

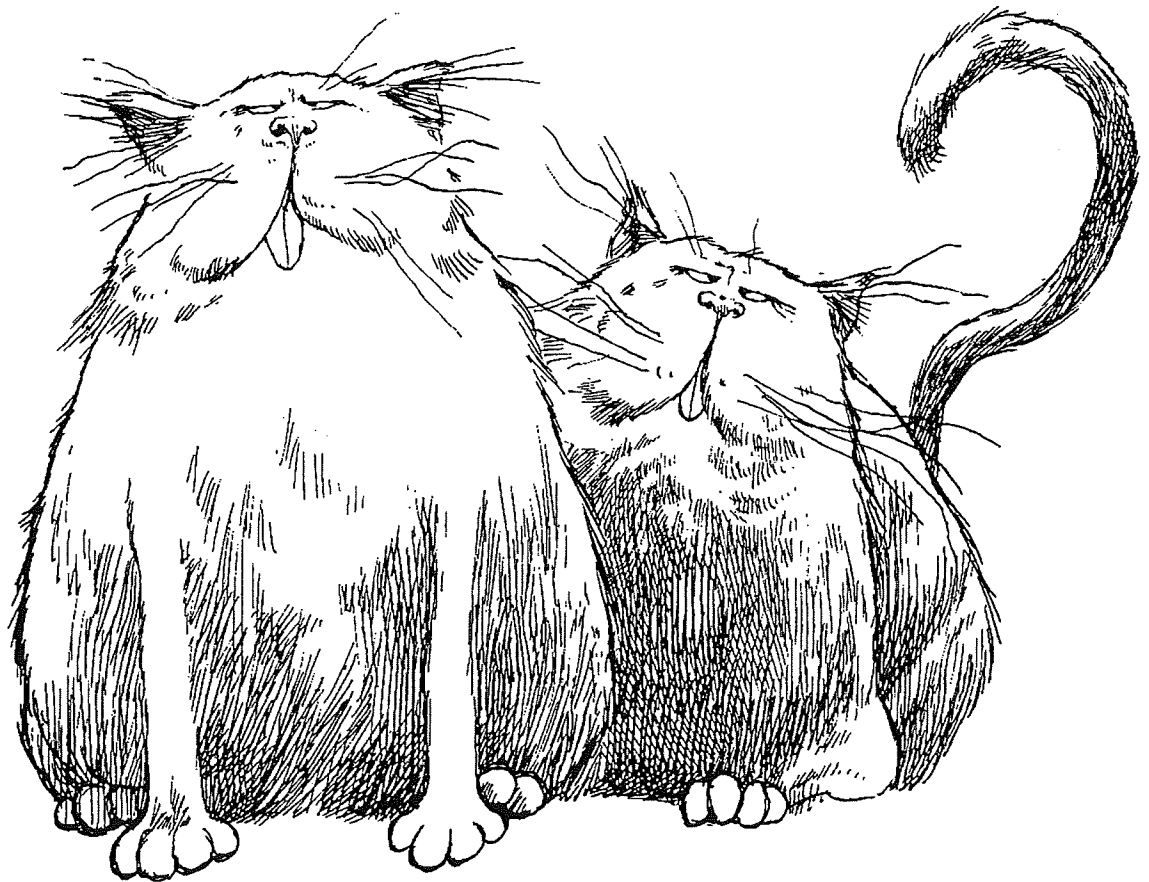
THE PARADOX, OR PAIR OF DOXES

Experts disagree on the correct spelling of these feline creatures. One school holds that it is proper to say or to write simply *Paradox* when one means a pair of Doxes. Another school says that *Paradoxen* should be preferred. The third, to which the authors of this work conform, uses the better-established *Pair of Doxes*.

The common, or Ortho, Dox is never a threat by itself, nor is it disturbing. A Pair of Doxes is something else. Doxes always travel in pairs and threaten from two sides, unless they are old and have been around a long time, in which case they are merely distracting.

Unless a person has exceptional peripheral vision, it is very difficult to keep a Pair of Doxes within one's sight. They seem to have an instinct for staying just at the edge of one's range of vision. There they sit, licking their paws, heads tilted, as objects of skepticism, public comment, and awe.

The Paradox never has been successfully domesticated. A Pair of Doxes cannot be made to work together. They are forever raising their heads, asking questions, showing off. They go their own way. And because of their disposition to remain at a distance from each other, their mating is something of a mystery. Doxes frequently are seen in the same terrain with the Leaping Quantum, the Quandary, the Qualm, and the Dilemma.



A PAIR OF DOXES

State government has given us too many commissions and not enough official courage when it comes to helping local government.

Errors of commission

By Michael Serpe

Local government has been on subsistence diet for a long time. We have gotten used to it. Now, however, we face the prospect of spending the foreseeable future on a Lenten diet of fasting and abstinence. And there are some people in the Capitol who think counties and municipalities should have even less on their plates.

In Kenosha County, where I live and work, we are facing a reduction in shared revenue of at least \$700,000, and additional cuts in human service funds of \$450,000 to \$650,000. These reductions, when combined with rate increases the state requires us to pay, will cost us about \$2 million. Some of these details are still being debated in the state budget.

Counties are particularly vulnerable to the bad news emanating from Madison and D.C. County governments operate under statutory levy limits imposed by the state to protect property tax payers from local government's "reckless spending habits."

There are six counties in Wisconsin at the maximum levy, 11 within \$100,000 of it, and 26 within \$500,000. Altogether then, 43 out of 72 are getting close to redline.

The relationship between state and local government became so troubled a few years ago that the Kettl Commission was formed to study it. The Kettl report eventually took its place on the shelf next to those of several other commissions that have come and gone over the last few decades after advising the state on how to improve the way it works with local government. At the risk of leaving some out, first there was the Wallace Commission, then the Barry Commission, SAVE, Kettl, and most recently a "taskforce" chaired by Tim Sheehy.

In 1977, Henry L. Wallace chaired the Commission on State-Local Relations and Financing Policy. The Wallace Commission affirmed its support for two major financing policy goals, the equalization of the fiscal capacity of local units to finance services, and the equalization of the ability of individuals to bear the local tax burden.

In 1987, new Wisconsin Governor Tommy G. Thompson was concerned that property taxes in Wisconsin were 25 percent above the national average. He appointed the Local Property Tax Relief Commission, chaired by then-Dane County Executive Jonathan Barry. The Barry Commission's findings: Increased state assistance is the best alternative to the property tax for local governments. Any new state initiative to reduce property taxes must be adequately funded.

Created by Thompson in 1993, the Study of Administrative Value and Efficiency (SAVE) commission spent a year crafting a wide range of recommendations, mostly affecting state government. Among them was a plea to think about development on a regional rather than local basis. Also, SAVE called for the compulsory sunset of state laws that affect local

government.

