. North Carolina has proposed a state constitutional amendment limiting the use of eminent domain to only land takings that meet the criterion of public use such as roads; and
4. Nebraska, Iowa, and Illinois are considering bills to limit the abuses of eminent domain by oil pipeline companies; and

WHEREAS, all authority to grant eminent domain power to oil pipeline companies resides solely at the state level, namely the Wisconsin Public Service Commission; and

WHEREAS, unlike natural gas pipelines, no federal government agencies have authority over land takings by oil pipeline companies; and

WHEREAS, the state legislature possesses the sole power and authority to revise state statutes to limit the abuses of eminent domain and restore property rights to Wisconsin citizens.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby express its desire to the Wisconsin State Legislature and Governor to reform eminent domain laws to protect the property rights of Wisconsin citizens and prohibit the state from granting the power of eminent domain to for-profit oil pipeline companies.

**STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:**  
Indefinitely postpone.

**RESOLUTIONS COMMITTEE ACTION:** Motion by Taylor, second by Jepsen, to indefinitely postpone Resolutions 3 and 4. Motion carried.

**RESOLUTIONS COMMITTEE RECOMMENDATION:** Indefinitely postpone.

**2018 CONFERENCE ACTION:**

**Caption:**

Agriculture, Environment, and Land Use

# Wisconsin Counties Association

## 2018 Conference Resolution 4

Offered for consideration this 23rd Day of September, 2018 by  
**Rock County**

Relating to

### Supporting the Reformation of Wisconsin's Eminent Domain Laws

WHEREAS, many private property owners in Rock County feel that their private property, under Wisconsin law, is not adequately protected from encroachment by outside entities, be they local, out of state, or international; and

WHEREAS, eminent domain has historically been used sparingly for ensuring the public good with provable need and just compensation; and

WHEREAS, public good cannot be construed to mean promotion of projects for private gain by outside corporate entities; and

WHEREAS, a clearly defined and demonstrated "public good" has historically included things demonstrating a true community need like roadways, schools, public parks, public housing, and community centers; and

WHEREAS, any other claimed cause for the taking of private property shall be proven to be for a public good in a court of law; and

WHEREAS, eminent domain shall not be used for any taking which is not for a "public use;" and

WHEREAS, a moratorium on the use of eminent domain power for private gain would be advisable to allow the public and local communities to voice their concerns over its use for private gain and for the State Legislature to explore revisions and amendments to the current eminent domain requirements in Chapter 32 of the Wisconsin Statutes; and

WHEREAS, during such moratorium, it may be necessary for units of local government to exercise their power of eminent domain for purposes of completing transportation projects, and that nothing in this resolution should be construed to limit such a use.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby request that the State of Wisconsin impose a three-year moratorium on the use of eminent domain for private gain in order to allow the State Legislature to pursue a change of law for the protection of its citizens' property rights.

2018 Conference Resolution 4

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Indefinitely postpone.

RESOLUTIONS COMMITTEE ACTION: Motion by Taylor, second by Jepsen, to indefinitely postpone Resolutions 3 and 4. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Indefinitely postpone.

2018 CONFERENCE ACTION:

Caption:

Agriculture, Environment, and Land Use

# Wisconsin Counties Association

## 2018 Conference Resolution 5

Offered for consideration this 23rd Day of September, 2018 by

### Door County

Relating to

## Maintaining Funding for the Coastal Management Program

WHEREAS, the federal administration has proposed cutting funding for the Coastal Zone Management Program; and

WHEREAS, the federally funded program provides support for the state programs to ensure that as a nation, all coastal states and territories can enable their coastal communities to achieve both state and national priorities; and

WHEREAS, this state-federal partnership also enables states to leverage federal funds to streamline permits, provide grants to communities, and ensure federal actions are consistent with state laws; and

WHEREAS, the Wisconsin Coastal Management Program's mission is to preserve, protect, develop and where possible, to restore or enhance, the resources of Wisconsin's coastal area for this and succeeding generations; and

WHEREAS, Door County has received over 10 grants worth \$390,000 to protect and restore habitat for fish and wildlife in Dunes Lake, restore and improve water quality at Door County beaches, and conduct outreach and education related to invasive species; and

WHEREAS, the funding source has been substantial to Door County; the funding achieves multiple goals for coastal communities including: economic development, enhancement of public access and recreation, and protection of coastal resources.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby support full funding of the Coastal Zone Management Program in the upcoming federal budget.

### STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Rothstein, second by Ostness, to adopt. Motion carried.

2018 Conference Resolution 5

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

II.K.18. Support full funding of the federal Coastal Zone Management Program.

Agriculture, Environment, and Land Use



# Wisconsin Counties Association

## 2018 Conference Resolution 6

Offered for consideration this 23rd Day of September, 2018 by  
**Eau Claire County**

Relating to

### Recognizing Climate Change and Urging Congress to Levy a Revenue-Neutral Fee on Carbon in Fossil Fuels

WHEREAS, climate scientists worldwide are in near-unanimous agreement that the Earth is warming rapidly which is causing changes in climate that are perilous to the Earth's natural systems and to human civilization; and

WHEREAS, the primary cause of that warming is human activity, especially through the combustion of fossil fuels which emit greenhouse gases such as carbon dioxide (CO<sub>2</sub>); and

WHEREAS, the continued use of fossil fuels is being supported by a market failure whereby the costs of carbon emissions are not included in the price of fossil fuels; and

WHEREAS, the urgent need to transition away from fossil fuels can best be accomplished with a market-based program, namely a revenue-neutral carbon fee on fossil fuel producers with a corresponding rebate or dividend to consumers; and

WHEREAS, using a revenue-neutral carbon fee and dividend to reduce carbon emissions would have the following benefits:

- The carbon fee would incentivize the development and use of energy efficiency and low carbon energy sources and minimize the need for onerous governmental energy regulations and subsidies that attempt to forecast winners and losers.
- The transition to low-carbon energy sources will provide a range of additional benefits including enhanced public health, job creation and strengthening of the U.S. economy, increased energy security, and increased local energy development in rural areas.
- Even though the carbon fee would temporarily increase energy costs, including electric rates, and the cost of living, those costs would be offset by the revenue returned to households on an equal basis as a dividend such that the bottom 55-60% of households by income would break even or receive more in dividends than they would pay in higher living expenses.

## 2018 Conference Resolution 6

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby strongly urge the United States Congress to pass legislation that levies an annually increasing revenue-neutral fee on the carbon in fossil fuels at the point of production or importation, that would be sufficient to:

- Encourage individuals and businesses to produce and use less fossil fuels;
- Make the transition from fossil fuels less onerous to consumers and to the economy by returning to Americans on an equal basis all of the revenues gained from the fee;
- Reduce U.S. CO2 emissions to 10% of 1990 levels by 2050;
- Encourage similar actions by other nations trading with the United States, by suitable carbon-content-based fees for imports, and rebates for exports, to nations that have not taken such actions.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Indefinitely postpone.

RESOLUTIONS COMMITTEE ACTION: Motion by Taylor, second by Jepsen, to indefinitely postpone. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Indefinitely postpone.

2018 CONFERENCE ACTION:

Caption:

Agriculture, Environment, and Land Use

# Wisconsin Counties Association

## 2018 Conference Resolution 7

Offered for consideration this 23rd Day of September, 2018 by  
**Outagamie County**

Relating to

### Opposing Any Mining Project Which Does Not Implement Sufficient Safeguards to Mitigate the Potential Negative Impacts of the Mining Project on the Natural Resources, Public Health, Cultural Heritage, and Economy of Wisconsin

WHEREAS, the mining industry can potentially provide benefits to communities which it affects, including job creation, new tax revenue, and economic development; and

WHEREAS, if sufficient safeguards are not implemented, mining projects also have the potential to negatively impact the natural resources, public health, cultural heritage, and certain economic aspects of those communities and Wisconsin as a whole; and

WHEREAS, if a mine is located near a body of water, discharges from that mine into the water could negatively impact habitats for species of special concern; and

WHEREAS, such a mine could also create the risk of long-term leaching of acid-producing wastes into groundwater and the nearby waterbody; and

WHEREAS, the hazardous wastes generated by the mine could degrade water quality and present risks to human health and the surrounding environment; and

WHEREAS, potential economic losses could include reduction in property values and loss of tourism revenue; and

WHEREAS, due to its impact on the land itself, a mine could also result in the irreversible loss of significant cultural resources in Wisconsin, including Native American gravesites and other areas of historical significance; and

WHEREAS, those responsible for a mining project can mitigate the potential negative impacts of a mine by ensuring the implementation of sufficient safeguards, including approved reclamation plans, groundwater monitoring, and other solid-waste-management measures; and

## 2018 Conference Resolution 7

WHEREAS, this resolution opposes any mining project which does not implement sufficient safeguards to mitigate the potential negative impacts of the mining project on the natural resources, public health, cultural heritage, and economy of Wisconsin.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby oppose any mining project which does not implement sufficient safeguards to mitigate the potential negative impacts of the mining project on the natural resources, public health, cultural heritage, and economy of Wisconsin.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Indefinitely postpone.

RESOLUTIONS COMMITTEE ACTION: Motion by Jepsen, second by Larson, to indefinitely postpone. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Indefinitely postpone.

2018 CONFERENCE ACTION:

Caption:

Agriculture, Environment, and Land Use

# Wisconsin Counties Association

## 2018 Conference Resolution 8

Offered for consideration this 23rd Day of September, 2018 by

### Walworth County

Relating to

## Opposing Changes to County Shoreland Zoning Proposed in the State of Wisconsin 2017-2019 Budget Bill

WHEREAS, shoreland zoning is an important tool for counties to maintain safe, clean lakes and the economic, recreational and tourism benefits they provide to residents and visitors to the State of Wisconsin; and

WHEREAS, Walworth County has a long history of providing protection of its resources through tools such as shoreland zoning; and

WHEREAS, the residents of and visitors to the State of Wisconsin and Walworth County enjoy and expect a high standard of lake protection consistent with a long history of protection; and

WHEREAS, the State Legislature continues to erode lake protection with changes to shoreland zoning laws with each new biennial budget bill; and

WHEREAS, any proposal to change the current statutory requirement of counties to adopt shoreland zoning should be made in a stand-alone bill, not in the budget bill, so that it can be vetted on its own merits.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby oppose any changes to the current statutory structure mandating that counties adopt shoreland zoning regulations and further support a return to allowing counties to have more restrictive standards than the state minimums.

**STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:**  
Indefinitely postpone.

**RESOLUTIONS COMMITTEE ACTION:** Motion by Kalata, second by M. Anderson, to indefinitely postpone. Motion carried.

**RESOLUTIONS COMMITTEE RECOMMENDATION:** Indefinitely postpone.



2018 Conference Resolution 8

2018 CONFERENCE ACTION:

Caption:

Agriculture, Environment, and Land Use

# Wisconsin Counties Association

## 2018 Conference Resolution 9

Offered for consideration this 23rd Day of September, 2018 by  
**St. Croix County**

Relating to

### Opposing Assembly Bill 479 and Senate Bill 387

WHEREAS, SB 387 and AB 479 proposes to limit the authority of local government to regulate development on substandard lots and generally prohibit the merging of substandard lots; and

WHEREAS, SB 387 and AB 479 are in part a reaction to the United State Supreme Court's affirming the rights of State and local government to merge substandard lots in *Murr v. State of Wisconsin, et al*; and

WHEREAS, in 1968, the U.S. Congress enacted the Wild and Scenic Rivers Act (16 U.S.C. § 1271) to preserve and protect selected rivers because of their scenic beauty, recreational, geological, historic, cultural, and other positive values; and

WHEREAS, in 1972, the U.S. Congress enacted the Lower St. Croix River Act (16 U.S.C. § 1247(a)(9)) in order to include the 52-mile section of the St. Croix River below Taylors Falls to the confluence with the Mississippi River as part of the National Wild and Scenic River System; and

WHEREAS, pursuant to the Lower St. Croix River Act enacted by the U.S. Congress, Wisconsin Statute § 30.27 was enacted to provide for protections of the Lower St. Croix River and directed the Wisconsin Department of Natural Resources to adopt guidelines and specific standards for Riverway zoning ordinances; and

WHEREAS, effective January 1, 1976, the Wisconsin Department of Natural Resources adopted Administrative Code NR 118, providing regulations for the Lower St. Croix National Scenic Riverway, including minimum standards for the "issuance for building permits" and the "establishment of acreage, frontage and set-back requirements" for the "banks, bluffs and bluff-tops" of the river; and

WHEREAS, effective January 1976, St. Croix County amended its zoning ordinance to include the St. Croix River Valley District in order to comply with Wis. Stat. § 30.27(3) and Wis. Admin. Code NR 118.02(3) and has continued to update its zoning ordinance to reflect subsequent changes by the Wisconsin Department of Natural Resources in NR 118; and

## 2018 Conference Resolution 9

WHEREAS, the County Riverway Zoning Ordinance and NR 118 were enacted to reduce the adverse effects of overcrowding and poorly planned shoreline and bluff area development, prevent soil erosion and pollution, to allow for the provision of sufficient space on lots for sanitary facilities, minimize flood damage, maintain overall property values, and to preserve and maintain the exceptional scenic, cultural and natural characteristics of the water and related land; and

WHEREAS, one of those regulations required that adjacent substandard lots of record as of 1976 in common ownership be merged to allow for one building site; and

WHEREAS, the lots in question in the *Murr* case lacked at least one acre of net project area as required in the ordinance; and

WHEREAS, net project area is defined to exclude land that is not suitable for building, including “slope preservation zones, floodplains, road rights-of-way and wetlands;” and

WHEREAS, the St. Croix County Ordinance requiring merger of adjacent substandard lots in common ownership furthers the goals of the Riverway Act, state statute and county ordinance by reducing overcrowding along the St. Croix River, thereby enhancing property values; and

WHEREAS, merger provisions, like the one challenged in the *Murr* case and subject to the proposed legislation, have been a common, well-accepted feature of zoning ordinances for decades and are well within the reasonable expectation of land owners and attorneys; and

WHEREAS, merger provisions have long been recognized as the most reasonable way to reconcile a single landowner’s interest in developing a substandard lot with the community’s interest in preventing congestion and preserving property values; and

WHEREAS, countless ordinances all over the country include merger provisions similar to the one challenged in *Murr*; and

WHEREAS, although the Murr Family claims to have been “flabbergasted” by the impact of the merger clause in 2004, the rules had been in effect for 28 years prior; and

WHEREAS, although the Murrs believe that they are being treated differently and singled out, at least eight other property owners in the immediate area own contiguous substandard lots along the St. Croix River with just one building site; and

WHEREAS, the State has previously taken away local control of nonmetallic mining, livestock facility siting, wireless communication and shoreland regulation; and

WHEREAS, this is one more attempt by the Wisconsin legislature to take away local control from local governments.

## 2018 Conference Resolution 9

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby strongly oppose the adoption of 2017 SB 387 and 2017 AB 479; and

BE IT FURTHER RESOLVED that the Wisconsin Counties Association is requesting that state leaders continue their commitment to the Wild and Scenic Rivers Program and the aesthetic and consequent impacts related to property values, quality of life and tourism; and

BE IT FURTHER RESOLVED that the Wisconsin Counties Association requests that the Legislature reject this attempt at the State engaging in micromanagement of land use controls and the continued erosion of local control.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Indefinitely postpone.

