

**COUNTY OF RACINE  
GOVERNMENT SERVICES COMMITTEE**

Janet Bernberg, Chairman  
Katherine Buske, Vice Chairman  
Melissa Kaprelian-Becker, Secretary

Supervisor Thomas E. Roanhouse  
Supervisor Kiana Johnson-Harden  
Supervisor Scott Maier  
Supervisor Mike Dawson

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\*\*\* THIS LOCATION IS HANDICAP ACCESSIBLE. If you have other special needs, please contact the Racine County Board Office, 730 Wisconsin Avenue, Racine, Wisconsin 53403 (262) 636-3571, fax (262) 636-3491 or the TTD/RELAY 1-800-947-3529. \*\*\*

**NOTICE OF MEETING OF THE  
GOVERNMENT SERVICES COMMITTEE**

DATE: TUESDAY, AUGUST 1, 2017  
TIME: 5:00 p.m.  
PLACE: CONFERENCE ROOM - IVES GROVE OFFICE COMPLEX  
14200 WASHINGTON AVENUE STURTEVANT, WI 53177

**A G E N D A**

1. Public Comments
2. Chairman Comments
3. Approval of Minute(s) from previous meeting.
4. New Business
  - A. Youth in Governance evaluation report
  - B. Discussion regarding resolutions by St. Croix, Wood, Jackson, Forest, Chippewa and Portage Counties to create a Nonpartisan Procedure for the Preparation of Legislative and Congressional Redistricting Plans
5. Old Business
  - Receive and File Resolutions Referred from County Board**
  - A. Resolution No. 21 (2017) from St. Croix County to Close Loopholes that shift a Greater Property Tax Burden from Commercial to Residential Homeowners
  - B. Resolution No. 14-05/17 from Walworth County Recommending Change in Unemployment Compensation Rules
  - C. Resolution No. 13-2017-18 from Outagamie County urges the Governor and State Legislature to protect Wisconsin workers by opposing legislation to repeal Wisconsin's prevailing wage law
  - D. Resolution No. 18/2017-18 from Outagamie County Board of Supervisors does 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
  - E. Resolution No. 19-2017-18 from Outagamie County Board of Supervisors does 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
  - F. Resolution No. 2017-43 The Door County Board of Supervisors does support legislation to allow only aggrieved parties to petition for a recount to ensure tax payers are not responsible for any unnecessary recount costs, to allow the Wisconsin Elections Commission to be reimbursed for any costs incurred in a recount; extend the time to submit recount costs for 30 to 45 days; shorten the recount petition deadline by two days to ensure submission of Wisconsin's Electoral College votes; give the county board of canvassers an additional day to begin their recount.
  - G. Resolution No. 40-17 from Portage County requests the Governor, Legislature and Department of Workforce Development to come together to promulgate clear, fair rules regarding unemployment and seasonal workers.
  - H. Resolution No. 12-2017-18 from Outagamie County has already been adopted by that county
  - I. Resolution No. 17-7-6 from Wood County this resolution urges the Legislature to support Wisconsin's workers by opposing the repeal of Wisconsin's prevailing wage law because the skilled construction tradesmen and women working on our public infrastructure deserve to be paid a fair minimum wage. Wisconsin is already experiencing a worker shortage and skills gap. Repealing prevailing wage will only make the problem worse.
6. Adjournment

**GOVERNMENT SERVICES COMMITTEE MEETING MINUTES**  
**June 6, 2017**

AUDITORIUM  
IVES GROVE OFFICE COMPLEX  
14200 WASHINGTON AVENUE  
STURTEVANT, WISCONSIN 53177

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Vice-Chairman Buske called the meeting of the Government Services Committee to order at 6:00 p.m.

The meeting was attended by Supervisors: Maier, Johnson-Harden, Kaprelian-Becker, Dawson, Roanhouse and Youth Rep Craig.

Excused: Supervisor Bernberg.

Absent: Youth Rep Goldammer.

Also attending were County Chief of Staff M.T. Boyle and Racine County Emergency Management Coordinator David Maack.

**#1 – Public Comments**

None.

**#2 – Chairman Bernberg Comments**

Vice-Chairman Buske requested Youth Rep Craig read the Youth in Governance statement.