In his State of the State speech in 2000, Thompson said he would appoint a blue-ribbon panel to "develop a new system for providing the services our people demand and collecting the money to pay for them." Thompson then named members to the 31-person commission and made UW-Madison political scientist Don Kettl the chair. In January 2001, the Kettl Commission issued a 133-page report and made 139 recommendations.

In general, the Kettl Commission said the state should provide more aid to villages, towns, cities and counties that collaborate on a regional basis to provide taxpayers better service and spur economic growth. Also, the commission decided the state should ultimately assume responsibility for defining and financing social service and criminal justice programs at the county level, including child welfare, circuit courts and juvenile justice.

In March 2002, Governor Scott McCallum announced he would create a taskforce to "build a better Wisconsin through state and local partnerships." McCallum told the taskforce to re-examine state mandates, encourage local governments to consolidate and become more efficient, reward economic development and growth, and tackle the issue of "too much government" in Wisconsin.

Task force chair Tim Sheehy of the Metropolitan Milwaukee Chamber of Commerce said he would like the group to focus on recommendations that are "actionable — things that local governments can do, that the Legislature can enact."

The recommendations never become real. Instead, state government complains about local government and uses its complaints to justify ever-increasing budget cuts, revenue freezes and unfunded mandates. Then local government is left to do more with less.


Politicians have for a long time gotten away with trite sayings like, "Government should learn to live within its means, just like Wisconsin families do."

The sad truth is that most Wisconsin families are carrying too much personal debt, don't have enough money saved to tide them over in the event of an unforeseen financial crisis, and live from paycheck to paycheck. State budgets have mirrored these characteristics. Living with a structural deficit and not having a rainy day fund have contributed greatly to the grim situation inherited by Governor Jim Doyle. And when I say "grim," I mean a \$3.5 billion deficit.

Are state leaders thinking they will change their luck if they call the commission a "taskforce" before ignoring it? The state needs to listen to its own commissions. Or stop commissioning them.

May 22, 2003

Michael Serpe is a lobbyist and administrative assistant in the office of the Kenosha County Executive.



HISTORY SERVICES

COUNTY GOVERNMENT FUNDING

wisconsin counties association



INTRODUCTION

The Wisconsin Counties Association is once again pleased to provide you with this publication outlining the history of, services provided by, and funding sources for county government. This document was initially prepared for use by the county representatives that served on the Governor's Blue-Ribbon Commission on State-Local Partnerships for the 21st Century to educate other commission members on the vital role county governments play in the provision of services across Wisconsin.

County governments play a multi-faceted role in the state-local relationship. That role has been recreated throughout time by the influence of our founding fathers, the court system, and in modern times, by our state legislature. The role of counties continues to evolve and will continue to change as the state-local partnership is re-examined.

Due to the popularity of this publication, WCA has updated the information and is reprinting it for use by county officials across the state. We hope this document will prove useful to our newly-elected county officials in Wisconsin and all citizens of this state who benefit from the services provided by Wisconsin's 72 counties.



HISTORY

A HISTORICAL TIMELINE OF COUNTY GOVERNMENT

- | | | | |
|------|--|--|--|
| 1783 | Treaty of Paris transfers control of area to U.S. | | |
| 1787 | Northwest Ordinance approved. Provides for the creation of five states in Northwest Territory (Ohio, Indiana, Illinois, Michigan and Wisconsin). | | |
| 1800 | Ohio becomes a state. Wisconsin is attached to Indiana Territory (part of St. Clair County). | | |
| 1805 | Michigan Territory is separated from the Indiana Territory. | | |
| 1809 | Indiana becomes a state. Wisconsin is attached to Illinois Territory. | | |
| 1818 | Illinois becomes a state. Wisconsin loses 60 miles of southern border (including Chicago area).
Wisconsin is attached to Michigan Territory. Due to the distance between Wisconsin and Detroit, the territorial | | |
| | | capital, three counties are organized in Wisconsin: Brown County in the east, Crawford County in the west and Michilimackinac County in the north (included the U.P.). These counties perform administrative functions for the territorial government. | |
| | | 1823 | Counties are made Judicial Districts by Congress and the first court proceeding is held in Brown County in 1824. |
| | | 1829 | Population increases in Southwest Wisconsin due to increases in lead mining. Increased population leads to the creation of a fourth county— Iowa County. |
| | | 1834 | Westward migration of Yankees (native or inhabitants of New England) through the Erie Canal led to population growth along Lake Michigan. Milwaukee County becomes fifth county. |

TERRITORIAL CHANGES 1800-1838



Source: *The History of Wisconsin* (Madison: State Historical Society of Wisconsin, 1973-1998), v. 1: *From Exploration to Statehood*, 201.

1836 The Wisconsin Territory is created. The area includes the states of Iowa and Minnesota and parts of the Dakotas. Fifteen new counties are created within the territory: Calumet, Dane, Dodge, Fond du Lac, Grant, Green, Jefferson, Manitowoc, Marquette, Portage, Racine, Rock, Sheboygan, Walworth and Washington.

From April 20, 1836, the date the Wisconsin Territory was created, through 1901, the number of counties grew from 6 to 71.

1961 The reservation of the Menominee Indians of Wisconsin, located in Oconto and Shawano Counties, became Wisconsin's 72nd county—Menominee County.

GOVERNMENT FUNCTIONS PERFORMED BY COUNTIES BEFORE STATEHOOD (1848)

Counties performed administrative services for the territorial government including providing sheriffs, judges, assessors, tax collectors and court clerks.

WISCONSIN'S STATEHOOD EFFORTS

- 1840 The first attempt at statehood fails by popular vote (92 yes, 499 no).
- 1842 The second attempt at statehood fails by popular vote (619 yes, 1821 no).
- 1843 The third attempt at statehood is defeated in territorial council.
- 1845 The fourth attempt at statehood is defeated in the House of Representatives.
- 1846 A bill is passed by Congress to "enable people of Wisconsin to form a constitution and state government, and for the admission of such state into the Union." The bill is signed by President Polk on August 10, 1846. Popular vote for statehood passes (12,334 yes, 2,387 no).

Based on this "enabling act," the people of the territory called a constitutional convention in Madison to draft a fundamental law for governing the state.

- 1847 The first proposal for a constitution was submitted to the people on April 6, 1847. The voters rejected it on a 14,119 to 20,231 vote.
- 1848 A second convention submitted its draft on March 13. It was ratified by a vote of 16,799 to 6,384. On May 29, Wisconsin became the 30th state admitted to the Union.

WISCONSIN POPULATION BY COUNTY- 1850



Source: *The History of Wisconsin* (Madison: State Historical Society of Wisconsin, 1973-1998), v. 1: *From Exploration to Statehood*, 469.