RESOLUTIONS COMMITTEE ACTION: Motion by Rothstein, second by Frohling, to adopt.  
Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

II.D.2.c. Oppose legislation which removes or limits county zoning authority.

Agriculture, Environment, and Land Use

# Wisconsin Counties Association

## 2018 Conference Resolution 10

Offered for consideration this 23rd Day of September, 2018 by  
**St. Croix County**

Relating to

### Opposing Senate Bill 309 and Assembly Bill 399 Regarding Lower St. Croix Riverway Zoning Regulations

WHEREAS, in 1968, the U.S. Congress enacted the Wild and Scenic Rivers Act (16 U.S.C. § 1271) to preserve and protect selected rivers because of their scenic beauty, recreational, geological, historic, culture, and other positive values; and

WHEREAS, in 1972, the U.S. Congress enacted the Lower St. Croix River Act (16 U.S.C. § 1247(a)(9)) in order to include the 52-mile section of the St. Croix River below Taylors Falls to the confluence with the Mississippi River as part of the National Wild and Scenic River System; and

WHEREAS, pursuant to the Lower St. Croix River Act enacted by the U.S. Congress, Wisconsin Statute § 30.27 was enacted to provide for protections of the Lower St. Croix River and directed the Wisconsin Department of Natural Resources to adopt guidelines and specific standards for riverway zoning ordinances; and

WHEREAS, effective January 1, 1976, the Wisconsin Department of Natural Resources promulgated Wisconsin Administrative Code NR 118, standards for the Lower St. Croix National Scenic Riverway; and

WHEREAS, effective January 1976, St. Croix County amended its zoning ordinance to include the St. Croix River Valley District in order to comply with Wis. Stat. § 30.27(3) and Wis. Admin. Code NR 118.02(3) and has continued to update its zoning ordinance to reflect subsequent changes by the Wisconsin Department of Natural Resources in NR 118; and

WHEREAS, the regulations are currently contained in Chapter 17.36 of the St. Croix County Code of Ordinances entitled “Lower St. Croix Riverway Overlay District;” and

WHEREAS, 2017 Senate Bill 309 and 2017 Assembly Bill 399 call for an amendment to Wis. Stat. §30.27(3) and to create Wis. Stat. § 30.27(2)(d) relating to zoning ordinances in the Lower St. Croix Riverway; and



## 2018 Conference Resolution 10

WHEREAS, the proposed bills create Wis. Stat. § 30.27(2)(d), which removes the authority of the Wisconsin Department of Natural Resources and a county from enforcing a guideline, standard, or ordinance against a property owner who wishes to have an event facility and lodging establishment in buildings that were previously used as a recreational campground; and

WHEREAS, Senate Bill 309 and Assembly Bill 399 were introduced into the Legislature without the knowledge or advisement by local officials in the towns or counties in whom the Lower St. Croix Riverway lies and in whom may be affected by the amendment of Wis. Stat. § 30.27(3) and creation of Wis. Stat. § 30.27(2)(d); and

WHEREAS, the proposed legislation targets the site of the former church camp, Camp Clearwater, in the Town of Somerset, which the landowner has developed into a wedding and event center; and

WHEREAS, the issue related to the use of the property affected by this legislation was addressed by St. Croix County in the case of *St. Croix County vs. Family First Farms, LLC et al*, St. Croix County Case No. 15CX08; and

WHEREAS, this special interest legislation was introduced only after the court confirmed that a wedding and event center is a prohibited use in the St. Croix Riverway Overlay District; and

WHEREAS, creation of Wis. Stat. § 30.27(2)(d) would allow for the commercial activity of an event facility and lodging establishment to take place on a parcel of land that is currently not zoned as commercial without any oversight or regulation of the parking areas, removal of trees, times of activity, number of people on the property, etc.; and

WHEREAS, the State has previously taken away local control of nonmetallic mining, livestock facility siting, wireless communication and shoreland regulation; and

WHEREAS, adoption of 2017 Senate Bill 309 and 2017 Assembly Bill 399 removes local control from the county to regulate certain land use activities; and

WHEREAS, adoption of 2017 Senate Bill 309 and 2017 Assembly Bill 399 erodes the purposes of the Wild and Scenic Rivers Act and the Lower St. Croix River Act; and

WHEREAS, the proposed legislation undermines the St. Croix Riverway Overlay District, especially the wild and scenic protections, which combined with the state rules under NR 118, provides numerous positive effects on water quality, fisheries, vegetation and wildlife; and

## 2018 Conference Resolution 10

WHEREAS, the St. Croix Riverway Overlay District zoning regulations ensure continued high property values and a high quality of life to property owners along the Riverway, as well as positive impacts related to tourism; and

WHEREAS, the towns of Somerset and St. Joseph passed resolutions in opposition to Senate Bill 309 and Assembly Bill 399.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby strongly oppose the adoption of 2017 Senate Bill 309 and 2017 Assembly Bill 399; and

BE IT FURTHER RESOLVED that the Wisconsin Counties Association is requesting that the state leaders continue their commitment to the Wild and Scenic Rivers Program and the aesthetic and consequent impacts related to property values, quality of life and tourism; and

BE IT FURTHER RESOLVED that the Wisconsin Counties Association requests that the Legislature reject this attempt at the State engaging in the rezoning of property.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Indefinitely postpone.

RESOLUTIONS COMMITTEE ACTION: Motion by Brault, second by Kalata, to adopt.  
Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

II.D.2.c. Oppose legislation which removes or limits county zoning authority.

Agriculture, Environment, and Land Use

# Wisconsin Counties Association

## 2018 Conference Resolution 11

Offered for consideration this 23rd Day of September, 2018 by  
**St. Croix County**

Relating to

### Opposing Senate Bill 506 and Assembly Bill 599

WHEREAS, the Department of Natural Resources has the obligation to determine whether a stream is navigable under Wisconsin law; and

WHEREAS, SB 506 and AB 599 establishes conditions under which, if the DNR has determined that a stream is not navigable, restrict the DNR's ability to change that determination when water resources are changed by human alterations; and

WHEREAS, construction of dams on non-navigable streams change the hydrology of a stream and in some cases cause a non-navigable stream to become navigable under the Supreme Court's definition of a navigable stream; and

WHEREAS, if the DNR no longer has the authority to change the determination, it would leave some navigable streams or water bodies without the required protections under the Public Trust Doctrine; and

WHEREAS, Wisconsin has a long tradition of ensuring our public resources are not degraded and remain available for everyone to enjoy; and

WHEREAS, this legislative overreach is an attempt to address a specific and relatively unique situation.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby strongly oppose 2017 SB 506 and 2017 AB 599.

**STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:**  
 Indefinitely postpone.

**RESOLUTIONS COMMITTEE ACTION:** Motion by Jepsen, second by Gove, to indefinitely postpone. Motion carried.

**RESOLUTIONS COMMITTEE RECOMMENDATION:** Indefinitely postpone.

**2018 CONFERENCE ACTION:**

**Caption:**

Agriculture, Environment, and Land Use

# Wisconsin Counties Association

## 2018 Conference Resolution 12

Offered for consideration this 23rd Day of September, 2018 by  
**Eau Claire County**

Relating to

### Supporting an Increase in Payment in Lieu of Taxes (PILT) for County Forest Lands

WHEREAS, collectively, counties manage nearly 2.4 million acres of land in Wisconsin, making county forests the largest public ownership in the state; and

WHEREAS, the State of Wisconsin currently provides \$ .30 per acre to towns with county forest property enrolled in the County Forest Land (CFL) program; and

WHEREAS, this \$ .30 per acre goes to pay for town roads, elections and emergency services; and

WHEREAS, the rate of \$.30 per acre was set in 1989 and has not changed over the past 28 years; and

WHEREAS, costs to provide road, election and emergency services have increased dramatically since 1989; and

WHEREAS, the Federal Forest Payment In Lieu of Taxes are \$2 per acre; and

WHEREAS, the State of Wisconsin pays on average at least \$10 per acre for lands not on the tax roll but owned by the State.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby support an increase in the fee paid to towns from \$.30 to \$2 per acre for County Forest Land enrolled in the CFL program.

**STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:**

Refer to the Board of Directors.

**RESOLUTIONS COMMITTEE ACTION:** Motion by M. Anderson, second by Taylor, to adopt Resolutions 12 and 13. Motion carried.

**RESOLUTIONS COMMITTEE RECOMMENDATION:** Adopt.

2018 Conference Resolution 12

2018 CONFERENCE ACTION:

Caption:

- II.I.10. Support an increase in the fee paid to towns for county forest land enrolled in the county forest land program.

Agriculture, Environment, and Land Use



# Wisconsin Counties Association

## 2018 Conference Resolution 13

Offered for consideration this 23rd Day of September, 2018 by  
**Bayfield County**

Relating to

### Increasing the Payments to Towns with County Forest Land From \$.30 to \$2.00 Per Acre

WHEREAS, the State of Wisconsin has 29 counties with 2.4 million acres of county forest land; and

WHEREAS, county forest lands are entered under Wisconsin State Statute 28.11 County Forest Law, which outlines the framework for county forest management; and

WHEREAS, Wisconsin State Statute 28.11 requires compensation and a reasonable revenue to towns; and

WHEREAS, the state currently provides a payment of \$.30 per acre to local units of government containing county forest lands; and

WHEREAS, this amount was established in 1989 and has not increased in 30 years; and

WHEREAS, payments for national forest lands are approximately \$2.00 per acre to local units of government; and

WHEREAS, these payments to towns help maintain forest roads providing access into the county forest; and

WHEREAS, the DNR is willing to consider a budgetary fix to this issue.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby support increased PILT payments to counties with county forest lands to \$2.00 per acre.

**STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:**

Refer to the Board of Directors.

**RESOLUTIONS COMMITTEE ACTION:** Motion by M. Anderson, second by Taylor, to adopt Resolutions 12 and 13. Motion carried.

2018 Conference Resolution 13

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

II.I.10. Support an increase in the fee paid to towns for county forest land enrolled in the county forest land program.

Agriculture, Environment, and Land Use

# Wisconsin Counties Association

## 2018 Conference Resolution 14

Offered for consideration this 23rd Day of September, 2018 by  
**La Crosse County**

Relating to

### Requesting Increased Funding and Oversight Reforms for Wisconsin's Child Protective Services System

WHEREAS, the Wisconsin child welfare system is county-operated and state-supervised, except Milwaukee County, where the system is administered by the Wisconsin Department of Children and Families (DCF), Division of Milwaukee Child Protective Services (DMCPS); and

WHEREAS, DCF provides insufficient funding to counties for the provision of child abuse and neglect services including prevention, investigation, treatment, and out-of-home placement costs, though the state has primary responsibility for compliance with federal requirements and shares liability for ensuring the system is meeting its obligations to children and families in all 72 counties; and

WHEREAS, in recent years the state of Wisconsin added numerous mandates and practice expectations which increased county child protective services (CPS) workload and costs; and

WHEREAS, the opioid and methamphetamine epidemics have brought Wisconsin's child welfare system to a point of crisis, with increasing concern about the system's ability to meet its obligations to children and families; and

WHEREAS, the capacity for counties to continue to bear the lion's share of financial responsibility to address this crisis has been exhausted, as rising county contributions to the CPS system have far outpaced increases to the DCF Children and Family Aids allocation and counties have used reserve funding to cover CPS expenses and increase staffing; and

WHEREAS, maintaining sufficient resources for Wisconsin's child welfare system is critical to secure the safety and future of our most vulnerable children; and

WHEREAS, without a proportional increase in the DCF Children and Family Services allocation, the CPS system has been stressed for over a decade, causing caseloads for CPS workers to grow to unreasonable levels, contributing to high levels of staff turnover in some counties and an overrun of out-of-home care costs above what counties can sustain within available resources; and

## 2018 Conference Resolution 14

WHEREAS, Wisconsin's CPS system leaves significant gaps in state-level oversight for all counties except Milwaukee County, including the absence of caseload standards, no process for regular legislative evaluation and prioritization of CPS needs and the absence of a legislative committee that provides regular policy guidance concerning CPS system issues such as adequate funding, performance, cost sharing and long-term stability; and

WHEREAS, along with DMCPs, all eleven of Wisconsin's peer states with county-administered CPS systems have either adopted caseload standards for CPS caseworkers, completed thorough workload studies as a basis of determining funding needs, or otherwise have made significant recommendations related to keeping CPS workloads manageable; and

WHEREAS, the children within Wisconsin's CPS system are too important to allow the current level of under resourcing, oversight gaps and disparity of attention given to DMCPs compared to the rest of the state to continue, while shifting the burden to property taxpayers.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby request that the state of Wisconsin increase Children and Family Aids Allocation funding to counties in the 2019-21 Biennial Budget in order to cover a greater share of out-of-home care costs and to implement caseload standards based on the methodology developed by the Wisconsin County Human Services Association (WCHSA) to evaluate the necessary staffing resources for Wisconsin's CPS system to meet its obligations; and

BE IT FURTHER RESOLVED that the Wisconsin Counties Association urges the state of Wisconsin to close critical oversight gaps by creating legislative mechanisms to review CPS resource needs of ~~the 71 non-Milwaukee~~ *all* counties as part of the biennial budget process and ensure an appropriate committee provide ongoing policy guidance to respond to emerging CPS trends and ongoing system needs.

**STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:**

Adopt.

**RESOLUTIONS COMMITTEE ACTION:** Motion by Johnson, second by Ostness, to adopt. Motion by Lipscomb, Sr., second by Corrigan, to amend the second resolved clause to strike the words "the 71-non-Milwaukee" and replace with "all." Motion carried. Resolution adopted as amended.

**RESOLUTIONS COMMITTEE RECOMMENDATION:** Adopt as amended by the Resolutions Committee.

**2018 CONFERENCE ACTION:**

## 2018 Conference Resolution 14

### Captions:

- III.B.1.c. Increase funding to counties in the Children and Family Aids allocation to assist counties in serving the increasing number of children and families in the child welfare system.
- III.B.1.d. Support the use of caseload standards developed by the Wisconsin County Human Services Association (WCHSA) to evaluate the necessary staffing resources for Wisconsin's CPS system to meet its obligations.
- III.B.1.e. Urge the state of Wisconsin to close critical oversight gaps by creating legislative mechanisms to review the CPS resource needs of all counties as part of the biennial budget process and ensure an appropriate committee provide ongoing policy guidance to respond to emerging CPS trends and ongoing system needs.

# Wisconsin Counties Association

## 2018 Conference Resolution 15

Offered for consideration this 23rd Day of September, 2018 by

### Waushara County

Relating to

## Supporting the Caregiver Advise, Record, Enable (CARE) Act, a Tax Credit for Family Caregivers & Expanding Dementia Care Specialist Services

WHEREAS, in Wisconsin nearly 600,000 people are providing care to a loved one at home; and

WHEREAS, the population continues to age and as such the number of people who will need assistance to stay in their home and community either due to dementia impacts and/or physical limitations will continue to increase; and

WHEREAS, family caregivers are an integral part in maintaining people in their homes and community by providing help with bathing, dressing, feeding, medication management, transportation, communicating with physicians, providing medical histories, ensuring follow-up care and much more; and

WHEREAS, the services that family caregivers provide reduce health care and long-term care systems costs benefiting the community as a whole; and

WHEREAS, family caregivers need support and assistance to be able to meet their own needs while continuing to provide these necessary and cost-effective services.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby support current family caregivers and future caregivers and therefore does support the Wisconsin Legislature's passage of the Caregiver Advise, Record, Enable (CARE) Act, thereby joining 39 other states that have already done so; and

BE IT FURTHER RESOLVED that the Wisconsin Counties Association supports passing of legislation to provide family caregivers with a state income tax credit for family members who spend and utilize personal resources, and to expand dementia care specialist services statewide in order that all individuals with dementia and their caregivers have access to Dementia Care Specialist services no matter where they live.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Adopt.