Due to the scheduled July meeting falling on a holiday Vice-Chairman Buske polled the committee about changing the next meeting date. It was decided since five of seven members could attend the meeting it would be scheduled for Wednesday, June 28, 2017.

**#3 – Approval of Minutes from previous meeting(s)**

**Action:** To approve the minutes from March 29, 2017 and April 6, 2017 meetings as printed.

**Motion passed.** Moved: Supervisor Maier. Seconded: Supervisor Johnson-Harden. Vote: All Ayes, No Nays. Youth Vote: Aye.

**#4A Racine County Emergency Management Coordinator David Maack to speak on the Emergency Management Disaster Response course he attended in May**

Coordinator Maack gave his background of being in Emergency Management for 29 years, 27 of those with Racine County. He supplied the committee with the Emergency Section he wrote for the Wisconsin County Official's Handbook, 5<sup>th</sup> Edition. Its steps outline the County requirements; planning, response, recovery and responsibilities for elected and senior officials both during and after a disaster. He gave an overview, along with handouts, of the conference he attended in May; Emergency Management Institute (EMI) in Emmitsburg, MD along with about 70 others from Racine County. Classroom training on day one was followed up by a mock tornado disaster. A scenario of Racine County being hit in three separate locations by a tornado at the same time had to be handled by the group on day two. He also took questions from the committee.

**#5A Deadline for submission of Resolutions to Wisconsin Counties Association for the annual Business Meeting**

Vice-Chairman Buske reminded the committee of the deadline on June 26, 2017 for submission of Resolutions to the WCA for the Annual Business meeting.

**6. Old Business**

None.

**7. Adjournment**

**Action:** To adjourn the meeting at 6:40 p.m. **Motion passed.** Moved: Supervisor Johnson-Harden. Seconded: Supervisor Kaprelian-Becker. Vote: All Ayes, No Nays. Youth Vote: Aye.

3

Gov. Service



**Resolution No. 20 (2017)  
RESOLUTION TO CREATE A NONPARTISAN PROCEDURE  
FOR THE PREPARATION OF LEGISLATIVE AND  
CONGRESSIONAL REDISTRICTING PLANS**

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

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

**WHEREAS**, historically legislative and congressional plans in Wisconsin have been subject to partisan influence that put the desires of politicians ahead of the electoral prerogative of the people; and

**WHEREAS**, the 2011 process to draw the maps and fight litigation contesting those maps cost taxpayers nearly \$1.9 million; and

**WHEREAS**, a panel of federal district court judges has ruled that the redistricting that was done in Wisconsin in 2011 was unconstitutional; and

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

**NOW THEREFORE BE IT RESOLVED** that the St. Croix County Board of Supervisors insists upon the creation of a nonpartisan procedure for the preparation of legislative and congressional redistricting plans.

**BE IT FURTHER RESOLVED** that the process promotes more accountability and transparency and 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.

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

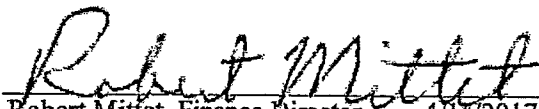
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ST. CROIX COUNTY CLERK  
CLEM

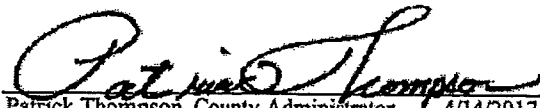
**Legal – Fiscal – Administrative Approvals:**

**Legal Note:**

**Fiscal Impact:** Policy statement, no fiscal impact on St. Croix County.

  
Scott L. Cox, Corporation Counsel 4/14/2017


  
Robert Mittel, Finance Director 4/14/2017

  
Patrick Thompson, County Administrator 4/14/2017

04/19/17 Administration Committee APPROVED

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Roy Sjoberg, Chair  
**SECONDER:** Laurie Bergren, Supervisor  
**AYES:** Sjoberg, Bergren, Berke, Kiesler, Leibfried

Vote Confirmation.