HISTORY

THE CONSTITUTIONAL DEBATE AFFECTING COUNTIES

Type of County Government (Size & Function)

Debate between the New York Constitution (supervisor) and Pennsylvania Constitution (commissioner)— both forms existed in the Wisconsin Territory.

- Pennsylvania Constitution: Commissioner form of county government— calls for a small board elected from precincts to represent the interests of the county at-large. The county serves as the provider of local government services.
- New York Constitution: Supervisor form of county government— the board of supervisors specifically represents towns and incorporated places. Further, the county provides state administrative services while towns and municipalities serve as the provider of local government services.

WISCONSIN'S CONSTITUTIONAL SOLUTION

Type of County Government

The framers of the Wisconsin Constitution required the legislature to “establish but one system of town and county government, which shall be as nearly uniform as practicable” (Article IV, Section 23). The meaning of this uniformity requirement was not settled until 1870. After a series of court decisions, the supervisor system prevailed. While the court did not expect all counties to be exactly the same, the court expected “practical uniformity void of needless diversity.”

In 1885, the legislature determined that it was impractical to treat Milwaukee County the same as all other counties. Their action allowed Milwaukee County to elect supervisors from Assembly districts (a practice maintained until 1980). Almost 75 years later, the legislature established a third category of counties, “counties having one town,” to deal with Menominee County. Menominee was to use the town board, plus one at-large delegate, to serve as the county board. In 1972 a constitutional amendment deleted the uniformity requirement for counties.

Provision of Services

When Wisconsin became a state in 1848, the new state constitution contained several specific provisions for local government.

- Article IV, Section 22: “The legislature may confer upon the boards of supervisors of the several counties of the state such powers of a local, legislative and administrative character as they shall from time to time prescribe.”
- Article VI, Section 4 identifies county officers, as well as the conditions of their election, removal and terms of office. The constitutionally specified officers are sheriffs, coroners, registers of deeds, district attorneys, judges and clerks of circuit court.

Counties are viewed as agents of the state because they are required to carry out or enforce certain state laws. For example, county sheriffs apprehend violators of state laws, county clerks manage state elections, and registers of deeds keep certain state records (birth and death certificates, marriage licenses and property deeds).

RECENT DEVELOPMENTS

1970's Counties are given narrow power to control several elements of county board functioning. This is commonly referred to as “self-organizing.”

Counties are permitted to pass ordinances declaring themselves self-organized for the purpose of setting board offices and compensation, establishing staggered supervisory terms and filling vacancies in supervisory districts.

1980's Counties are granted “administrative home rule,” giving them greater control over organizing their administrative departments.

The legislature granted counties authority to address and fund local issues in metropolitan areas without specific state enabling laws (Wis. Stats. 59.03(2)). This home rule authority has allowed county government to expand gradually as a regional government in areas such as recycling, water quality management, transportation planning and zoning review, but only in cases where a municipality or group of municipalities have requested the county do so on their behalf through voluntary agreements.

Today Counties do not have constitutional home rule authority as cities and villages do. This means that while cities and villages can basically undertake anything that is not expressly prohibited by state statute or the constitution, counties can only undertake a function that is expressly allowed for or mandated by state statute or the constitution.

Counties main function is still to be the administrative arm of state government.

EXECUTIVE AND ADMINISTRATIVE OPTIONS

Prior to 1960, Wisconsin county boards functioned as both the legislative branch and the executive branch. However, as county government became more complex and the population became more urbanized, the statutes were amended to permit the creation of a separate, elected position of county executive to administer and monitor county departments and exercise other specified powers. This position was first mandated for Milwaukee County in 1960. In 1969, the authority to create an executive position was extended to all counties, regardless of size (Wis. Stats. 59.17). County executives are elected in the general nonpartisan election on the first Tuesday in April and serve four-year terms.

In the 1985-87 State Biennial Budget, language was inserted to recognize the position of appointed county administrator. The county administrator is responsible for the annual budget, providing oversight to county department heads and reporting to the county board (Wis. Stats. 59.18). Wisconsin currently has 11 elected county executives and 19 appointed administrators. This legislation also created Wis. Stats. 59.19, which requires all counties that do not choose to create either an administrator or an executive position to designate an administrative coordinator. The administrative coordinator is "responsible for coordinating all administrative and management functions of the county government not otherwise vested by law in boards or commissions, or in elected officers." In addition, the administrative coordinator is the contact person for official correspondence between the county and departments or agencies of the state of Wisconsin. Forty-two counties have selected this form of administration.

OTHER ELECTED OFFICIALS

Under state law, county residents elect certain other county officials. These are the clerk, treasurer, sheriff, clerk of circuit courts, register of deeds, coroner, elected surveyor and district attorney. These officials are elected in partisan, general elections which are held on the Tuesday after the first Monday in November in even-numbered years (in 2008, all constitutional offices will be 4-year terms).

COMPARISON OF OPTIONS

TOPIC	EXECUTIVE <i>Sec. 59.17, Wis. Stats.</i>	ADMINISTRATOR <i>Sec. 59.18, Wis. Stats.</i>	ADMINISTRATIVE COORDINATOR <i>Sec. 59.19, Wis. Stats.</i>
HOW CREATED	Board resolution, petition and/or referendum	Board resolution, petition and/or referendum	Board resolution or ordinance
HOW CHOSEN	Spring election every four years (nonpartisan)	Appointed by majority vote of board	Appointed by majority vote of county board
QUALIFICATIONS	U.S. citizen, 18 years of age, county resident	Training, experience, education	Elected or appointed county official. Other qualifications set by board
SOURCE OF POWERS	State statutes	State statutes	Limited state statutes & resolution/ordinance
REMOVAL	By Governor for cause	By board majority	By board majority
BUDGET AUTHORITY	Prepares & presents to board	Prepares & presents to board	Only as authorized by board
VETO BOARD ACTIONS	Yes	No	No
DEPT. HEADS	Appoints (subject to board confirmation). Removes at pleasure.	Appoints (subject to board confirmation). Removes at pleasure.	No authority unless granted by board
ADVISORY COMMITTEES/ ADMINISTRATIVE BOARDS	Appoints & removes (subject to board confirmation unless waived or made under civil service)	Appoints & removes (subject to board confirmation unless waived or made under civil service)	No authority unless granted by board
COORDINATE DEPTS.	Yes	Yes	Only management functions not assigned depts. by ordinance or law

CLERK OF CIRCUIT COURT

Collection of fees, fines and forfeitures
Court administration
Custodian of court records
Jury management

CORONER/MEDICAL EXAMINER

Complete reports of inquests and investigations
Initiate an investigation if foul play is suspected and contact the appropriate agencies
Interact with next of kin of deceased, including notification of death and follow-up information with law enforcement personnel, attorneys and physicians
Interview witnesses
Obtain lab samples for testing or screening by the state
Order medicolegal autopsies
Record facts and conclusions concerning a death and testify regarding such information if requested
Sign death certificates, cremation permits and any other necessary paperwork