## 2018 Conference Resolution 15

RESOLUTIONS COMMITTEE ACTION: Motion by Kalata, second by Nooyen, to adopt.  
Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:Captions:

- III.I.4. Support continued state funding for dementia care specialist positions in ADRCs; support increased funding to ensure all ADRCs have access to a dementia care specialist.
- III.I.6. Support options to alleviate the caregiver workforce crisis, including supporting the adoption of the Caregiver, Advise, Record, Enable (CARE) Act in Wisconsin.
- III.I.7. Support legislation to provide family caregivers who spend and utilize personal resources with a state income tax credit.

Health and Human Services

# Wisconsin Counties Association

## 2018 Conference Resolution 16

Offered for consideration this 23rd Day of September, 2018 by

**Eau Claire County**

Relating to

### Requesting the State Legislature to Explore all Solutions Including Legislation to Address the Long-Term Care Workforce Crisis

WHEREAS, the State of Wisconsin is currently experiencing a long-term care workforce crisis; and

WHEREAS, more than 16,000 caregiver positions remain vacant in Wisconsin with 54% of this workforce crisis is causing providers of long-term care services to vacant positions receiving no applicants and 83% receiving no qualified applicants; and have to limit admissions despite the need for services increasing nearly 25%; and

WHEREAS, in Wisconsin nearly 600,000 people are providing care to a loved one at home; and

WHEREAS, the caregiver workforce crisis will continue to place additional strain on family caregivers; and

WHEREAS, family caregivers and in-home care workers are an integral part in maintaining people in their homes and community which reduces health care and long-term care system costs which benefits the community as a whole.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby urge the State of Wisconsin to explore all possible solutions to address this crisis including support for legislation such as the CARE Act which supports family caregivers.

#### STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Corrigan, second by Johnson, to adopt.

Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 Conference Resolution 16

2018 CONFERENCE ACTION:

Caption:

- III.I.6. Support options to alleviate the caregiver workforce crisis, including supporting the adoption of the Caregiver, Advise, Record, Enable (CARE) Act in Wisconsin.

Health and Human Services

# Wisconsin Counties Association

## 2018 Conference Resolution 17

Offered for consideration this 23rd Day of September, 2018 by  
**Walworth County**

Relating to

### Opposing the Reallocation of Current Aging and Disability Resource Center (ADRC) Funding

WHEREAS, the Aging and Disability Resource Center (ADRC) is funded through State General Purpose Revenue, federal matching revenues and local tax levy; and

WHEREAS, the funding base was established in 2010; and

WHEREAS, the Health and Human Services Department participates in 100% time reporting to maximize our federal matching dollars; and

WHEREAS, the Health and Human Services Department, as part of its 2017 budget, allocated \$138,831 in tax levy to offset our costs as a result of increased federal match; and

WHEREAS, developing a funding floor for all counties would adversely impact the allocation for Walworth County; and

WHEREAS, incentivizing regional ADRCs does not provide for a local presence within communities and would decrease access for Walworth County citizens; and

WHEREAS, having the state develop a contingency fund to mitigate the impact of unanticipated expenses would not assure access to necessary funds; and

WHEREAS, the aging population is expected to grow significantly as a percentage of our general population; and

WHEREAS, Walworth County Health and Human Services anticipates an expanded service need for its citizens; and

WHEREAS, loss of General Purpose Revenue would reduce the ability of the ADRC to meet the growing needs of our community.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby oppose any reallocation of General Purpose Revenues that would reduce current funding levels for ADRCs; and

2018 Conference Resolution 17

BE IT FURTHER RESOLVED that the Wisconsin Counties Association requests additional federal and state funding as it becomes available, be added to support current funding levels.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Refer to the Board of Directors.

RESOLUTIONS COMMITTEE ACTION: Motion by Rothstein, second by S. Anderson, to refer to the Board of Directors. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Refer to the Board of Directors.

2018 CONFERENCE ACTION:

Caption:

Health and Human Services

# Wisconsin Counties Association

## 2018 Conference Resolution 18

Offered for consideration this 23rd Day of September, 2018 by

### Outagamie County

Relating to

### CNA Training

WHEREAS, legislation has been introduced by the Wisconsin State Legislature to amend state statutes relating to hours of instructional program required for certified nursing assistants (CNAs); and

WHEREAS, this legislation conforms state law for instructional programs for CNAs to the federal law requirements for Medicare and Medicaid; and

WHEREAS, specifically, the proposal prohibits the Department of Health Services from requiring an instructional program to exceed the federal required minimum total training hours specified in the federal regulation; and

WHEREAS, current federal regulation requires 75 hours of training, whereas the state requires 120 hours of classroom instruction and 32 hours of clinical training, making it difficult to train and recruit qualified CNAs; and

WHEREAS, current state requirements are placing facilities at a disadvantage as neighboring states mirror the federal standard.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby request that the State of Wisconsin amend state statutes to mirror federal requirements for CNA training.

**STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:**

Refer to the Board of Directors.

**RESOLUTIONS COMMITTEE ACTION:** Motion by Nooyen, second by Johnson, to adopt.  
Motion carried.

**RESOLUTIONS COMMITTEE RECOMMENDATION:** Adopt.

**2018 CONFERENCE ACTION:**

**Caption:**



2018 Conference Resolution 18

III.A.3. Support legislation that modifies CNA training standards in Wisconsin so that they mirror federal requirements.

Health and Human Services

# Wisconsin Counties Association

## 2018 Conference Resolution 19

Offered for consideration this 23rd Day of September, 2018 by  
**Bayfield County**

Relating to

### Emergency Medical Response: A Rural Crisis

WHEREAS, Bayfield County is a very rural area with less than 10 people per square mile;  
 and

WHEREAS, a large portion of the ambulance and emergency medical response within the  
 county is volunteer; and

WHEREAS, increasingly, rural areas like ours are having more and more difficulty in  
 recruiting and retaining volunteer emergency responders, resulting in longer response times; and

WHEREAS, increasingly, neighboring services are called upon to respond in these  
 emergency situations because of the shortage of local volunteers.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in  
 conference assembled, does hereby support legislation that would afford emergency medical and  
 ambulance volunteers special tax status; and

BE IT FURTHER RESOLVED that emergency medical and ambulance volunteers also be  
 afforded state tax credits in the amount of \$30 per call.

**STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:**  
 Refer to the Board of Directors.

**RESOLUTIONS COMMITTEE ACTION:** Motion by Jepsen, second by Kalata, to refer to the  
 Board of Directors. Motion carried.

**RESOLUTIONS COMMITTEE RECOMMENDATION:** Refer to the Board of Directors.

**2018 CONFERENCE ACTION:**

**Caption:**

Judicial and Public Safety

# Wisconsin Counties Association

## 2018 Conference Resolution 20

Offered for consideration this 23rd Day of September, 2018 by

### Outagamie County

Relating to

## Supporting Legislation to Create an Independent Prosecutor Board

WHEREAS, legislation has been introduced to aid prosecutors across the state by the creation of an independent eleven-member prosecutor board that oversees and sets policies for a state prosecutor's office, also created in this bill; and

WHEREAS, the prosecutor board will consist of district attorneys, prosecutors, and the Attorney General (or his designee); and

WHEREAS, under this bill, the executive director of the state prosecutor's office, amongst other duties, represents the board before the governor, the legislature, bar associations and courts; and

WHEREAS, additionally, the state prosecutor's office will assume duties relating to district attorneys that current law assigns to the Department of Administration (DOA); and

WHEREAS, this bill requires DOA to provide the state prosecutors office with general access to a case management system currently used by the Department of Justice to manage case-related information and to share the information among prosecutors.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby support legislation to create an independent prosecutor board that oversees and sets policies for a state prosecutor's office, also created in this bill, that will assume duties relating to district attorneys that current law assigns to the Department of Administration; and

BE IT FURTHER RESOLVED that the Wisconsin Counties Association supports legislation that requires the Department of Administration to provide the State Prosecutors Office with general access to a case management system currently used by the Department of Justice.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Indefinitely postpone.

2018 Conference Resolution 20

RESOLUTIONS COMMITTEE ACTION: Motion by Nooyen, second by Jepsen, to adopt.  
Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Captions:

- IV.C.3.e. Support the creation of an independent state prosecutors board and office.
- IV.C.3.f. Support legislation that requires the Department of Administration to provide the State Prosecutors office with general access to the case management system currently used by the Department of Justice.

Judicial and Public Safety

# Wisconsin Counties Association

## 2018 Conference Resolution 21

Offered for consideration this 23rd Day of September, 2018 by

### Outagamie County

Relating to

## Legislation that Makes Changes to the Requirements for Claims for State Compensation by Wrongfully Imprisoned Persons

WHEREAS, legislation has been introduced to make changes to the requirements for claims for state compensation by wrongfully imprisoned persons; and

WHEREAS, under current law, the state claims board is directed to hear petitions for compensation by persons who are released from imprisonment for crimes of which they claim to be innocent; and

WHEREAS, if the board finds that the petitioner was innocent, the board must award the petitioner compensation not to exceed \$25,000 total nor more than \$5,000 for each year of imprisonment, such amount to include any expenses for attorney fees, costs, and disbursements incurred by the petitioner, and such award to be paid from the state general purpose revenues; and

WHEREAS, the proposed legislation provides that when the claims board receives a claim for wrongful imprisonment, the board must refer the petition to the Division of Hearings and Appeals in the Department of Administration (DOA) who in turn files a written request with the claims board for a hearing; and

WHEREAS, if compensation is awarded to the petitioner, such compensation is fixed at a rate of \$50,000 per year, prorated daily, with a \$1,000,000 limit on the total amount of an award; and

WHEREAS, each award must include reimbursement for reasonable, actual attorney fees, and all costs and disbursements incurred by the petitioner in his or her defense, post-conviction, and compensation proceedings and all fees, surcharges, and restitution paid by the petitioner as a result of his or her arrest and imprisonment; and

WHEREAS, the \$50,000 annual rate is subject to annual adjustments based on changes in the cost of living; and

## 2018 Conference Resolution 21

WHEREAS, proposed legislation provides that no person may file a claim for wrongful imprisonment, or be paid an award for wrongful imprisonment, if the imprisoned person is also imprisoned for a conviction for a felony arising from the same course of conduct that resulted in conviction for the crime or if the imprisoned person is convicted of a violent crime, after his or her release from imprisonment; and

WHEREAS, proposed legislation states if a person who is awarded compensation owes money for outstanding restitution, court fees, and fines, the claims board must withhold and deduct from the compensation award any such money that is owed; and

WHEREAS, proposed legislation extends the statute of limitations for a civil claim for damages brought by a person who was injured because of an intentional tort that resulted in an earlier criminal conviction; and

WHEREAS, additionally, an injured person may bring a claim within three years, or within one year after a defendant receives compensation for wrongful imprisonment.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby support legislation that makes changes to the requirements for claims for state compensation by wrongfully imprisoned persons.

**STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:**  
Indefinitely postpone.

**RESOLUTIONS COMMITTEE ACTION:** Motion by Frohling, second by Gove, to indefinitely postpone. Motion carried.

**RESOLUTIONS COMMITTEE RECOMMENDATION:** Indefinitely postpone.

**2018 CONFERENCE ACTION:**

**Caption:**

Judicial and Public Safety



# Wisconsin Counties Association

## 2018 Conference Resolution 22

Offered for consideration this 23rd Day of September, 2018 by

### Outagamie County

Relating to

## Opposing Any Legislation That Automatically Revokes a Person's Probation if that Person is Charged with a Crime

WHEREAS, legislation has been introduced to amend the state statutes to require the Department of Corrections (DOC) to recommend revoking a person's extended supervision, parole or probation if the person is charged with a crime while on extended supervision, parole, or probation; and

WHEREAS, this legislation, as drafted, could result in predictable unjust outcomes causing increased incarceration at an increased cost to the state and counties; and

WHEREAS, the DOC estimates this legislation could result in an increase of 5,570 revocation cases each year; and

WHEREAS, this means 5,570 more individuals would be occupying county jails without reimbursement from the DOC; and

WHEREAS, essentially this bill is an unfunded mandate to Wisconsin county jails; and

WHEREAS, in addition, it is estimated that this bill could result in increased operations costs (excluding possible construction costs) to the DOC of \$51.9 million during the first year of enactment and permanent increased operations costs of approximately \$149.3 million after the population is annualized during the second year of enactment.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby oppose any legislation that automatically revokes a person's probation if that person is charged with a crime.

### STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Rothstein, second by Johnson, to adopt. Motion carried.

2018 Conference Resolution 22

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

IV.G.9. Oppose legislation that automatically revokes a person's probation, parole, or extended supervision if that person is charged with a crime.

Judicial and Public Safety

# Wisconsin Counties Association

## 2018 Conference Resolution 23

Offered for consideration this 23rd Day of September, 2018 by

### Outagamie County

Relating to

## Legislation Reducing the Forfeiture to \$100 for Possessing or Attempting to Possess Not More Than 10 Grams of Marijuana

WHEREAS, current law prohibits a person from possessing or attempting to possess marijuana; and

WHEREAS, a person who is convicted of violating the prohibition may be fined not more than \$1,000 or imprisoned for not more than six months, or both, for a first conviction and is guilty of a Class I felony for a second or subsequent conviction; and

WHEREAS, proposed legislation reduces the forfeiture to \$100 for possessing or attempting to possess not more than 10 grams of marijuana and eliminates the increase in penalty if second or subsequent violations involve not more than 10 grams of marijuana; and

WHEREAS, this resolution supports reducing the forfeiture to \$100 for possessing or attempting to possess not more than 10 grams of marijuana and eliminating the increase in penalty if second or subsequent violations involve not more than 10 grams of marijuana.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby support any legislation reducing the forfeiture to \$100 for possessing or attempting to possess not more than 10 grams of marijuana and eliminating the increase in penalty if second or subsequent violations involve not more than 10 grams of marijuana.

#### STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Indefinitely postpone.

RESOLUTIONS COMMITTEE ACTION: Motion by Nooyen, second by S. Anderson, to adopt. Motion failed 9-9. Motion by M. Anderson, second by Nooyen, to refer to the Board of Directors. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Refer to the Board of Directors.

#### 2018 CONFERENCE ACTION:

#### Caption:

# Wisconsin Counties Association

## 2018 Conference Resolution 24

Offered for consideration this 23rd Day of September, 2018 by  
**Outagamie County**

Relating to

### Proposed Legislation to Allow a Person, Meeting Certain Requirements, to File a Petition for Expungement with the Sentencing Court After He or She Completes Their Sentence

WHEREAS, under current law, a court may order a person's criminal record expunged of certain crimes that a person committed before the age of 25; and

WHEREAS, the expungement order must be made only at sentencing and the record is expunged upon completion of the sentence; and

WHEREAS, a proposal is being considered to allow the person to file a petition with the sentencing court after he or she completes their sentence; and

WHEREAS, upon receipt of the petition, the court must review the petition at a hearing or, if the victim of the crime waives a hearing, without a hearing, may then order the record expunged or may deny the petition; and

WHEREAS, if the petition is denied, the person may not file another petition for two years.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby support proposed legislation to allow a person, meeting certain requirements, to file a petition for expungement with the sentencing court after he or she completes their sentence; and

BE IT FURTHER RESOLVED that the Wisconsin Counties Association does support permitting a person whose petition is denied to file another petition in two years.

#### STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Jepsen, second by Ostness, to adopt Resolutions 24 and 25. Motion carried.

## 2018 Conference Resolution 24

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

IV.C.6.c. Support legislation allowing a person who meets statutory requirements to file a petition for expungement with the sentencing court after he or she completes their sentence. Support permitting a person whose petition is denied to file another petition in two years.

Judicial and Public Safety

# Wisconsin Counties Association

## 2018 Conference Resolution 25

Offered for consideration this 23rd Day of September, 2018 by  
**Walworth County**

Relating to

### Supporting Proposed Legislation Allowing a Person Who Meets Certain Requirements to File a Petition for Expungement with the Sentencing Court After Completion of Their Sentence

WHEREAS, under current law, a court may order a person's criminal record expunged of certain crimes that a person committed before the age of 25; and

WHEREAS, the expungement order must be made only at sentencing and the record is expunged upon completion of the sentence; and

WHEREAS, there is proposed legislation to allow the person to file a petition with the sentencing court after he or she completes their sentence; and

WHEREAS, upon receipt of the petition, the court must review the petition at a hearing or, if the victim of the crime waives a hearing, without a hearing, the court may then order the record expunged or may deny the petition; and

WHEREAS, if the petition is denied, the person may not file another petition for two years.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby support proposed legislation allowing a person who meets certain requirements to file a petition for expungement with the sentencing court after he or she completes their sentence and permitting a person whose petition is denied to file another petition in two years.

**STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:**  
 Adopt.

**RESOLUTIONS COMMITTEE ACTION:** Motion by Jepsen, second by Ostness, to adopt Resolutions 24 and 25. Motion carried.

**RESOLUTIONS COMMITTEE RECOMMENDATION:** Adopt.



2018 Conference Resolution 25

2018 CONFERENCE ACTION:

Caption:

IV.C.6.c. Support legislation allowing a person who meets statutory requirements to file a petition for expungement with the sentencing court after he or she completes their sentence. Support permitting a person whose petition is denied to file another petition in two years.

Judicial and Public Safety

# Wisconsin Counties Association

## 2018 Conference Resolution 26

Offered for consideration this 23rd Day of September, 2018 by

### Outagamie County

Relating to

## Expansion of the Department of Justice Administrative Subpoena Process

WHEREAS, currently, the Department of Justice may issue administrative subpoenas to providers of electronic communication or remote computing services to aid in the investigation of Internet crimes against children; and

WHEREAS, the Wisconsin Department of Justice has requested legislation in order to provide a necessary and effective tool to combat human trafficking; and

WHEREAS, legislation has been introduced to expand the administrative subpoena process to include hotels as possible recipients of administrative subpoenas and to include human trafficking crimes as violations for which an administrative subpoena may be issued.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby support legislation to expand the Department of Justice administrative subpoena process to include hotels as possible recipients of administrative subpoenas, and to include human trafficking crimes as violations for which an administrative subpoena may be issued.

**STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:**  
Indefinitely postpone.

**RESOLUTIONS COMMITTEE ACTION:** Motion by Taylor, second by Frohling, to indefinitely postpone. Motion carried.

**RESOLUTIONS COMMITTEE RECOMMENDATION:** Indefinitely postpone.

**2018 CONFERENCE ACTION:**

**Caption:**

Judicial and Public Safety

# Wisconsin Counties Association

## 2018 Conference Resolution 27

Offered for consideration this 23rd Day of September, 2018 by

### Outagamie County

Relating to

## Opposing Any Legislation Proposing the Selling of the Current Green Bay Correctional Institution and Building a New, Privately-Owned Facility

WHEREAS, a proposal has been submitted that requires the Department of Administration (DOA) to solicit public bids to sell the Green Bay Correctional Institution and other specified parcels of land in the Village of Allouez; and

WHEREAS, the proposal further requires the DOA to solicit bids for a contract to build per DOA's specifications, and lease to the state with an option to purchase, a prison facility in Brown County or in an adjacent county to have an occupancy date of no later than November 1, 2022; and

WHEREAS, the proposal further requires that the facility be managed and staffed by employees of the Department of Corrections; and

WHEREAS, the DOA must enter into a lease with the purchaser of the Green Bay Correction Institution that will allow the state to continue to use the institution and property until the occupancy date of the new facility; and

WHEREAS, if the state purchases the new facility, the state will make an annual payment to the municipality where the facility is located equal to the property taxes paid by the owner of the facility for the last year in which the property was subject to taxation.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby oppose any legislation proposing the selling of the current Green Bay Correctional Institution and building a new, privately-owned facility; and

BE IT FURTHER RESOLVED that the Wisconsin Counties Association does encourage the Governor to require the creation of an inventory of facilities with open and rentable jail beds.

### STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Indefinitely postpone.

2018 Conference Resolution 27

RESOLUTIONS COMMITTEE ACTION: Motion by Corrigan, second by Frohling, to indefinitely postpone Resolutions 27 and 28. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Indefinitely postpone.

2018 CONFERENCE ACTION:

Caption:

Judicial and Public Safety

# Wisconsin Counties Association

## 2018 Conference Resolution 28

Offered for consideration this 23rd Day of September, 2018 by

### Walworth County

Relating to

## Opposing any Legislation Proposing the Selling of the Current Green Bay Correctional Institution and Building a New, Privately-Owned Facility

WHEREAS, a proposal has been submitted that requires the Department of Administration (DOA) to solicit public bids to sell the Green Bay Correctional Institution and other specified parcels of land in the Village of Allouez; and

WHEREAS, the proposal further requires the DOA to solicit bids for a contract to build per DOA's specifications, and lease to the state with an option to purchase, a prison facility in Brown County or in an adjacent county to have an occupancy date of no later than November 1, 2022; and

WHEREAS, the proposal further requires that the facility be managed and staffed by employees of the Department of Corrections; and

WHEREAS, the DOA must enter into a lease with the purchaser of the Green Bay Correctional Institution that will allow the state to continue to use the institution and property until the occupancy date of the new facility; and

WHEREAS, if the state purchases the new facility, the state will make an annual payment to the municipality where the facility is located equal to the property taxes paid by the owner of the facility for the last year in which the property was subject to taxation.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby oppose any legislation proposing the selling of the Green Bay Correctional Institution and building a new, privately-owned facility; and

BE IT FURTHER RESOLVED that the Wisconsin Counties Association does encourage the Governor to require the creation of an inventory of facilities with open and rentable jail beds.

### STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Indefinitely postpone.

2018 Conference Resolution 28

RESOLUTIONS COMMITTEE ACTION: Motion by Corrigan, second by Frohling, to indefinitely postpone Resolutions 27 and 28. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Indefinitely postpone.

2018 CONFERENCE ACTION:

Caption:

Judicial and Public Safety



# Wisconsin Counties Association

## 2018 Conference Resolution 29

Offered for consideration this 23rd Day of September, 2018 by  
**Waushara County**

Relating to

### Requesting the State of Wisconsin Fully Fund Treatment Courts

WHEREAS, in a joint effort, counties and the State of Wisconsin have made a commitment to providing treatment and high accountability to drug and OWI offenders through the establishment of treatment courts; and

WHEREAS, the opioid epidemic has reached staggering levels throughout the State of Wisconsin, forcing government to respond in a manner which is most likely to have long term, positive results; and

WHEREAS, treatment courts have received national attention as an effective treatment strategy for criminal offenders with substance abuse diagnoses; and

WHEREAS, counties and other State agencies already contribute to supporting treatment courts with a 25% match and countless, uncompensated hours from the Circuit Court Judge, Clerk of Courts, District Attorney, Human Services, Sheriff's Department, Public Defenders, and Probation and Parole.

NOW, THEREFORE, BE IT RESOLVED, that the Wisconsin Counties Association, in conference assembled, does hereby request that:

1. Wisconsin find and maintain funding for all counties who are setting up, running, and maintaining treatment courts according to nationally recognized standards.
2. Wisconsin ensure that treatment courts are fully funded, through State administered grants, federal funding, or State tax dollars, at no expense to counties other than their 25% match.
3. "Fully funded" includes adequate money for all drug/alcohol tests, treatment, and assessments as needed for individual participants. It also includes paying for all staff costs, including benefits, all required training for treatment court panel members, operating expenses (including supplies and postage), and incentives and educational materials for participants.
4. Wisconsin carefully consider counties' requests for expansion of treatment court programs for other special populations, such as Family Treatment Court programs and treatment court programs for Veterans, and fully fund them.

## 2018 Conference Resolution 29

5. Clear, consistent, succinct rules and regulations for treatment court program administration are established, written, published, and distributed. Counties receive adequate support in successfully running treatment court programs.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Ostness, second by Nooyen, to adopt.  
Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

IV.F.10. Support the following:

- a. Wisconsin find and maintain funding for all counties who are setting up, running, and maintaining treatment courts according to nationally recognized standards.
- b. Wisconsin ensure that treatment courts are fully funded, through State administered grants, federal funding, or State tax dollars, at no expense to counties other than their 25% match.
- c. "Fully funded" includes adequate money for all drug/alcohol tests, treatment, and assessments as needed for individual participants. It also includes paying for all staff costs, including benefits, all required training for treatment court panel members, operating expenses (including supplies and postage), and incentives and educational materials for participants.
- d. Wisconsin carefully consider counties' requests for expansion of treatment court programs for other special populations, such as Family Treatment Court programs and treatment court programs for Veterans, and fully fund them.
- e. Clear, consistent, succinct rules and regulations for treatment court program administration are established, written, published, and distributed. Counties receive adequate support in successfully running treatment court programs.

# Wisconsin Counties Association

## 2018 Conference Resolution 30

Offered for consideration this 23rd Day of September, 2018 by

### Bayfield County

Relating to

## Requesting Action to Address the Mental Health/Drug Addiction Epidemic in County Jails

WHEREAS, the number of individuals with mental health and drug addiction issues in county jails has dramatically increased over the past decade; and

WHEREAS, those with mental illness need specialized care and attention; and

WHEREAS, demands on county jails is greater than can be sustained; and

WHEREAS, jails are not sufficiently staffed or equipped to manage inmates with mental illness.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby support legislation addressing mental health issues in county jails including:

- That individuals on psychotropic medicines before incarceration be allowed to continue while in jail, with no interruption to funding of those medications if the individual is currently enrolled in a state program which provides that resource.
- That funding of alternatives to incarceration for individuals with mental illness be established by the Wisconsin Department of Justice.
- That increased state Department of Corrections funding be made available for crisis intervention utilizing licensed mental health professionals that hold prescribing licensure.

### STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Kalata, second by Brault, to adopt.  
Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

## 2018 Conference Resolution 30

Caption:

IV.E.2.c. Support legislation addressing mental health issues in county jails including:

- That individuals on psychotropic medicines before incarceration be allowed to continue while in jail, with no interruption to funding of those medications if the individual is currently enrolled in a state program which provides that resource.
- That funding of alternatives to incarceration for individuals with mental illness be established by the Wisconsin Department of Justice.
- That increased state Department of Corrections funding be made available for crisis intervention utilizing licensed mental health professionals that hold prescribing licensure.

Judicial and Public Safety

# Wisconsin Counties Association

## 2018 Conference Resolution 31

Offered for consideration this 23rd Day of September, 2018 by

### Walworth County

Relating to

## Supporting Proposed Legislation Permitting Inmates Confined to County Jails Under a Department of Corrections Contract to Leave the Facility to Participate in Employment-Related Activities

WHEREAS, legislation has been proposed to allow the Department of Corrections to contract with county jails to send inmates back to their county of origin to participate in local work release or other approved programs; and

WHEREAS, the intention is to allow inmates with a good record of behavior and completion of training programs that are close to their release date to return to their county of origin, establish a relationship with a local employer, and ease the overall process of re-entry upon release; and

WHEREAS, participation would be optional for county sheriffs, tribal jails, and houses of correction; and

WHEREAS, if county sheriffs, tribal jails, and houses of correction choose to participate, the contractual obligations of the Department of Corrections and the county would be articulated in a memorandum of understanding.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby support proposed 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 designated by the Department of Corrections in its contract with the local unit of government.

### STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Jepsen, second by Larson, to adopt.

Motion carried.

2018 Conference Resolution 31

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

IV.E.4.b. Support 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 designated by the Department of Corrections in its contract with the local unit of government.

Judicial and Public Safety



# Wisconsin Counties Association

## 2018 Conference Resolution 32

Offered for consideration this 23rd Day of September, 2018 by

### Washington County

Relating to

## Supporting Legislation to Create a Statewide Library System

WHEREAS, Wisconsin's public library system law to provide funding for coordinated regional library services went into effect in 1971; and

WHEREAS, the purpose of the public library system law is to make quality library resources and services readily available to all of the citizens of the State of Wisconsin and to promote the development and improvement of public libraries in order to encourage the most effective use of library resources in the state; and

WHEREAS, Wisconsin currently has 17 public library systems serving 5.6 million people through approximately 388 public libraries; and

WHEREAS, in the last year alone, Washington County subsidized other counties' libraries in the amount of \$134,877; and

WHEREAS, such subsidies which are prevalent throughout the state amount to a backdoor tax; and

WHEREAS, changes in society, resources, and technologies have created new demands and opportunities for public library systems to meet the needs of the people they serve; and

WHEREAS, in light of these changes, there is a need to update, modernize, and redesign Chapter 43 of the Wisconsin Statutes addressing the operation of libraries in order to keep libraries viable and relevant in today's changing world.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby strongly urge the creation of a separate and independent committee from the Public Library Redesign Project to explore merging each of the state's library systems into one statewide system that would result in libraries having access to a larger total collection of materials which could be shared across the system, lower overhead cost by eliminating duplicative services and unnecessary facilities, and by achieving better pricing due to volume, thus saving Wisconsin taxpayers a significant amount of money.

2018 Conference Resolution 32

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Indefinitely postpone.

RESOLUTIONS COMMITTEE ACTION: Motion by Nooyen, second by Rothstein, to indefinitely postpone. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Indefinitely postpone.