COUNTY CLERK

Act as administrative coordinator in certain counties
Assist local units of government and school districts
Borrowing
Budgeting
Claims against the county
Conduct boards of canvass and recounts
Contracts, leases and agreements
Data processing
Distribute dog licenses & administer dog license fee accounts
Election administration
Ensure compliance with open meetings law
Facilities maintenance
Farmland preservation
General accounting
Insurance
Issue conservation licenses

Issue hayrack and sleigh ride permits
Issue marriage licenses & compile indexes
Issue pawnbroker and secondhand dealer Licenses
Library reimbursement requirements
Licenses and permits
Maintain records
Maintain voter registration lists for relying municipalities
Miscellaneous filings
Miscellaneous highway department records
Personnel
Preparation and publication of election ads
Preparation of county board agendas and minutes
Printing ballots
Probate claim notices
Process passport applications
Programming election tabulation equipment
Property tax apportionment
Publication of official proceedings
Purchasing
Redistricting
Registration of county candidates
Tabulate and report election results
Wood cutting notices
Zoning matters

COUNTY TREASURER

Administration of state lottery credit program
Collect taxes for other municipalities
Collection of unpaid debt
Farmland preservation credits
Investment programs
Personal property chargebacks
Print tax bills and tax rolls
Property tax collection
Sale of tax-deeded land
Submit the state's portion of the Real Estate Transfer Fee to the Department of Revenue
Tax deeds
Tax delinquent lands
Tax lister/tax assessment

CULTURE, RECREATION, EDUCATION, HOUSING

Arts
Beaches
Campgrounds
County library systems
Economic development
Fairs and exhibits
Golf courses
Historical societies
Museums
Parks
Public housing
Recreation facilities
Recreational trails
Two-year UW-system
Zoos

DISTRICT ATTORNEY

Collect and prosecute worthless check cases
Payment for special prosecutors
Prosecute all criminal cases— misdemeanors and felonies
Prosecute all Department of Natural Resources cases
Prosecute juvenile delinquency cases and children in need of protection and service
Prosecute termination of parental rights cases
Prosecute traffic cases from county sheriff's department and Wisconsin state patrol
Provide crime victim and witness services
Represent the county in the prosecution of county ordinance violations
Witness fees, including expert witness fees

FORESTRY

Coordinate county ATV trail program
Coordinate countywide snowmobile program
Conduct sales of county tax-delinquent lands
Develop and maintain county park, wayside and beach facilities
Develop and maintain county campground facilities
Develop and maintain cross-country ski trails
Establishment of forest compartments and stands
Forest Lands Reconnaissance
Implement forest certification standards
Maintain lake and river accesses throughout the county



Oversee and maintain horse trails
Oversee and coordinate maintenance and development of off-road bike trails
Promote soil and water stewardship by following Best Management Practices (BMPs) for water quality
Recreation
Timber sale establishment, administration, bid process and improvement
Tree planting on county forest lands
Wildlife habitat development and maintenance on county forest lands
Work with Ice Age Trail Foundation

HEALTH & HUMAN SERVICES

Adult family homes
Animal control services
AODA assessment funding and counseling
AODA primary prevention services
Burials
Care of veterans' graves
Case management
Chapter 51 commitments
Child care and child support
Child Caring Institutions (CCT's)
Community Based Residential Facilities (CBRF's)
Community Support Program
Comprehensive Community Services (CCS)
Consolidated daycare
Court intake and supervision
Crisis intervention
Daily living skills training
Day services
Detoxification
Elder abuse services
Elderly transportation
Foster and group homes
Health education
Home-delivered meals
Home health physical and speech therapy
Home nursing
Income Maintenance Administration
Indigent medical care
Inpatient services
Institutional care
Intoxicated driver program
Juvenile detention
Low-income energy assistance
MA transportation
Mental health services
Outpatient counseling

Paramedics
Personal care
Prenatal care coordination
Protective placements/guardianship
Public health nursing division
Sanitarians
Respite care
Restaurant and school inspection
Sexually transmitted disease testing
Shelter care
Supported employment
Supportive home care
Tobacco control education
Veterans Service Officer
Well-child and well-baby program
Women, Infants and Children program (WIC)
W-2

JUDICIARY

Court commissioners
Court reporters
Courtroom security
Family court commissioners
Guardians ad litem
Indigent counsel
Judicial assistants
Law clerks
Law library
Mediation
Probate

LAND CONSERVATION

Administer cost share programs
Combat invasive species
Conservation programs
Farmland preservation program
Household hazardous waste programs
Implementation of shoreland preservation programs
Large livestock siting
Manure runoff prevention and response
Non-metallic mining reclamation
Pollution prevention programs
Preservation of open space
Soil and water resource management
Tree planter maintenance
Watershed programs
Wildlife damage claim and abatement program
Wildlife habitat preservation

LAND INFORMATION; PLANNING, ZONING

Boards of Adjustment
Farmland preservation program
General zoning, shoreland zoning and floodplain zoning
Global positioning systems
Land division and subdivision review and approval
Land-use planning
Large livestock siting
Mapping
Non-metallic mining reclamation
Private sewage system monitoring
Remonumentation
Property listing

REGISTER OF DEEDS

File federal tax liens
Index, archive and maintain papers for public access
Issue copies of records upon demand and collect required fee
Mapping
Prepare certified copies as requested by the veteran or veteran's service officer
Record, index, archive and maintain military discharge papers and issue copies
Record/file all papers authorized by *Wisconsin State Statutes*, collect statutory fees and submit a portion to the state for the Land Information Program
Record/file and maintain vital records (birth, death and marriage), issue copies, collect statutorily required fees and submit portion to the Children's Trust Fund
Submit the state's portion of the Real Estate Transfer Fee to the Department of Revenue
Record and keep permanent records of all Certified Survey Maps, Subdivision Plats, Condominium Plats, County Plats and Transportation Project Plats as required by *Wisconsin State Statutes*

SANITATION/SOLID WASTE

Animal wastewater control
Compost
Collection services, transporting and solid waste disposal
Household hazardous waste program
Long term care/closure of landfills
Operate a port authority
Operate an incinerator program to reduce waste
Own and operate county landfills
Private sewage system monitoring
Provide a yard waste composting collection site
Recycling
Serve as the responsible unit for recycling programs and services, or contract out a portion of these responsibilities
Tank cleanup/removal

SHERIFF

Administration of the jail
Ambulance
Coordinate accident reduction project
Dive rescue
Dog handlers
Drug and crime prevention
Emergency communications (911)

HEALTH & HUMAN SERVICES

Community aids is the major state funding source counties utilize to help fund their human services responsibilities.