2018 CONFERENCE ACTION:

Caption:

Personnel, Finance, and County Organization

# Wisconsin Counties Association

## 2018 Conference Resolution 33

Offered for consideration this 23rd Day of September, 2018 by  
**Door County**

Relating to

### 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, the appearance of buying access to candidates or influencing policy, governance, and judicial decisions because of large outsider donations erodes voter confidence in our elections and democracy; and

WHEREAS, the County of Door has an interest in protecting itself and its citizens against intrusions on local control by mitigating the influence of money and privileged access in state and federal government and elections; and

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; and

WHEREAS, the above-mentioned Supreme Court cases:

- have granted Corporations, Unions, non-profits, and other man-made entities (such as Super-PACs) the same Constitutional protections given only to individual human beings by the Framers of the Constitution; and
- have declared money to be 'free speech'; and

WHEREAS, as of February 15, 2018, 78.9% of Door County municipalities (15/19) have called upon the Door County Board of Supervisors to support their *Resolutions Supporting a Constitutional Amendment to Allow Limits on Campaign Contributions and Conducting a Non-Binding Statewide Referendum*.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby call upon our elected State Assembly Representative and State Senator and on the Wisconsin State Legislature to hold a non-binding statewide referendum asking the voters if they wish the State of Wisconsin to support an Amendment to the United States Constitution stating:

## 2018 Conference Resolution 33

1. Only human beings are endowed with individual constitutional rights not corporations, unions, non-profits or artificial entities (such as SuperPACs).
2. Money is not speech, and therefore limiting political contributions and spending is not equivalent to limiting political speech.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Indefinitely postpone.

RESOLUTIONS COMMITTEE ACTION: Motion by Brault, second by Johnson, to adopt.  
Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

- I.A.5. Support a non-binding statewide referendum asking the voters if they wish the State of Wisconsin to support an amendment to the United States Constitution stating:
1. Only human beings are endowed with individual constitutional rights, not corporations, unions, non-profits or artificial entities (such as SuperPACs).
  2. Money is not speech, and therefore limiting political contributions and spending is not equivalent to limiting political speech.

# Wisconsin Counties Association

## 2018 Conference Resolution 34

Offered for consideration this 23rd Day of September, 2018 by  
**Rock County**

Relating to

### Requesting State Law Change Allowing Counties the Use of the Design-Build Construction Method and Update the Statutory Bidding Requirements

WHEREAS, under Wisconsin Statutes §59.52(29), counties are required to engage in a competitive bidding process on public work construction projects greater than \$25,000 and provide a Class I notice on any public work with a cost between \$5,000-\$25,000; and

WHEREAS, these statutory limits of \$5,000 and \$25,000 have been in place for decades and need to be updated; and

WHEREAS, the State of Wisconsin has recognized the advantages of the Design-Build Method and authorizes that process to be followed for state-controlled building projects and certain other entities; and

WHEREAS, at the current time, Wisconsin counties are not authorized to use the Design-Build Method for construction projects; and

WHEREAS, under the Design-Build Construction Method, counties would contract with a single entity to provide both the design and the construction of a public work project as opposed to having to bid those projects separately; and

WHEREAS, in addition to a single source of responsibility, other advantages of Design-Build include enhanced creativity, guaranteed costs, faster project completion, improved risk management, fewer change orders and less administrative burden.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby request that the Rock County legislators introduce and support legislation authorizing counties to utilize the Design-Build option; and

BE IT FURTHER RESOLVED that the Wisconsin Counties Association requests that the legislature take action to update the antiquated project limit in Wis. Stats. Sec. 59.52(29) from \$25,000 to \$250,000, and the requirement of a Class 1 notice be raised for any public work to a cost in excess of \$50,000.

## 2018 Conference Resolution 34

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Corrigan, second by S. Anderson, to adopt Resolutions 34 and 35. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:Captions:

- I.D.23. Support legislation authorizing counties to use a design and build method of construction.
- I.D.46. Support a change in the competitive bidding statute to raise the threshold to an amount greater than \$25,000.
- I.D.47. Modify Class 1 notice requirements for public works projects such that the threshold for a Class 1 notice be raised to a cost in excess of \$50,000.



# Wisconsin Counties Association

## 2018 Conference Resolution 35

Offered for consideration this 23rd Day of September, 2018 by  
**St. Croix County**

Relating to

### Requesting State Law Change Allowing Counties the Use of the Design-Build Construction Method and Update the Statutory Bidding Requirements

WHEREAS, under Wisconsin Statutes § 59.52(29), counties are required to engage in a competitive bidding process on public work construction projects greater than \$25,000 and provide a Class I notice on any public work with a cost between \$5,000-\$25,000; and

WHEREAS, these statutory limits of \$5,000 and \$25,000 have been in place for decades and need to be updated; and

WHEREAS, the State of Wisconsin has recognized the advantages of the Design-Build Method and authorizes that process to be allowed for state-controlled building projects and certain other entities; and

WHEREAS, at the current time, Wisconsin counties are not authorized to use the Design-Build Method for construction projects; and

WHEREAS, under the Design-Build Construction Method, counties would contract with a single entity to provide both the design and the construction of a public work project as opposed to having bid those projects separately; and

WHEREAS, in addition to a single source of responsibility, other advantages of Design-Build include enhanced creativity, guaranteed costs, faster project completion, improved risk management, fewer change orders and less administrative burden.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby request that the St. Croix County Legislators introduce and support legislation authorizing counties to utilize the Design-Build option; and

BE IT FURTHER RESOLVED that the Wisconsin Counties Association requests that the legislature take action to update the antiquated project limit in Sec. 59.52(29), Stats., from \$25,000 to \$250,000, and the requirement of a Class I notice be raised for any public work to a cost in excess of \$50,000.

## 2018 Conference Resolution 35

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Corrigan, second by S. Anderson, to adopt Resolutions 34 and 35. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:Captions:

- I.D.23. Support legislation authorizing counties to use a design and build method of construction.
- I.D.46. Support a change in the competitive bidding statute to raise the threshold to an amount greater than \$25,000.
- I.D.47. Modify Class 1 notice requirements for public works projects such that the threshold for a Class 1 notice be raised to a cost in excess of \$50,000.

Personnel, Finance, and County Organization

# Wisconsin Counties Association

## 2018 Conference Resolution 36

Offered for consideration this 23rd Day of September, 2018 by

### Burnett County

Relating to

## Recommending Amendment to Wisconsin Statute 59.22

WHEREAS, Wisconsin's elected officers perform admirable work on behalf of the citizens and visitors; and

WHEREAS, Statute 59.22(1)(a)(1) does not allow counties to increase the salary of an elected officer during the term; and

WHEREAS, the work performed by the elected officials often merit an increase.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby recommend to the legislature that the words 'increased nor' be stricken from the law, as follows:

*59.22 Compensation, fees, salaries and traveling expenses of officials and employees. (1) Elected officials (a) 1. The board shall, before the earliest time for filing nomination papers for any elected office to be voted on in the county, other than supervisors and circuit judges, which officer is paid in whole or part from the county treasury, established the total annual compensation for services to be paid to the officer exclusive of reimbursements for expenses out-of-pocket provided for in sub (3). Except as provided in subd. 2, the annual compensation may be established by resolution or ordinance, on a basis of straight salary, fees, or part salary and part fees, it shall be in lieu of all fees, including per diem and other forms of compensation for services rendered, except those specifically reserved to the officer in the resolution or ordinance. The compensation established shall not be diminished during the officer's term and shall remain for ensuing terms unless changed by the board. Court fees shall not be used for compensation for county officers.*

### STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Indefinitely postpone.

RESOLUTIONS COMMITTEE ACTION: Motion by Taylor, second by Frohling, to indefinitely postpone. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Indefinitely postpone.

2018 Conference Resolution 36

2018 CONFERENCE ACTION:

Caption:

Personnel, Finance, and County Organization

# Wisconsin Counties Association

## 2018 Conference Resolution 37

Offered for consideration this 23rd Day of September, 2018 by

### Door County

Relating to

## Opposing the Elimination of the J-1 Visa Program

WHEREAS, the J-1 visa program has a long track record of success, providing an enriching exchange experience to a diverse pool of college and university students from across the globe; and

WHEREAS, the program also plays an important role for local communities across the United States; and

WHEREAS, many businesses in Door County are dependent on the program to meet their seasonal labor needs; and

WHEREAS, many businesses in Door County already have a difficult time filling positions; and

WHEREAS, an estimated 440 students lived and worked in Door County this year; and

WHEREAS, potential economic losses including reduction in hours, salaries, potential close of businesses and loss of tourism revenue could result from the elimination of the program; and

WHEREAS, the program benefits local businesses and adds economic and cultural value to Door County.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby oppose the elimination or any reduction of the J-1 visa program.

**STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:**  
Indefinitely postpone.

**RESOLUTIONS COMMITTEE ACTION:** Motion by Johnson, second by Corrigan, to adopt.  
Motion carried.

**RESOLUTIONS COMMITTEE RECOMMENDATION:** Adopt.

2018 Conference Resolution 37

2018 CONFERENCE ACTION:

Caption:

VIII.B.1. Oppose the elimination or any reduction of the J-1 visa program.

Personnel, Finance, and County Organization



# Wisconsin Counties Association

## 2018 Conference Resolution 38

Offered for consideration this 23rd Day of September, 2018 by  
**La Crosse County**

Relating to

### Wisconsin Worker Shortages and Need for Immigration Reform

WHEREAS, the Department of Health Services, Division of Long Term Care projects the number of individuals over the age of 65 will rise to almost 24% of Wisconsin's population, up from 13.7% in 2010; and

WHEREAS, the 7 Rivers Alliance noted that the local worker shortage in "The Workforce Innovation for a Strong Economy (WISE)" plan indicates that the 7 Rivers Region needs to attract and retain 1,500-2,000 more workers each year during the next decade; and

WHEREAS, U.S. Senator Ron Johnson, Chair of the Senate Homeland Security and Governmental Affairs Committee sent a strong message on the need for more workers during a hearing to discuss bipartisan calls for more visas for temporary foreign workers noting, "There's not one manufacturing plant in Wisconsin, not one dairy farm, not one resort that can hire enough people;" and

WHEREAS, Wisconsin's Public Policy Forum projects a statewide worker shortage of 196,009 by 2024 which does not take into account the many additional job openings that will be created as baby boomers retire, which will contribute to an even larger worker shortage by 2040; and

WHEREAS, Wisconsin's labor force is expected to increase by only 0.2%, while total jobs in the state are expected to increase by 6% between 2014 and 2024; and

WHEREAS, the annual survey by United Van Lines ranks Wisconsin in the top 10 of outbound moves, with 55% of the 2,405 moves being out of Wisconsin; and

WHEREAS, the Public Policy Forum notes that applicants will need training and education to fill job vacancies, so workforce development efforts will need to address that 60% of the projected jobs will require on-the-job training, 10% will require postsecondary training or an Associate's degree and 30% will require a bachelor's degree or higher; and

WHEREAS, the Fiscal Times reports 11 million undocumented immigrants are living in the United States today, accounting for 3.5% of the U.S. population and 5.1% of the U.S. workforce; and

## 2018 Conference Resolution 38

WHEREAS, without the labor of undocumented immigrants, workforce shortages would be even more apparent, affecting farming and Wisconsin's dairy industry; and

WHEREAS, undocumented immigrants paid about \$72 million in state and local taxes in Wisconsin in 2014, according to the Institute on Taxation and Economic Policy. The Institute estimates that if those immigrants were given full legal status, they would have paid nearly \$20 million more.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby encourage the federal government to develop and implement a long-term plan for immigration reform that maximizes legal immigration and improves the visa process for temporary workers as a means to reduce the impact of worker shortages throughout Wisconsin and the nation.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Indefinitely postpone.

RESOLUTIONS COMMITTEE ACTION: Motion by Johnson, second by Corrigan, to adopt.  
Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

- VIII.B.2. Encourage the federal government to develop and implement a long-term plan for immigration reform that maximizes legal immigration and improves the visa process for temporary workers as a means to reduce the impact of worker shortages throughout Wisconsin and the nation.

# Wisconsin Counties Association

## 2018 Conference Resolution 39

Offered for consideration this 23rd Day of September, 2018 by

### Outagamie County

Relating to

## Worker's Compensation for Public Safety Employees Diagnosed with PTSD

WHEREAS, legislation has been introduced to make changes to the conditions of liability for worker's compensation benefits for a law enforcement officer, a firefighter, or a member of emergency services personnel (public safety employee) who is diagnosed with post-traumatic stress disorder (PTSD); and

WHEREAS, the proposed legislation creates a presumption that a diagnosis of PTSD in a public safety employee arises out of the employee's employment for purposes of worker's compensation; and

WHEREAS, under current law, an employer is liable for accidents or diseases of its employees if the accident or disease-causing injury arose out of the employee's employment; and

WHEREAS, proposed legislation provides that, in the case that a public safety employee suffers a mental injury that arises out of his or her employment and results in a diagnosis of PTSD, the employee is not required to show that the mental injury was caused by unusual stress of greater dimensions than the day-to-day emotional strain and tension experienced by similarly situated employees in order for the injury to be compensable under the worker's compensation law; and

WHEREAS, this resolution opposes all legislative proposals that make changes to the conditions of liability for worker's compensation benefits for public safety employees who are diagnosed with PTSD; and

WHEREAS, this legislation, as drafted, presumes that PTSD is due to public safety employment, and therefore, places an unfair burden on counties and local taxpayers.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby oppose all legislative proposals that would make changes to the conditions of liability for worker's compensation benefits for a law enforcement officer, a firefighter, or a member of emergency services personnel (public safety employee) who is diagnosed with post-traumatic stress disorder (PTSD) by presuming that a diagnosis of PTSD in a public safety employee arises out of the employee's employment; and

## 2018 Conference Resolution 39

BE IT FURTHER RESOLVED that the Wisconsin Counties Association does hereby oppose all legislative proposals wherein an employee that has been diagnosed with PTSD is not required to show that their mental injury was caused by unusual stress of greater dimensions than the day-to-day emotional strain and tension experienced by similarly situated employees in order for the injury to be compensable under the worker's compensation law.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Frohling, second by S. Anderson, to adopt. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

- V.C.19. Oppose all legislative proposals that make changes to the conditions of liability for worker's compensation benefits for public safety employees diagnosed with post-traumatic stress disorder (PTSD) by presuming that a diagnosis of PTSD in a public safety employee arises out of the employee's employment.

Personnel, Finance, and County Organization

# Wisconsin Counties Association

## 2018 Conference Resolution 40

Offered for consideration this 23rd Day of September, 2018 by  
**Eau Claire County**

Relating to

### Requesting a Change in Wisconsin Law to Allow the State and Local Governments to Access Wisconsin Retirement Fund Accounts of Public Employees Who are Convicted of Stealing Money from their State or Local Government Employer

WHEREAS, under current Wisconsin law Wisconsin Retirement System (WRS) benefits are accessible only to the person who earned them except in certain situations including some child support orders, payment of delinquent state taxes and when pensions are divided due to divorce; and

WHEREAS, under current Wisconsin law neither the State nor local government entities have any legal authority to access retirement funds of employees convicted of stealing money from the government entity they worked for; and

WHEREAS, as a result Eau Claire County had no legal right to receive any payments from the WRS retirement accounts of former County Treasurer Larry Lokken nor Office Manager Kay Onarheim both of whom were convicted of theft and misconduct in public office and ordered to pay restitution to Eau Claire County in the amount of \$681,846.92.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby request the state legislature to change Wisconsin law to allow the state and local governments to access Wisconsin Retirement System accounts of public employees who are convicted of stealing money from their state or local government employer.

#### STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Johnson, second by Kalata, to adopt.  
 Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

2018 Conference Resolution 40

Caption:

V.B.8. Support legislation to allow state and local governments to access Wisconsin Retirement System (WRS) accounts of public employees who are convicted of stealing money from their state or local government employer.

Personnel, Finance, and County Organization



# Wisconsin Counties Association

## 2018 Conference Resolution 41

Offered for consideration this 23rd Day of September, 2018 by

### St. Croix County

Relating to

## Opposing Sections 52 and 53 of Assembly Bill 456 and Senate Bill 374 Relating to Vehicle Registration Fees

WHEREAS, current federal and state funding for local transportation infrastructure is inadequate; and

WHEREAS, the State has imposed levy limits on local governments, which impacts local spending for transportation needs; and

WHEREAS, current state law allows local governments, including counties, to enact ordinances imposing an annual municipal or county registration fee on all motor vehicles; and

WHEREAS, although state law has allowed local registration fees since 1967, few local governments have imposed local registration fees until relatively recently when more local governments adopted vehicle registration fees to offset shrinking state and federal transportation dollars and to repair deteriorating roads; and

WHEREAS, the fees that are collected are required to be used for transportation-related purposes only; and

WHEREAS, St. Croix County imposed a local registration fee in 2008 to supplement state and federal transportation dollars for the maintenance of the county highway system; and

WHEREAS, Sections 52 and 53 of Assembly Bill 456 and Senate Bill 374 provide that a county or municipal registration fee may be continued or imposed only if approved by a majority of electors voting in a referendum at a regularly scheduled election; and

WHEREAS, Sections 52 and 53 of Assembly Bill 456 and Senate Bill 374, if passed, would require St. Croix County to hold a referendum within 18 months to consider continuing the local registration fee; and

WHEREAS, the registration fee may only continue if such a referendum is approved by a majority of the electorate; and

WHEREAS, this is another attempt to eliminate or reduce local control.

## 2018 Conference Resolution 41

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby strongly oppose Sections 52 and 53 of Assembly Bill 456 and Senate Bill 374, and recommends that Sections 52 and 53 be removed from Assembly Bill 456 and Senate Bill 374 prior to consideration by the Wisconsin State Legislature.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Brault, second by Corrigan, to adopt.  
Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

VII.B.17. Support a county's ability to enact a local vehicle registration fee via ordinance.

Transportation and Public Works

**2018 WCA  
CONFERENCE  
RESOLUTIONS 42~59  
REAFFIRM CURRENT  
POSITIONS OF THE  
WISCONSIN  
COUNTIES  
ASSOCIATION**

# Wisconsin Counties Association

## 2018 Conference Resolution 42

Offered for consideration this 23rd Day of September, 2018 by

### Door County

Relating to

## Maintaining Funding for the Great Lakes Restoration Initiative

WHEREAS, the federal administration has proposed cutting funding for the Great Lakes Restoration Initiative (GLRI); and

WHEREAS, the federally funded GLRI has improved water quality, protected and restored native habitat, cleaned up environmentally-impaired areas of concern, fought invasive species and prevented beach closings; and

WHEREAS, nearly 50 House members, including bi-partisan support from Wisconsin's House members, called for maintaining Great Lakes Restoration Initiative funding at the annual level of \$300 million; and

WHEREAS, GLRI funding has been awarded to Door County since 2010 for invasive species control, outreach, and education; and

WHEREAS, GLRI funding has resulted in significant water quality improvements of Door County beaches; and

WHEREAS, the funding source has been substantial to Door County; funding received for beach restoration from 2010-2015 was \$952,300.00 and funding for invasive species since 2010 was \$199,400.00; and

WHEREAS, GLRI funding supports a thriving agricultural industry and incorporates cost-effective solutions to reduce related non-point source pollution; and

WHEREAS, the GLRI helps bridge the divides between point and non-point source dischargers to achieve improvement in water quality through cooperative solutions; and

WHEREAS, the GLRI supports protection of drinking water sources for those communities who draw their water from the Great Lakes, thus reducing infrastructure costs of water treatment; and

WHEREAS, the GLRI supports a thriving sport fishing industry in the Bay of Green Bay and the Great Lakes.

## 2018 Conference Resolution 42

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby support full funding of \$300 million for the GLRI in the upcoming federal budget.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Nooyen, second by Jepsen, to adopt Resolutions 42-59. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

II.K.17. Support full funding of the Great Lakes Restoration Initiative.

Agriculture, Environment, and Land Use

# Wisconsin Counties Association

## 2018 Conference Resolution 43

Offered for consideration this 23rd Day of September, 2018 by

### Bayfield County

Relating to

## Requesting an Increase in Wisconsin's Medicaid Rates

WHEREAS, the State of Wisconsin has a history of not increasing Medicaid reimbursements at the same rate as Medicaid allowable costs have increased; and

WHEREAS, in 2017 there were 2,340 Medicaid cases serving 3,950 individuals in Bayfield County; and

WHEREAS, that same year, Medicaid funded healthcare services were provided to more than one in four Bayfield County residents; and

WHEREAS, the majority of Wisconsin Medicaid dollars are used to provide healthcare services to seniors and people with disabilities, who represent only about a quarter of the Medicaid population; and

WHEREAS, the general population in Bayfield County is expected to decrease by 8.6%, while its population age 65 and over is anticipated to increase to more than 46% by 2040; and

WHEREAS, workforce shortages in the healthcare industry already exist in Bayfield County and across the State of Wisconsin where the need for additional providers such as registered nurses (RNs), personal care workers (PCWs), and certified nursing assistants (CNAs) is growing critical; and

WHEREAS, additional healthcare workers and providers will be even more desperately needed to address the increasing demands of Bayfield County's growing elderly population; and

WHEREAS, additional healthcare dollars will be needed to provide sufficient incentive to attract and retain healthcare workers in Wisconsin.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby request that the State of Wisconsin increase Medicaid payments to ensure that critical healthcare coverage can be provided to county and state residents in the future.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Adopt.



2018 Conference Resolution 43

RESOLUTIONS COMMITTEE ACTION: Motion by Nooyen, second by Jepsen, to adopt Resolutions 42-59. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

III.C.3.b. Support adequate funding levels for Medicaid services to ensure an adequate number of certified Medicaid providers in Wisconsin.

Health and Human Services

# Wisconsin Counties Association

## 2018 Conference Resolution 44

Offered for consideration this 23rd Day of September, 2018 by

### Outagamie County

Relating to

## Requesting that the State of Wisconsin Increase Nursing Home Rate Incentives in the Next State Biennial Budget

WHEREAS, nursing home rate increases, including Behavioral and Cognitive Impairment incentives, have been addressed in Budget Paper #322; and

WHEREAS, nursing homes provide skilled nursing care and related services for individuals who require medical care beyond what can be provided in their home; rehabilitation services for injured, disabled, and significantly ill individuals; and on a regular basis, health-related care and services to individuals who, because of their mental or physical condition, require care and services above the level of room and board that can be made available to them only through institutional facilities; and

WHEREAS, Wisconsin's nursing homes are facing a significant worker shortage, forcing nursing homes to resort to overtime and deny people from moving into their facility; and

WHEREAS, Wisconsin currently ranks worst in the country in terms of nursing home reimbursement rates; and

WHEREAS, the average Wisconsin nursing home lost \$58.46 per day for each Medicaid-covered individual served; and

WHEREAS, the average loss for county nursing homes, typically serving those with more significant medical and behavioral needs, was \$73.38 per day; and

WHEREAS, these inadequate payment rates have made it extremely difficult to attract and retain qualified caregivers, and continue to provide the care and services our residents need at a level of quality that should be expected; and

WHEREAS, if nursing home funding is not increased in the next biennium, these challenges will worsen, further jeopardizing the quality and availability of nursing home care to those in need; and

WHEREAS, this resolution requests support of Alternative 1C, 2A, and 3C included in Budget Paper #322 to aid in improvements to health care workforce shortages and access to quality nursing home care.

## 2018 Conference Resolution 44

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby request that the State of Wisconsin increase nursing home rate incentives in the next state biennial budget as noted in Budget Paper #322.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Nooyen, second by Jepsen, to adopt Resolutions 42-59. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:Caption:

- III.A.1.c. Seek and support increased funding from the state and federal governments to adequately fund skilled nursing facilities for services provided to residents who are recipients for Medicare and Medicaid to enable nursing homes to provide excellent care for their residents.

# Wisconsin Counties Association

## 2018 Conference Resolution 45

Offered for consideration this 23rd Day of September, 2018 by  
**Bayfield County**

Relating to

### Supporting Legislation Funding Additional Assistant District Attorney Positions

WHEREAS, district attorneys are the gatekeeper for cases at the circuit court level; and

WHEREAS, multiple studies have shown that county district attorneys are overloaded and unable to maintain existing caseloads; and

WHEREAS, high caseloads result in delayed and less effective sanctions as time elapses; and

WHEREAS, legislation considered in SB 54, 2017 addresses the ADA shortage.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby support legislation that addresses assistant district attorney shortages.

#### STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Nooyen, second by Jepsen, to adopt Resolutions 42-59. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

#### 2018 CONFERENCE ACTION:

##### Caption:

IV.C.3.a. Support full state funding of the office of the district attorney, including funding for all staff necessary to accommodate increased caseloads.

# Wisconsin Counties Association

## 2018 Conference Resolution 46

Offered for consideration this 23rd Day of September, 2018 by

### Washington County

Relating to

## Supporting Legislation to Staff and Fund County Prosecutor Positions

WHEREAS, the State of Wisconsin assumed responsibility for funding County Prosecutor positions on January 1, 1990; and

WHEREAS, in January 2017, the lack of funding from the state shifted the burden to Washington County to provide and fund a part-time prosecutor position to alleviate the backlog of cases in the District Attorney's Office; and

WHEREAS, the Washington County Board of Supervisors has determined that inadequate State funding of prosecutor positions is detrimental to the administration of justice and the preservation of public safety.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby support and urge Governor Scott Walker and the Wisconsin Legislature to pass legislation that provides for additional staff and funding for county prosecutors.

**STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:**  
Adopt.

**RESOLUTIONS COMMITTEE ACTION:** Motion by Nooyen, second by Jepsen, to adopt Resolutions 42-59. Motion carried.

**RESOLUTIONS COMMITTEE RECOMMENDATION:** Adopt.

**2018 CONFERENCE ACTION:**

**Caption:**

IV.C.3.a. Support full state funding of the office of the district attorney, including funding for all staff necessary to accommodate increased caseloads.

# Wisconsin Counties Association

## 2018 Conference Resolution 47

Offered for consideration this 23rd Day of September, 2018 by

### Outagamie County

Relating to

## Requesting that the State Address the Shortage of Prosecutors in the District Attorney Office by Providing Adequate Funding in the Next State Budget for Legal Staff to Prosecute Cases

WHEREAS, Outagamie County would like to affirm support to add state funding in order to hire more prosecutors for county-based district attorney offices by continuing the state policy to fully fund the cost of all district attorneys; and

WHEREAS, the Wisconsin criminal justice system is made up of multiple entities, each of which depends upon the others to function efficiently; and

WHEREAS, when one part of the system is neglected, the entire system is impacted; and

WHEREAS, inadequate state funding for prosecutor positions is detrimental to the administration of justice and preservation of public safety in Outagamie County; and

WHEREAS, the State of Wisconsin's most recent District Attorney Office Workload Analysis, covering 2012 to 2014, identifies a shortage of 140 prosecutors across the state and at least eight in Outagamie County; and

WHEREAS, rising workloads as a result of these unfunded positions leave prosecutors less time to work with crime victims, witnesses, and law enforcement officials; delays the resolution of cases; contributes to an environment that has resulted in high rates of prosecutor turnover; and has put tremendous strain on law enforcement, the courts, and other criminal justice system partners.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby request that the state address the shortage of prosecutors in the district attorney office by providing adequate funding for legal staff to prosecute cases, as the current system is in crisis and compromises public safety.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Adopt.



2018 Conference Resolution 47

RESOLUTIONS COMMITTEE ACTION: Motion by Nooyen, second by Jepsen, to adopt Resolutions 42-59. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

IV.C.3.a. Support full state funding of the office of the district attorney, including funding for all staff necessary to accommodate increased caseloads.

Judicial and Public Safety

# Wisconsin Counties Association

## 2018 Conference Resolution 48

Offered for consideration this 23rd Day of September, 2018 by

### La Crosse County

Relating to

## Supporting Increased Public Defender Access and Compensation

WHEREAS, the Sixth Amendment to the United States Constitution guarantees those charged with crimes the right to a speedy, public trial by jury, the right to confront accusers, and the right to the assistance of counsel; and

WHEREAS, the United States Supreme Court in 1963 established that the government must provide counsel if a defendant cannot afford it and other cases have established that the assistance must be effective, not merely a lawyer appearing, unprepared, for a defendant; and

WHEREAS, the State Public Defender often provides representation to indigent defendants using certified private attorneys who are reimbursed at the nation's lowest hourly rate of \$40 which was set by the Legislature more than 20 years ago in 1995 when the rate was reduced from \$50; and

WHEREAS, a 2013 Wisconsin State Bar Association survey determined the average overhead rate in Wisconsin is \$41.79/hour to operate a small law firm; \$40 per hour does not fairly reimburse lawyers representing indigent clients, making it more difficult to procure representation; and

WHEREAS, lack of representation for indigent clients causes a backlog in the criminal justice system, leads to longer pre-trial periods of detention in county jails, inefficiency for courts, and slower justice for victims, creating a burden on the courts and Wisconsin counties.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby implore the Wisconsin legislature to provide adequate resources to the State Public Defender's Office for representation of indigent clients by increasing the rate of reimbursement for assigned attorneys to a market rate that will ensure the prompt appointment of counsel with the rate indexed to inflation.

**STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:**  
Adopt.

**RESOLUTIONS COMMITTEE ACTION:** Motion by Nooyen, second by Jepsen, to adopt

2018 Conference Resolution 48

Resolutions 42-59. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

IV.C.4.f. Support an increase in the hourly rate for private attorneys handling public defender cases.

Judicial and Public Safety

# Wisconsin Counties Association

## 2018 Conference Resolution 49

Offered for consideration this 23rd Day of September, 2018 by

### Washington County

Relating to

## Supporting State Funded Treatment Alternatives and Diversion Operating While Intoxicated (TAD OWI) Program

WHEREAS, the TAD program was created to reduce recidivism, increase public safety and reduce the jail population; and

WHEREAS, from 2007 through 2014, the Wisconsin Department of Justice offered grant funding for the TAD program which was administered through the Washington County Sheriff's Department, providing diversion of second, third and misdemeanor fourth time OWI offenders to a structured treatment program; and

WHEREAS, in 2015, the Human Services Department began administering the TAD program with TAD grant funding offered by the Wisconsin Department of Justice; and

WHEREAS, in 2017, the TAD grant program changed the target population in the program from second, third and misdemeanor fourth time OWI offenders to clients that are charged with non-violent misdemeanors and diagnosed with Opioid Use Disorder; and

WHEREAS, in January 2018, the Criminal Justice Coordinating Committee (CJCC) considered the findings of a study conducted by the University of Wisconsin-Washington County regarding the effectiveness of the TAD OWI program, concluding that participants in the program were 80% less likely to be re-arrested for OWI than the control group – a 2.6% recidivism for participants versus a 13.2% recidivism for the control group; and

WHEREAS, Washington County is requesting the State of Wisconsin reinstate the TAD OWI program and provide counties funding for same.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby support the reinstatement of the TAD OWI Program and further requests the State of Wisconsin provide funding to counties to support the program.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Adopt.