Eligible Community Aids Services

Source: Legislative Fiscal Bureau

Child care
Supportive home care services
Specialized transportation and escort services
Community living/support services

- Adult day care
- Respite care
- Housing/energy assistance
- Daily living skills training
- Interpreter services and adaptive equipment
- Family support
- Congregate meals
- Home-delivered meals
- Family planning

Emergency government
Fire protection
Holding of state prisoners
Investigations
Patrol
Prisoner law library
School liaison officers
Tactical teams
Transport of adult prisoners
Transport of juvenile prisoners
Water patrol

TRANSPORTATION

Airport operation and maintenance
Assistance to rail and harbor infrastructure
Bridge and culvert installation
Docks and harbors
Guard rail installation and repair
Highway and street maintenance for local roads
Installation and removal of snow fence, application of salt and sand
Litter and trash pick-up
Maintain and repair park and ride lots
Maintain several waysides of the state trunk highway system
Mass transit
Own and maintain bike trails

Patching, crack filling and seal coating of pavement
Parking facilities
Pavement resurfacing and marking
Planning and engineering
Plowing, deicing, shoveling and hauling snow
Road construction
Shoulder maintenance
Street lighting
Transportation services for elderly and disabled
Vegetation control

UW-EXTENSION

4-H and youth development program, "Supporting Young People"
Agriculture, agribusiness and horticulture program, "Teaming up with Agriculture"
Community, natural resources and economic development program, "Meeting Community Challenges"
Family living program, "Strengthening Wisconsin's Families"

- Protective payment/guardianship
- Case management
- Investigations and assessments
 - Court intake and studies
 - Intake assessment
- Community support
- Work-related and day services
 - Nonmedical day care services
- Supported employment services
- Community residential services
 - Adoptions
 - Adult family home care
 - Foster home care
 - Group home care
 - Shelter care
 - Detoxification—social setting
 - Community-based residential facility care
- Community treatment services
 - Juvenile probation and supervision
 - Juvenile reintegration and aftercare
- Restitution
- Crisis intervention
- Counseling/therapeutic resources
- Medical day treatment
- Inpatient and institutional care
 - Juvenile correctional institution services
 - Detoxification—hospital setting
 - Inpatient
 - Child caring institution services
 - DD center/nursing home
- Institution for mental disease (IMD) services
- Community prevention, access and outreach
 - Recreation/alternative activities
 - Community prevention, organization and awareness
 - Outreach
 - Information and referral
 - Advocacy and defense resources
 - Health screening and accessibility

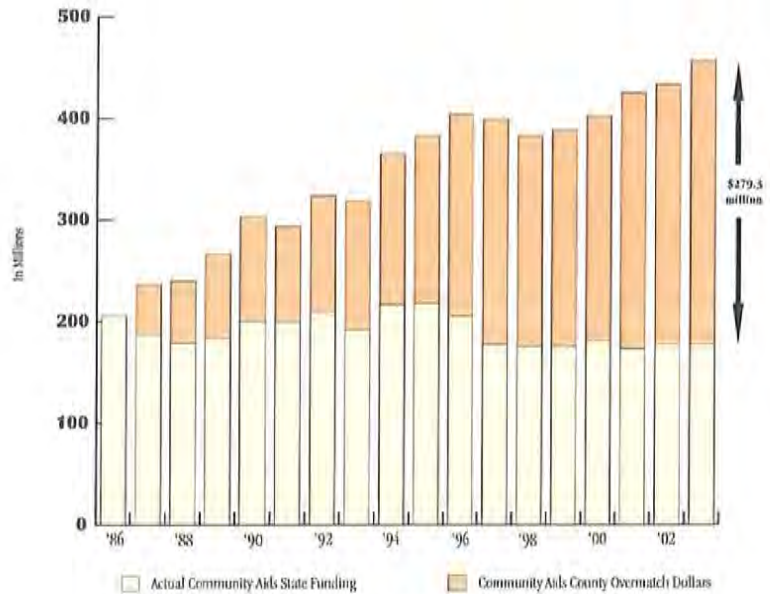
Statutory mandates:

51.42(1)(b) COUNTY LIABILITY. The county board of supervisors has the primary responsibility for the well-being, treatment and care of the mentally ill, developmentally disabled, alcoholic and other drug dependent citizens residing within its county and for ensuring that those individuals in need of such emergency services found within its county receive immediate emergency services.

46.031 (2g) CONTRACT. (a) The department shall annually submit to the county board of supervisors in a county with a single-county department, or the county boards of supervisors in counties with a multi-county department, a proposed written contract containing the allocation of funds and such administrative requirements as necessary. The contract as approved may contain conditions of participation consistent with federal and state law. The contract may also include provisions necessary to ensure uniform cost accounting of services. Any changes to the proposed contract shall be mutually agreed upon. The county board of supervisors in counties with a single-county department or the county boards of supervisors in counties with a multi-county department shall approve the contract before January 1 of the year in which it takes effect unless the department grants an extension.

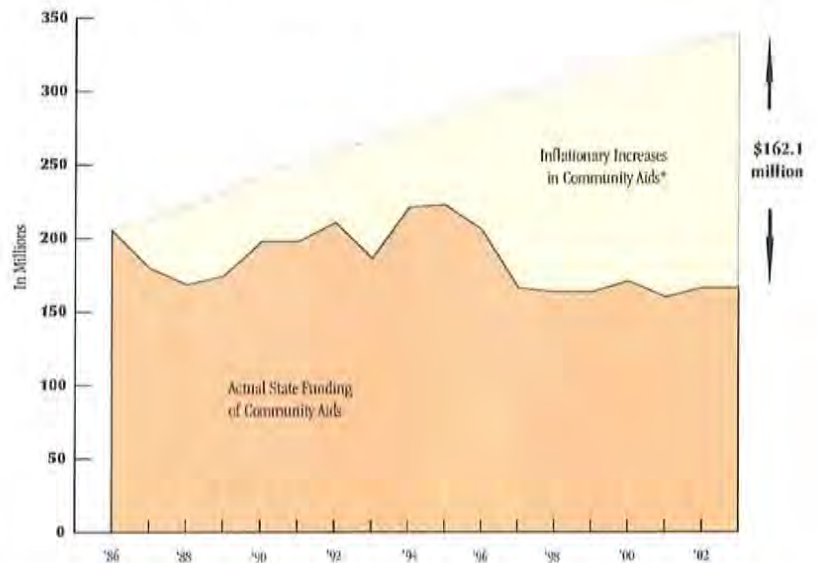
Other statutory mandates: 46.031(1); 46.031(2); 46.036(1)(2)(3)(4)(5); 46.10(8m); 46.21(1m); 46.21(2); 46.21(2)(k); 46.215(1)a-p; 46.215(2)(b)1-3; 46.22(1)a-i; 46.22(2)a-g; 46.22(3)a-d; 46.22(4m)a-e; 46.22(5m); 46.22(2); 46.22(3); 46.23(3)(4)(5)(5m)(6)(6m); 46.40; 46.56(4); 51.437

COMMUNITY AIDS FUNDING AND COUNTY OVERMATCH



This chart illustrates the amount of state funding in community aids and the overmatch contributed by county property tax dollars.

COMMUNITY AIDS 1986-2003



This chart depicts what community aids funding would look like if there was an inflationary increase each year. The bottom or blue portion of the chart shows actual state funding of community aids, while the top or yellow section shows community aids increased by inflation from 1986 to 2003. If there was an increase of inflation by 2003, there would be \$162.1 million more in community aids.

* The funding levels were adjusted for inflation using the Consumer Price Index for the Midwest urban area.

JUVENILE JUSTICE

Youth Aids is the major state funding source counties utilize to help them fund their juvenile justice activities.

Under current law, counties have the primary financial responsibility for juvenile delinquents.

Youth Aids was implemented statewide in January, 1981. Youth Aids was designed to assist counties in covering the costs of both in-home and out-of-home placements for juveniles found delinquent.

The Youth Aids program was created to reduce the number of individuals in the state's Juvenile Correctional Institutions (JCIs) by eliminating any fiscal incentive for counties to place juveniles in these institutions. (In other words, the state JCIs would charge the county for each juvenile sent to the JCI by a state judge.)

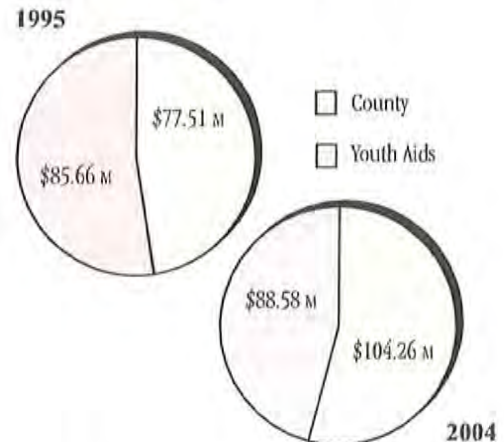
Generally, a circuit court judge orders either an in-home disposition or an out-of-home disposition.

In-home dispositions range from attending weekly therapy sessions to electronic monitoring devices. All juveniles with in-home dispositions remain under the direct supervision of their counties of residence, and county officials are responsible for making decisions about their treatment.

Out-of-home dispositions include foster homes, treatment foster homes, group homes, residential care centers and juvenile correctional institutions.

COMPARISON OF STATE/COUNTY FUNDING OF JUVENILE JUSTICE FROM 1995 TO 2004

(in millions)



Source: Office of Management & Budget
Division of Juvenile Corrections, Department of Corrections

STATE COURT SYSTEM

The Wisconsin court system was established when Wisconsin became a state in 1848 by Article VII of the Wisconsin Constitution.

The state was divided into five judicial districts, with five judges who were required to meet once a year in Madison as a Supreme Court.

In 1903 the Supreme Court was expanded to seven members and the Constitution was amended to require separate "probate courts" and allowed the Legislature to establish inferior courts.

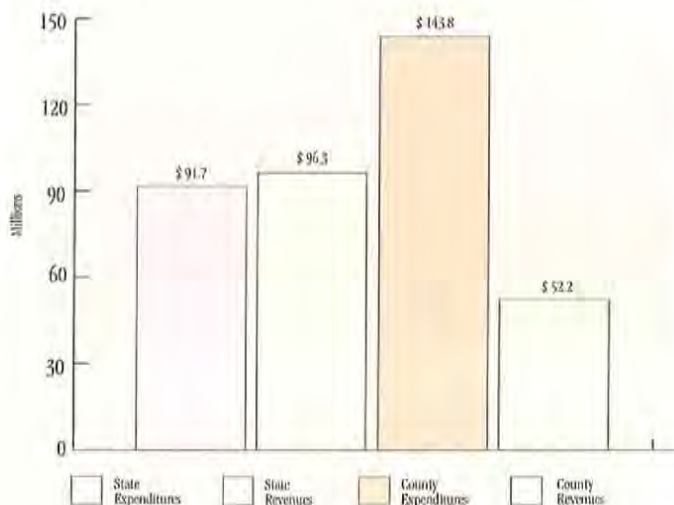
In 1962 the court system was reorganized into a two-tiered system with circuit courts and county courts. There were 26 judicial circuits and county courts had at least one judge in each county.

In 1977, the Constitution was amended to eliminate the requirement of one probate court in each county and the Legislature passed the "Court Reorganization Act." The "Court Reorganization Act" merged circuit and county courts into one trial court system.

As a result of the reorganization, the 26 circuit courts were expanded to the current 69, and existing circuit and county judges became judges in the circuit in which their chambers were located.

All matters pending before the county court were transferred to the circuit court.

CIRCUIT COURT EXPENDITURES & REVENUES STATE (FY 03-04) & COUNTY (CY 2003)



Source: Legislative Fiscal Bureau

The act also phased out four existing judgeships and phased in 13 additional judgeships for a total of 190 circuit court judges in 1980.

Fifty-one more judgeships have been created since 1980 (the most recent was created in 2000 in Waupaca County).

COUNTY TRANSPORTATION FUNDING

Wisconsin has over 113,269 miles of roads. Local governments have jurisdiction over 101,497 miles, or 89.6 percent of those road miles. Counties, cities, towns and villages work to carry out many different state and federal transportation programs.

When looking at average daily traffic, the state roads consist of approximately 60 percent and local governments consist of approximately 40 percent. Wisconsin funds its transportation system almost exclusively through user fees— mostly the gas tax and registration fees.

Counties receive funding from the state for transportation through various programs including General Transportation Aids (GTA), Local Transportation Facility Improvement Assistance, Local Bridge Assistance and Mass Transit. County funding for transportation is derived from state aid, the property tax and special assessments.

GTA is the largest funding source paid to local governments. In calendar year 2006, \$380,802,171 was appropriated to local governments, \$74,736,412 for counties, which is the equivalent of about 20 percent cost sharing. GTA helps offset the cost of county and municipal road construction, maintenance, traffic and other transportation-related costs. These funds are distributed based on a six-year spending average of a statutorily set rate-per-mile.

While the circuit courts are under the control of the state, a large portion of the court system is still funded by counties. State funds are used to pay the salaries of the judges, official court reporters and reserve judges. By law, counties are responsible for all other operating costs.