2018 Conference Resolution 49

RESOLUTIONS COMMITTEE ACTION: Motion by Nooyen, second by Jepsen, to adopt Resolutions 42-59. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

IV.F.7. Support the use of treatment alternatives for individuals charged with OWI offenses. Such treatment must be funded by the state of Wisconsin or individual offenders.

Judicial and Public Safety

# Wisconsin Counties Association

## 2018 Conference Resolution 50

Offered for consideration this 23rd Day of September, 2018 by

### Outagamie County

Relating to

## Amending the Wisconsin Constitution Giving the Responsibility of Legislative Redistricting to a Nonpartisan Commission

WHEREAS, pursuant to Article VI, Section 3 of the Wisconsin Constitution, the Wisconsin Legislature is directed to redistrict 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 pursuant to federal law; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, the redistricting process should not be a tool used by those in power to protect and 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 citizen’s faith in the democratic process; and



## 2018 Conference Resolution 50

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

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, 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, 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 required by the U.S. Constitution.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Nooyen, second by Jepsen, to adopt Resolutions 42-59. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

I.A.1.f. Support the creation of a nonpartisan procedure for the preparation of legislative and congressional redistricting plans.

Personnel, Finance, and County Organization

# Wisconsin Counties Association

## 2018 Conference Resolution 51

Offered for consideration this 23rd Day of September, 2018 by

### Walworth County

Relating to

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

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; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, the redistricting process should not be a tool used by those in power to protect and 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

## 2018 Conference Resolution 51

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

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby urge 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 required by the U.S. Constitution; and

BE IT FURTHER RESOLVED that the Wisconsin Counties Association advocates for an amendment to the Wisconsin Constitution giving the responsibility of legislative redistricting to a nonpartisan commission.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Nooyen, second by Jepsen, to adopt Resolutions 42-59. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

I.A.1.f. Support the creation of a nonpartisan procedure for the preparation of legislative and congressional redistricting plans.

Personnel, Finance, and County Organization

# Wisconsin Counties Association

## 2018 Conference Resolution 52

Offered for consideration this 23rd Day of September, 2018 by  
**Eau Claire County**

Relating to

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

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 and 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, compromise and fair competition to Wisconsin politics.

## 2018 Conference Resolution 52

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, 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, 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 required by the U.S. Constitution; and

BE IT FURTHER RESOLVED that the Wisconsin Counties Association advocates for an amendment to the Wisconsin Constitution giving the responsibility of legislative redistricting to a nonpartisan commission.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Nooyen, second by Jepsen, to adopt Resolutions 42-59. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

I.A.1.f. Support the creation of a nonpartisan procedure for the preparation of legislative and congressional redistricting plans.

Personnel, Finance, and County Organization



# Wisconsin Counties Association

## 2018 Conference Resolution 53

Offered for consideration this 23rd Day of September, 2018 by

### Langlade County

Relating to

## Opposition to 2017 Senate Bill 777 and 2017 Assembly Bill 923 Relating to Changing the Authority of County Executives, Administrators and County Boards

WHEREAS, the relationship between each county board and its administrative structure is unique as it represents the culmination of successful working relationships and continuing creativity in the execution of governance duties; and

WHEREAS, proposed 2017 Senate Bill 777 (SB 777) and 2017 Assembly Bill 923 (AB 923) make a number of changes to law relating to the authority of county executives, administrators, and county boards; and

WHEREAS, SB 777 and AB 923 generally provide that any power conferred to a county executive or administrator must be broadly and liberally construed and limited only by express language, and that, to the extent that a conflict exists between county board action and county executive or administrator, the action of the executive or administrator shall prevail, to that extent of the conflict; and

WHEREAS, SB 777 and AB 923 seeks to change the relationship and authority that currently exists between county executives, administrators and county boards statewide; and

WHEREAS, SB 777 and AB 923 restrict county board actions related to the budget, including the disallowance of any items other than: a) the county or municipality tax levy; b) anticipated revenue amounts from all sources; and c) appropriations for all departments, and for any other obligation of the county or municipality; and prohibiting the county board of a county with a county executive and a municipality's governing body from issuing municipal obligations in an amount that is higher than the amount initially proposed by the county or chief executive in his or her proposed budget for that biennium; and

WHEREAS, SB 777 and AB 923 fundamentally expand the powers that may be exercised by the county executive and administrators and limit the powers that may be exercised by a county board, without appropriate input from the 72 Wisconsin counties, through their boards, constitutional officers, corporation counsel, and the Wisconsin Counties Association.

## 2018 Conference Resolution 53

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby express its opposition to 2017 Senate Bill 777 and Assembly Bill 923.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Nooyen, second by Jepsen, to adopt Resolutions 42-59. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

### 2018 CONFERENCE ACTION:

#### Caption:

I.B.1.k. Support the authority of county government and the balance of power among county officials; further, oppose legislative changes to the authority of county officials without sufficient study.

Personnel, Finance, and County Organization



# Wisconsin Counties Association

## 2018 Conference Resolution 54

Offered for consideration this 23rd Day of September, 2018 by

### Walworth County

Relating to

## Opposing 2017 Senate Bill 777 and 2017 Assembly Bill 923 Relating to Increasing the Authority of a County Executive from a Populous County and Other Counties and Reducing the Authority of a County Board

WHEREAS, the Walworth County Board of Supervisors and the county administrator have successfully worked together for many years achieving fiscal responsibility and providing innovative programs; and

WHEREAS, proposed 2017 Senate Bill 777 (SB 777) and 2017 Assembly Bill 923 (AB 923) make a number of changes to laws relating to the authority of county executives and administrators and county boards; and

WHEREAS, SB 777 and AB 923 generally provide that any power conferred to a county executive or administrator must be broadly and liberally construed and limited only by express language, and that, to the extent that a conflict exists between county board action and county executive or administrator action, the action of the executive or administrator shall prevail, to the extent of the conflict; and

WHEREAS, SB 777 and AB 923 change the authority of county executives and county boards statewide relative to acceptance of donations, gifts, grants, and transportation leases; and

WHEREAS, SB 777 and AB 923 restrict county board actions related to the budget; and

WHEREAS, SB 777 and AB 923 allow the county executive or administrator to determine whether to utilize biennial budgeting; and

WHEREAS, SB 777 and AB 923, generally, fundamentally expand the powers that may be exercised by the county executive and administrator and limit the powers that may be exercised by a county board; and

WHEREAS, the Walworth County Board of Supervisors is strongly opposed to any provisions that would significantly change the current powers of county boards, executives and administrators; and

## 2018 Conference Resolution 54

WHEREAS, the policy changes in SB 777 and AB 923 have not been properly vetted nor has the general public been properly informed of the shift in the balance of power among their local elected officials.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby oppose 2017 Senate Bill 777 and 2017 Assembly Bill 923.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Nooyen, second by Jepsen, to adopt Resolutions 42-59. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

I.B.1.k. Support the authority of county government and the balance of power among county officials; further, oppose legislative changes to the authority of county officials without sufficient study.

Personnel, Finance, and County Organization

# Wisconsin Counties Association

## 2018 Conference Resolution 55

Offered for consideration this 23rd Day of September, 2018 by

### Waushara County

Relating to

## Opposing a Reduction in Services and Funding by the University of Wisconsin System

WHEREAS, the University of Wisconsin System operates a Cooperative Extension program with counties to provide educational services and programs locally; and

WHEREAS, the State of Wisconsin cut funding in its budget for the University of Wisconsin System resulting in the Cooperative Extension Program reorganizing its structure and delivery of services; and

WHEREAS, such reorganization resulted in changes to the counties' annual contracts based upon county wishes and available funding; and

WHEREAS, each county entered into a contract based on what programs and services they felt were necessary and important in their area, prioritizing these based on funding available; and

WHEREAS, the State has been unilaterally changing the terms of the contracts based on State budget considerations and without regard to existing contractual obligations to the counties; and

WHEREAS, the counties feel with the challenges facing our youth today; including the opioid crisis, increased violence in our schools, increased suicide rates among teens, bullying and cyber-bullying, this is not the time for UW-Extension to balance their budget at the expense of a proven successful youth program; and

WHEREAS, for example Waushara County entered into a one-year contract with the Board of Regents of the University of Wisconsin for the period of January 1 – December 31, 2018 which called for 3.67 FTE positions within the county, including, but not limited to, a full-time Youth and Family Extension Educator and an Agriculture Extension Educator from May-December of 2018, neither of which have been filled; and

WHEREAS, the Area Extension Director for Waushara County has advised that the State will not be funding the Youth and Family Extension Educator position as a full-time position and has not begun the process for filling the Agriculture Extension Educator due to budget cuts.

## 2018 Conference Resolution 55

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby object to a unilateral cut in the budget and level of service to be provided in conflict with the current contract for services between the counties and the Board of Regents of the University of Wisconsin; and

BE IT FURTHER RESOLVED that the Wisconsin Counties Association urges the Board of Regents of the University of Wisconsin to fulfill its obligations under the current contract.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Nooyen, second by Jepsen, to adopt Resolutions 42-59. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Captions:

- I.E.1.a. Support the allocation to UW-Extension its fair share of the University's budget to be used to finance county positions.
- I.E.1.b. Support the maintenance of cooperative extension agents and services.

Personnel, Finance, and County Organization

# Wisconsin Counties Association

## 2018 Conference Resolution 56

Offered for consideration this 23rd Day of September, 2018 by

### Outagamie County

Relating to

## Supporting Efforts to Close Commercial Property Assessment Loopholes

WHEREAS, homeowners in Wisconsin pay 70% of the total statewide property tax levy;  
and

WHEREAS, this disproportionate burden is about to get much worse unless the Legislature addresses tax avoidance strategies that national chains like Walgreens, Target and Lowe's are using across the country to gain dramatic reductions in their property tax bills at the expense of homeowners and other taxpayers; and

WHEREAS, a carefully orchestrated wave of hundreds of lawsuits in Wisconsin is forcing assessors to slash the market value of thriving national retail stores, shifting their tax burden to local mom and pop shops and homeowners; and

WHEREAS, Walgreens and CVS stores in Wisconsin have argued in communities across the state that the assessed value of their property for property tax purposes should be less than half of their actual sale prices on the open market; and

WHEREAS, in many cases the courts have sided with Walgreens and CVS, requiring communities to refund tax revenue back to the stores; and

WHEREAS, Big Box chains are using what is known as the "Dark Store Theory" to argue that the assessed value of a new store in a thriving location should be based on comparing their buildings to sales of vacant stores in abandoned locations for a different market segment; and

WHEREAS, the Indiana Legislature and the Michigan State House have both overwhelmingly passed legislation prohibiting assessors from valuing new big box stores the same as nearby abandoned stores from a different market segment; and

WHEREAS, this resolution urges the Governor and State Legislature to protect homeowners and main street businesses from having even more of the property tax burden shifted to them by passing legislation clarifying that 1) leases are appropriately factored into the valuation of leased properties, and 2) when using the comparable sale method of valuation, assessors shall consider as comparable only those sales within the same market segment exhibiting a similar highest and best use rather than similarly sized but vacant properties in abandoned locations.

## 2018 Conference Resolution 56

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby urge the Governor and State Legislature to protect homeowners and main street businesses from having even more of the property tax burden shifted to them by passing legislation clarifying that 1) leases are appropriately factored into the valuation of leased properties, and 2) when using the comparable sale method of valuation, assessors shall consider as comparable only those sales within the same market segment exhibiting a similar highest and best use rather than similarly sized but vacant properties in abandoned locations.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Nooyen, second by Jepsen, to adopt Resolutions 42-59. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

- VI.I.21. Support legislation clarifying that: 1) leases are appropriately factored into the valuation of leased properties, and 2) when using the comparable sale method of valuation, assessors shall consider as comparable only those sales within the same market segment exhibiting a similar highest and best use rather than similarly sized but vacant properties in abandoned locations.



# Wisconsin Counties Association

## 2018 Conference Resolution 57

Offered for consideration this 23rd Day of September, 2018 by

### Washington County

Relating to

## Supporting Legislation to Close Property Tax Loopholes Used by National Chain Stores

WHEREAS, homeowners in Wisconsin pay over 70% of the total statewide property tax levy; and

WHEREAS, the disproportionate burden of property taxes on homeowners will worsen unless legislators take action to close loopholes in property tax law that some national chains and big box retail establishments use to gain dramatic reductions in property taxes; and

WHEREAS, lawsuits in Wisconsin have forced assessors to reduce the market value of thriving national retail stores, shifting the tax burden to local businesses and homeowners; and

WHEREAS, some national chain stores in Wisconsin have argued in communities across the state that the assessed value of their property for property tax purposes should only be half of its actual value on the open market; and

WHEREAS, some big box chain stores are using what is known as the "Dark Store Theory" to argue that the assessed value of a new, thriving store should be based on comparing their buildings to nearby vacant or abandoned stores from a different market segment and in many cases, courts have sided with the national chain stores, requiring communities to refund tax revenue back to the chain stores; and

WHEREAS, the Indiana State Legislature has, on two occasions in the last three years, overwhelmingly passed bipartisan legislation prohibiting assessors from valuing new big box stores the same as nearby abandoned stores from a different market segment; and

WHEREAS, the Michigan State House overwhelmingly passed similar legislation in May of 2016.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby urge the Governor and Legislators to protect homeowners and main street businesses from having more of the property tax burden shifted to them by passing legislation that allows for leases to be appropriately factored into the valuation of leased properties; and

## 2018 Conference Resolution 57

BE IT FURTHER RESOLVED that the Wisconsin Counties Association urges the Governor and Legislators to enact legislation requiring assessors to consider as comparable only those sales within the same market segment exhibiting a similar highest and best use rather than similarly sized, but vacant properties in abandoned locations when using the comparable sale method of valuation.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Nooyen, second by Jepsen, to adopt Resolutions 42-59. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

- VI.I.21. Support legislation clarifying that: 1) leases are appropriately factored into the valuation of leased properties, and 2) when using the comparable sale method of valuation, assessors shall consider as comparable only those sales within the same market segment exhibiting a similar highest and best use rather than similarly sized but vacant properties in abandoned locations.

Personnel, Finance, and County Organization

# Wisconsin Counties Association

## 2018 Conference Resolution 58

Offered for consideration this 23rd Day of September, 2018 by

### Price County

Relating to

## Opposing Continuation of Zero Levy Cap Imposed on Wisconsin Counties

WHEREAS, the zero levy cap limits have been imposed on Wisconsin counties since 2012; and

WHEREAS, the cost of living for the years since then have been (as measured by the Bureau of Labor Statistics, CPI-U for Midwest Urban Class B/C):

3.3% for 2011  
2.1% for 2012  
1.2% for 2013  
1.7% for 2014  
-0.3% for 2015  
0.7% for 2016  
1.4% for 2017; and

WHEREAS, counties have been forced to absorb increased expenses of which they have no control (utilities, fuel, health insurance, road maintenance, high cost placements in the Human Services Department, etc.); and

WHEREAS, Price County has been very frugal with the use of taxpayer money; and

WHEREAS, Price County has curbed spending by cutting costs eliminating positions, limiting employee wage increases, reducing program offerings and postponing work on highway infrastructure; and

WHEREAS, it is becoming impossible to maintain an adequate level of service to our citizens when the costs of services are increasing and our ability to increase revenues is limited to state funding, sales tax revenues and the local tax levy.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby oppose the continuation of the current zero tax levy cap imposed on Wisconsin Counties.