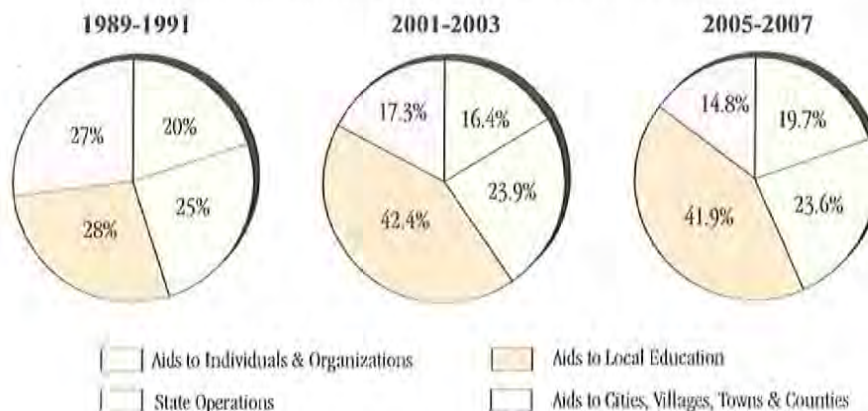
Another source of money for local governments is Local Transportation Facility Improvement Assistance. This includes the Surface Transportation Rural Program (STP-Rural), the Surface Transportation Urban Program (STP-Urban) and the Local Roads Improvement Program (LRIP). Local governments will receive annual federal funds totaling \$44,163,600 in the STP-Urban and \$25,927,400 in the STP-Rural program for 2005-2007. LRIP funding for 2006-2007 is \$46,708,900 from state segregated funds, with a minimum of \$46,708,900 in local matching dollars.


Local governments will also receive \$34,760,000 in annual funds under the Local Bridge Improvement Assistance program for the 2005-2007 program cycle, with \$26,290,000 coming from federal funds and \$8,470,000 coming from state funds. This program helps rehabilitate and replace the most seriously deficient existing local bridges on Wisconsin's local highway system.

Finally, in the area of mass transit, qualifying local governments can receive funding through the State Urban Mass Transit Operating Assistance Program. Eligible applicants for this program include municipalities and counties with populations greater than 2,500. Eligible public transportation services include buses, shared-ride taxicabs and rail. The state budgeted \$98,661,400 for this program in 2005.

Source: WisDOT 2005-2007 Biennial Budget Summary and WisDOT Web site

STATE BUDGET DISTRIBUTION OF RESOURCES 1989 - 2007





The flower depicted throughout this document is a graphically modified photograph of the common daisy. The photograph was taken and graciously provided by Lisa Ballweg.

Origin & History of the Daisy

The daisy derived its English name from the Anglo-Saxon term "daes eage," or "day's eye," referring to the way this flower opens and closes with the sun.

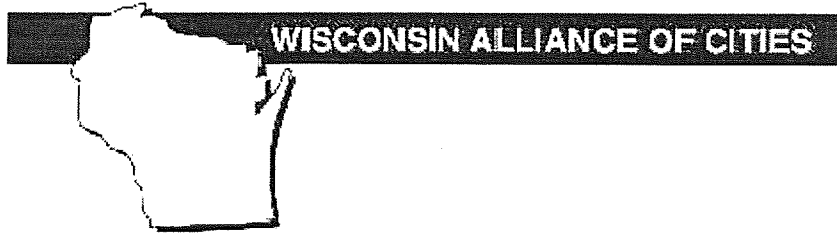
Primarily known as the symbol of childhood innocence, this charming wildflower is said to originate from a Dryad who presided over forests, meadows and pastures. According to Roman mythological legend, the nymph Belides, as she danced with the other nymphs at the edge of the forest, caught the eye of Vertumnus, the god of the orchards. To escape his unwanted attention, she transformed herself into the flower bellis, which is the daisy's botanical name. Similar in appearance to some chrysanthemums, daisies continue to be associated with simplicity and modesty— two characteristics carried over from Victorian times.

A well-known practice originated with heartbroken Victorian maids who wished to be loved once again by their suitors. A maid would pluck a daisy's petals one by one, chanting, "He loves me, he loves me not," for each petal pulled. Of course, it was the last petal that predicted the situation's outcome.

While its modest simplicity made the daisy a favorite flower of many poets, its healing and predictive powers made it popular with an infamous English king. King Henry VIII ate dishes of daisies to relieve himself from his stomach-ulcer pain; during this time it was also believed that drinking crushed daisies steeped in wine, in small doses over fifteen days, would cure insanity.

Spring, medieval farmers believed, would not arrive until one could set a foot on twelve daisies. To dream of daisies in springtime or summer was a lucky omen, but dreams of them in fall or winter meant certain doom. Transplanting wild daisies to a cultivated garden was considered to be very unlucky.





To: Municipal Executives of Central Wisconsin
From: Rich Eggleston
Subject: The State-Local Partnership

I. Beginnings of the Partnership

In 1911, state government created the state shared revenue program with enactment of the state income tax. In doing so, state government recognized how imperfect the property tax was as a mechanism for funding local government. At first, the state income tax law provided that 70% of proceeds be returned to the taxpayer's home community, and 20% to his or her county.

The percentages changed as state government became more expensive, and today shared revenue totals just nine cents of every sales tax and income tax dollar state government collects.

II. Interim Urban Problems Committee

By 1957, the state-local partnership was stressed by urbanization, and the Legislature created the Interim Urban Problems Committee, which reported to the Legislature and Gov. Gaylord A. Nelson 43 years ago.

Its first recommendation:

"The problems arising from the rapid expansion of urban areas in the state are so numerous and complex that further study is essential. It is urged that the governor and the 1959 Legislature seriously consider continuing the urban committee as one means of seeking solutions to the problems associated with urban growth and development."

The committee's recommendations centered mostly around incorporation law and regional planning, and some of its recommendations made it into law, though not its continuance.

III. The Citizens Study Committee on Metropolitan Problems

Those stresses had intensified by 1971, when Gov. Patrick J. Lucey appointed the Citizens Study Committee on Metropolitan Problems, which issued its report in January,

1973. The committee, headed by Gilbert W. Church of Glendale, took a look at local government in Wisconsin and found a system "designed for an agrarian society of a hundred or more years ago," an "urban community" plagued by "a patchwork of political boundaries which become increasingly aimless and arbitrary as they outlive their historical origins."

The "kaleidoscopic design of local governments" in Wisconsin's metropolitan was reflected in "magnified costs" and inefficiencies at the local level and in the "often bitter battle among municipalities for tax base advantage," the study committee concluded. But probably the worst result of the hodge-podge was "the atrophied sense of community — of common political purpose — which occurs when arbitrary jurisdictional lines divide residents from employment, wealth from poverty, and political leadership from economic power."

The committee recommended that:

- Counties be authorized to form urban services districts.
- Voluntary merger of such districts in adjoining counties
- That counties modernize themselves "and not be handcuffed by constitutional restrictions."
- The state provide financial incentives for the above to occur.
- Mass transit, public health, police support services, consolidated municipal and county law enforcement and wastewater treatment be considered candidates for tasks to be assumed by urban services districts.
- Cleaning up the waters of the state on a watershed basis, with financial incentives for areawide efforts rather than piecemeal projects, with water and sewer extensions following regional plans.
- Regional planning agencies certify all major land use changes.
- Annexation, incorporation and consolidation disputes be settled by a state boundary review board, which would decide which course provides the most orderly future growth. "There must be orderly growth to assure that urban services can be efficiently and equitably provided," the committee said.
- Housing for low-income families be provided on a metropolitan basis, with a "fair share" system used to allocate housing.
- Repeal of the "internal improvements" clause of the state constitution.
- All elementary and high-school pupils receive "the same basic financial support...regardless of where they live."
- Law enforcement policy and control of police departments be placed in the hands of elected officials "subject to safeguards against undue political interference."

The committee further recommended that the property tax be used mainly for services related to property, and that the entire cost of welfare be borne by the state and federal governments. It also recommended:

- county administration and professionalization of property-tax assessments; and
- assessment at 100% of market value.

IV. The Wallace Commission

In 1975, there was another Lucey administration attempt at changing the state-local partnership. The Commission on State-Local Relations and Financing Policy, chaired by

Harry L. Wallace of Wauwatosa and dubbed the Wallace Commission, made a series of recommendations along policy themes that included:

- Local governments must have greater flexibility and autonomy in meeting their responsibilities for organization, service provision and financing.
- General purpose units of local government should be strengthened, and the functions of special purpose districts (other than education districts) transferred to general purpose units.
- Legislation should be enacted to encourage governmental units in an area to consolidate and create an area-wide form of government at their initiative.
- The state should have a comprehensive statewide land use and boundary adjustment policy. Haphazard development can increase the costs of providing services, and guidelines and procedures are needed to ensure a rational approach to land use.
- The present system of state-local financing relies too heavily on property taxes.
- The Commission reaffirms its support for two major financing policy goals: the equalization of the fiscal capacity of local units to finance services, and the equalization of the ability of individuals to bear the local tax burden.

Again, some of the Wallace Commission's recommendation became state policy and many did not — notably the recommendation for encouraging area-wide government.

V. The Barry Commission

In 1987, a brand new Wisconsin governor, Tommy G. Thompson, was concerned that property taxes in Wisconsin were 25% above the national average. He appointed the Local Property Tax Relief Commission, chaired by then-Dane County Executive Jonathan Barry, who had opposed Thompson in the 1986 Republican primary for governor.

In December, 1987 the Barry Commission reported back to Thompson, and among its findings:

- Increased state local assistance is the best alternative to the property tax for local governments.
- Any new state initiative to reduce property taxes must be adequately funded.
- Increases in state sales tax revenues would need to provide approximately 60% of the funds necessary for property tax relief.
- A combination of increasing the sales tax rate and expanding the sales tax base is necessary to provide adequate funds for property tax relief.

The commission recommended a foundation plan for schools, financed in part with per-capita shared revenue payments, and that a share of general purpose state revenues be earmarked for property tax relief.

While some of the concepts embraced by the commission became law in succeeding years, there was no increase in the sales tax, and by the mid 1990s, the state's commitment to shared revenues was flagging.

VI. Commission for the Study of Administrative Value and Efficiency (SAVE Commission), 1993-94.

Created by Gov. Tommy Thompson in 1993, the SAVE Commission spent a year crafting a wide range of recommendations, mostly affecting state government. Among them:

- Examine the impacts of tax policy on land use.
- Think about development on a regional rather than a local basis.
- Challenge the status quo through devices like compulsory sunset of state laws.
- Overhaul state purchasing procedures.
- Apply "truth in spending" to criminal law and other statutes.
- Allow state legislators to spend "quality time" in their districts.

VII. Shared Revenue Task Force, 1999

1997 Act 27 created a Shared Revenue Task Force chaired by John W. Rader of the state Department of Revenue. In its March, 1999 report to the Legislature, the task force said it had reached the following conclusions:

- Tax-base equalization aid has worked well and has accomplished many of the goals it was intended to achieve. The policy should remain a significant focus of the shared revenue formula.
- To encourage municipalities and counties to restrain spending, most additional funding that may be funneled into general municipal and county aids should be distributed in a manner that mirrors the Expenditure Restraint Program.

VIII. The Blue-Ribbon Commission on State-Local Partnership for the 21st Century

In his State of the State speech to the Legislature in 2000, Thompson said he would appoint a blue-ribbon task force to "develop a new system for providing the services our people demand and collecting the money to pay for them."

In April, he named the 31-member commission, chaired by UW political scientist Don Kettl. In January, 2001 the commission issued a 133-page report, including 139 recommendations.

The first recommendation:

"Wisconsin must immediately launch a major effort to rebuild its state-local partnership. The first steps in doing so require all members of the partnership, at the state and local levels, to recognize the valuable role that all the partners play; and for all of the players to work with their partners with an attitude of mutual respect."

In general, the Kettl Commission recommended that:

- The state should provide more aid to villages, towns, cities and counties that collaborate on a regional basis to provide taxpayers better service and spur economic growth. The state would earmark .25 percent of state sales tax revenue, roughly \$170 million annually, for local governments to earn through collaborative efforts. That would replace \$142.7 million in shared revenue now distributed on a per-capita basis to municipalities.
- The state should ultimately assume responsibility for defining and financing social service and criminal justice programs at the county level, including child welfare, circuit courts and juvenile justice.
- Counties now have that responsibility and finance the programs with state aid and local property taxes. Under the proposal, counties could serve as general contractors and continue to provide the services. If a county chose not to run certain programs, the state could turn to private vendors to provide the service.
- State and local governments should move as quickly as possible to a paperless system by switching to an e-government and e-procurement system. Using the Internet, citizens would have electronic access to government services. Government agencies could save money by seeking bids and procuring goods and services over the Internet.
- State officials should reassess how Wisconsin funds education for students with special needs, including those from low income backgrounds, struggling to learn English and with disabilities. The state should strengthen its programs to assist students who are not English-proficient and adjust its funding formula to account for the number of students who are working to learn English. Also, the state ought to align the Department of Public Instruction's standards with federal standards, especially in defining which students need special education programs.

IX. The Task Force on State & Local Government

In March, 2002, Gov. Scott McCallum announced that he would create a task force to "build a better Wisconsin through state and local partnerships."

McCallum told the task force to re-examine state mandates, encourage local governments to consolidate and become more efficient, reward economic development and growth, and tackle the issue of "too much government" in Wisconsin.

The task force chair, Tim Sheehy of the Metropolitan Milwaukee Chamber of Commerce, said he would like the group to focus on recommendations that are "actionable — things that local governments can do, that the Legislature can enact."