2018 Conference Resolution 58

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:  
Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by Nooyen, second by Jepsen, to adopt Resolutions 42-59. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2018 CONFERENCE ACTION:

Caption:

VI.G.1. Oppose the imposition of levy limits.

Personnel, Finance, and County Organization

# Wisconsin Counties Association

## 2018 Conference Resolution 59

Offered for consideration this 23rd Day of September, 2018 by

### Washington County

Relating to

## Supporting a County Biennial Budget

WHEREAS, counties in the State of Wisconsin are not permitted to budget on a biennial basis because pursuant to Chapter 59 of the Wisconsin Statutes, a county administrator or county executive is required to submit an annual budget to the county board of supervisors; and

WHEREAS, budgeting on an annual basis takes up considerable staff time each year that, should counties be allowed to budget on a biennial basis, would allow staff time to focus on other areas such as strategic planning, implementing policies, and improving county operations on a day-to-day basis; and

WHEREAS, budgeting on a biennial basis would place counties in a better position to incorporate strategic planning into the budgeting process by focusing on the county's long-term objectives and priorities and the strategies necessary to achieve those objectives; and

WHEREAS, budgeting on a biennial basis would permit counties to focus on providing for long-term fiscal health, a Washington County priority objective for a *Well Governed and Administered County* rather than simply balancing the budget for the immediate year; and

WHEREAS, allowing a county to adopt a biennial budgeting process would allow it the freedom to choose a budgeting process that it deems best suited to address the needs of the public it serves.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby support presenting this objective before the Wisconsin Legislature.

**STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:**  
Adopt.

**RESOLUTIONS COMMITTEE ACTION:** Motion by Nooyen, second by Jepsen, to adopt Resolutions 42-59. Motion carried.

**RESOLUTIONS COMMITTEE RECOMMENDATION:** Adopt.

2018 Conference Resolution 59

2018 CONFERENCE ACTION:

Caption:

VI.O.20. Amend state statutes to provide counties that pass an ordinance the option to adopt a biennial budget.

Personnel, Finance, and County Organization





State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-4714/1  
FFK/RAC/CMH:emw&wlj

## 2017 SENATE BILL 577

November 20, 2017 - Introduced by Senators MARKLEIN, BEWLEY, DARLING, ERPENBACH, HANSEN, RISSER, TESTIN, VINEHOUT and WIRCH, cosponsored by Representatives BORN, EDMING, E. BROOKS, FELZKOWSKI, GENRICH, GOYKE, HORLACHER, JACQUE, JARCHOW, KITCHENS, KOLSTE, KRUG, LOUDENBECK, MACCO, MILROY, MURSAU, NOVAK, RIPP, ROHRKASTE, SCHRAA, STEFFEN, STEINEKE, STUCK, SUBECK, SWEARINGEN, TRANEL, TUSLER and VANDERMEER. Referred to Committee on Government Operations, Technology and Consumer Protection.

1     **AN ACT to renumber and amend** 40.05 (2) (ar); **to amend** 40.02 (48) (b) 3., 40.02  
2           (48) (c) and 40.23 (3) (a); and **to create** 40.02 (17) (n), 40.02 (48) (am) 23., 40.02  
3           (48) (b) 5., 40.05 (1) (a) 7., 40.05 (2) (ap), 40.05 (2) (ar) 2., 40.23 (3) (c), 40.65 (4w),  
4           59.52 (8m) and 111.70 (4) (bn) of the statutes; **relating to:** classifying county  
5           jailers as protective occupation participants under the Wisconsin Retirement  
6           System and the treatment of county jailers under the Municipal Employment  
7           Relations Act.

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### ***Analysis by the Legislative Reference Bureau***

Under current law, participants under the Wisconsin Retirement System (WRS) whose principal duties involve active law enforcement or fire suppression or prevention and require frequent exposure to a high degree of danger or peril and a high degree of physical conditioning are classified as protective occupation participants. Current law classifies police officers, fire fighters, and various other individuals as protective occupation participants. Under the WRS, the normal retirement age of a protective occupation participant is lower than that of other participants and the percentage multiplier used to calculate retirement annuities is higher for protective occupation participants.

This bill classifies county jailers as protective occupation participants without a requirement that their principal duties involve active law enforcement or active

**SENATE BILL 577**

fire suppression or prevention. The bill defines county jailers as persons employed by a county whose principal duties involve supervising, controlling, or maintaining a jail or persons confined in a jail, regardless of whether the jailers have been sworn regarding their duties or whether they serve on a full-time basis.

Under the bill, county jailers who become protective occupation participants on or after the bill's effective date and are employed by a county that did not classify county jailers as protective occupation participants on July 1, 2017, are required to pay all additional employer costs resulting from their classification as protective occupation participants, including the cost of the duty disability program. County jailers who were classified as protective occupation participants before the bill's effective date and county jailers hired on or after the bill's effective date in counties that did classify county jailers as protective occupation participants on July 1, 2017, are not required to pay the additional employer costs. The bill also permits a county jailer to elect at the time of hire not to become a protective occupation participant.

Finally, under the Municipal Employment Relations Act, public safety employees may collectively bargain over wages, hours, and conditions of employment, and general employees may bargain collectively over only an annual percentage wage increase that does not exceed the annual percentage increase in the consumer price index. Under MERA, public safety employees and general employees may not be in the same collective bargaining unit. This bill amends MERA so that a county that treats a county jailer as a public safety employee on the effective date of this bill shall continue to treat any person it employs as a county jailer as a public safety employee except that, if the county subsequently raises a question regarding the appropriateness of including county jailers in a collective bargaining unit containing public safety employees, no person the county employs as a county jailer may be treated as a public safety employee.

Because this bill relates to public employee retirement or pensions, it may be referred to the Joint Survey Committee on Retirement Systems for a report to be printed as an appendix to the bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

- 1           **SECTION 1.** 40.02 (17) (n) of the statutes is created to read:
- 2           40.02 (17) (n) Notwithstanding par. (d), each participant who is a county jailer
- 3           and who is classified as a protective occupation participant shall be granted
- 4           creditable service as a protective occupation participant for all covered service while
- 5           a county jailer that was earned on or after the effective date of this paragraph ....

**SENATE BILL 577**

1 [LRB inserts date], but may not be granted creditable service as a protective  
2 occupation participant for any covered service as a county jailer that was earned  
3 before the effective date of this paragraph .... [LRB inserts date], unless that service  
4 was earned while the participant was classified under sub. (48) (a) and s. 40.06 (1)  
5 (d) as a protective occupation participant.

6 **SECTION 2.** 40.02 (48) (am) 23. of the statutes is created to read:

7 40.02 (48) (am) 23. A county jailer.

8 **SECTION 3.** 40.02 (48) (b) 3. of the statutes is amended to read:

9 40.02 (48) (b) 3. A “deputy sheriff” or a “county traffic police officer” is any  
10 officer or employee of a sheriff’s office or county traffic department, except one whose  
11 principal duties are those of a telephone operator, clerk, stenographer, machinist or  
12 mechanic and whose functions do not clearly fall within the scope of active law  
13 enforcement even though such an employee is subject to occasional call, or is  
14 occasionally called upon, to perform duties within the scope of active law  
15 enforcement. Deputy sheriff or county traffic police officer includes also does not  
16 include a county jailer, but does include any person regularly employed and  
17 qualifying as a deputy sheriff or county traffic police officer, even if temporarily  
18 assigned to other duties.

19 **SECTION 4.** 40.02 (48) (b) 5. of the statutes is created to read:

20 40.02 (48) (b) 5. A “county jailer” is an employee of a county whose principal  
21 duties involve supervising, controlling, or maintaining a jail or the persons confined  
22 in a jail, as assigned by the sheriff under s. 59.27 (1), regardless of whether they have  
23 been sworn regarding their duties or whether they serve on a full-time basis.  
24 Notwithstanding par. (a), an employer may classify an employee who is a county  
25 jailer as a protective occupation participant under par. (am) 23. without making a

**SENATE BILL 577**

1 determination that the principal duties of the employee involve active law  
2 enforcement or active fire suppression or prevention. A determination under this  
3 subdivision may not be appealed under s. 40.06 (1) (e) or (em). A county jailer is not  
4 a protective occupation participant if he or she so elects with the employer under s.  
5 59.52 (8m) or 2017 Wisconsin Act .... (this act).

6 **SECTION 5.** 40.02 (48) (c) of the statutes is amended to read:

7 40.02 (48) (c) In s. 40.65, “protective occupation participant” means a  
8 participating employee who is a police officer, fire fighter, an individual determined  
9 by a participating employer under par. (a) or (bm) to be a protective occupation  
10 participant, county undersheriff, deputy sheriff, county jailer, state probation and  
11 parole officer, county traffic police officer, conservation warden, state forest ranger,  
12 field conservation employee of the department of natural resources who is subject to  
13 call for forest fire control or warden duty, member of the state traffic patrol, state  
14 motor vehicle inspector, University of Wisconsin System full-time police officer,  
15 guard or any other employee whose principal duties are supervision and discipline  
16 of inmates at a state penal institution, excise tax investigator employed by the  
17 department of revenue, person employed under s. 60.553 (1), 61.66 (1), or 62.13 (2e)  
18 (a), or special criminal investigation agent employed by the department of justice.

19 **SECTION 6.** 40.05 (1) (a) 7. of the statutes is created to read:

20 40.05 (1) (a) 7. For a county jailer covered under subd. 3., the percentage of  
21 earnings equal to the total actuarially required contribution rate, as approved by the  
22 board under s. 40.03 (1) (e), for a participating employee whose formula rate is  
23 determined under s. 40.23 (2m) (e) 3., less the contribution rate paid by the employer  
24 for a county jailer under sub. (2) (a). This subdivision applies only to a county jailer  
25 who becomes a protective occupation participant on or after the effective date of this

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1 subdivision .... [LRB inserts date], and is employed in a county that did not classify  
2 county jailers as protective occupation participants on July 1, 2017.

3 **SECTION 7.** 40.05 (2) (ap) of the statutes is created to read:

4 40.05 (2) (ap) The contributions under par. (a) that are required to be paid by  
5 a participating employer for a county jailer whose formula rate is determined under  
6 s. 40.23 (2m) (e) 3. shall be a percentage of earnings equal to one-half of the total  
7 actuarially required contribution rate, as approved by the board under s. 40.03 (1)  
8 (e), for an employee whose formula rate is determined under s. 40.23 (2m) (e) 1. This  
9 paragraph applies only to contributions paid for a county jailer who becomes a  
10 protective occupation participant on or after the effective date of this paragraph ....  
11 [LRB inserts date], and is employed in a county that did not classify county jailers  
12 as protective occupation participants on July 1, 2017.

13 **SECTION 8.** 40.05 (2) (ar) of the statutes is renumbered 40.05 (2) (ar) 1. and  
14 amended to read:

15 40.05 (2) (ar) 1. Participating Except as provided in subd. 2., participating  
16 employers of employees subject to s. 40.65 shall contribute an additional percentage  
17 or percentages of those employees' earnings based on the experience rates  
18 determined to be appropriate by the board with the advice of the actuary.

19 **SECTION 9.** 40.05 (2) (ar) 2. of the statutes is created to read:

20 40.05 (2) (ar) 2. County jailers who become protective occupation participants  
21 on or after the effective date of this subdivision .... [LRB inserts date], and are  
22 employed in a county that did not classify county jailers as protective occupation  
23 participants on July 1, 2017, shall make the contribution under subd. 1. in lieu of  
24 their employers.

25 **SECTION 10.** 40.23 (3) (a) of the statutes is amended to read:

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1           40.23 (3) (a) Except as provided in ~~par.~~ pars. (b) and (c), the initial monthly  
2 amount of any retirement annuity in the normal form shall not be less than the  
3 money purchase annuity which can be provided by applying the sum of the  
4 participant's accumulated additional and required contributions, including interest  
5 credited to the accumulations, plus an amount from the employer accumulation  
6 reserve equal to the participant's accumulated required contributions, less any  
7 accumulated contributions to purchase other governmental service under s. 40.25  
8 (7), 2001 stats., or s. 40.285 (2) (b) to fund the annuity in accordance with the  
9 actuarial tables in effect on the annuity effective date.

10           **SECTION 11.** 40.23 (3) (c) of the statutes is created to read:

11           40.23 (3) (c) Under par. (a), for a county jailer described in s. 40.02 (48) (am)  
12 23., the amount to be paid from the employer accumulation reserve is equal to the  
13 employer required contributions, including interest, paid for a county jailer under  
14 s. 40.05 (2) (a). This paragraph applies only to a county jailer who becomes a  
15 protective occupation participant on or after the effective date of this paragraph ....  
16 [LRB inserts date], and is employed in a county that did not classify county jailers  
17 as protective occupation participants on July 1, 2017.

18           **SECTION 12.** 40.65 (4w) of the statutes is created to read:

19           40.65 (4w) A county jailer who becomes a protective occupation participant on  
20 or after the effective date of this subsection .... [LRB inserts date], is not entitled to  
21 a duty disability benefit under this section for an injury or disease occurring before  
22 the effective date of this subsection .... [LRB inserts date].

23           **SECTION 13.** 59.52 (8m) of the statutes is created to read:

24           59.52 (8m) EMPLOYMENT OF COUNTY JAILERS. The board shall provide an  
25 individual who is employed as a county jailer an option to elect not to be a protective



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1 occupation participant under s. 40.02 (48) (b) at the time the individual is hired as  
2 a county jailer. An individual shall make an election under this subsection in writing  
3 on a form provided by the board.

4 **SECTION 14.** 111.70 (4) (bn) of the statutes is created to read:

5 111.70 (4) (bn) *Public safety employee determination regarding county jailers.*

6 1. Except as provided under subd. 2., a county jailer, as defined in s. 40.02 (48) (b)  
7 5., is a general municipal employee.

8 2. A county that treats a county jailer as a public safety employee on the  
9 effective date of this subdivision .... (LRB inserts date), shall continue to treat any  
10 person it employs as a county jailer as a public safety employee except that, if the  
11 county raises a question concerning the appropriateness of including county jailers  
12 in a collective bargaining unit that includes public safety employees, no person it  
13 employs as a county jailer may be treated as a public safety employee.

14 **SECTION 15. Nonstatutory provision.**

15 (1) COUNTY JAILER OPT OUT FROM PROTECTIVE OCCUPATION PARTICIPANT STATUS  
16 UNDER WISCONSIN RETIREMENT SYSTEM. No later than 60 days after the effective date  
17 of this subsection, if an individual employed as a county jailer on the effective date  
18 of this subsection does not want to be a protective occupation participant under the  
19 Wisconsin Retirement System, the person shall notify his or her employer in writing  
20 on a form provided by the employer. An election not to be a protective occupation  
21 participant is irrevocable.

22 **SECTION 16. Effective date.**

23 (1) This act takes effect on the January 1 after publication.

24

(END)