  
Roy Sjoberg, Supervisor 4/24/2017

**St. Croix County Board of Supervisors Action:**

Roll Call - Vote Requirement – Majority of Supervisors Present

<b>RESULT:</b>	<b>ADOPTED [14 TO 3]</b>
<b>MOVER:</b>	Roy Sjoberg, Supervisor
<b>SECONDER:</b>	Scott Nelson, Supervisor
<b>AYES:</b>	Ring, Babbitt, Sjoberg, Nelson, Berke, Ostness, Larson, Hansen, Kiesler, Peterson, Anderson, Achterhof, Leibfried, Peavey
<b>NAYS:</b>	Ryan S. Sicard, Bob Long, Andy Brinkman
<b>ABSTAIN:</b>	Tom Coulter
<b>ABSENT:</b>	Laurie Bergren

This Resolution was Adopted by the St. Croix County Board of Supervisors on May 2, 2017

Cindy Campbell, County Clerk



6

Gov. Servs.

JACKSON COUNTY, WISCONSIN  
RESOLUTION NO. 18-5-2017

**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;

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

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

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

Offered this 15th day of May, 2017, at Black River Falls, Wisconsin.

Executive and Finance Committee

[Signature]  
[Signature]  
[Signature]  
[Signature]  
Ron Carney

Adopted on: May 15, 2017

ATTEST:

[Signature]  
Kyle Deno, County Clerk, A.C.

I HEREBY CERTIFY  
RESOLUTION # 18-5-2017  
WAS ADOPTED ON May 15, 2017  
BY JACKSON COUNTY BOARD OF SUPERVISORS  
[Signature]  
KYLE DENO, JACKSON COUNTY CLERK  
YES 19 NO 0



**RESOLUTION 20-2017**

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

Resolution offered by Forest County Executive Committee:

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

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

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

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

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

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

**WHEREAS**, there is a critical need at this time to restore trust,  
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RACINE COUNTY CLERK

compromise and fair competition to Wisconsin politics;

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

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

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

I, County Clerk, in and for the said County of Forest, State of Wisconsin, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the County Board of Supervisors of Forest County, Wisconsin, in legal session on the 30 day of June, 2017.

Dated this 30 day of June, 2017.

*Nora Matuszewski*  
 Nora Matuszewski, Forest County Clerk

*Paul Millan*  
 Supervisor

ROLL CALL SHEET COUNTY BOARD		Date <u>6/30/2017</u>		Ordinance	
No. <u>20-2017</u>		Motion: <u>Carryover</u>		Adopted	
Resolution <u>✓</u>		1st <u>Carryover</u>		Lost	
		2nd <u>Carryover</u>		Tabled	
	Aye	No	Absent		
Berg	X				
Bunda	X				
Campbell	X				
Chaney	X				
Collins	X				
Connors, Jr.	X				
Dailey	X				
Dehart	X				
Gallion	X				
Houle	X				
Huetti	X				
Karl	X				
Laabs	X				
Lukas	X				
Marvin	X				
Matuszewski	X				
Millan	X				
Otto	X				
Shaffer	X				
Stamper	X				
Tauer	X				
TOTAL	20				1

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Gov. Sec. 2

Resolution No. 16 - 17

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

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

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

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

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

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

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

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

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

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

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

17 JUN 22 AM 9:40  
MILWAUKEE COUNTY CLERK

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

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

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

Forwarded to the County Board by the Executive Committee.

**FINANCIAL IMPACT:**

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

History:

06/01/17 Executive Committee FORWARD TO COUNTY BOARD

Approved as to Form:

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

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

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

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

85

RESOLUTION NO.

138-2016-2018

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

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

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

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

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

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

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

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

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

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

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



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Gov. Servs.

# Portage County Clerk

Shirley M. Simonis

1516 Church Street

Stevens Point, WI 54481

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

## CERTIFICATION

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

RESOLUTION NO. 138-2016-2018  
RE: RESOLUTION SUPPORTING THE CREATION OF A  
NONPARTISAN REDISTRICTING PROCEDURE FOR THE  
PREPARATION OF LEGISLATIVE AND CONGRESSIONAL DISTRICTS

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

23 for

\_\_\_ against

\_\_\_ abstained

\_\_\_ vacant

2 excused Dobratz, James Gifford

\_\_\_ vacant

17 JUN 29 AM 9:37  
PORTAGE COUNTY CLERK

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

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

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

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

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

Dated this 20<sup>th</sup> day of June, 2017.

Respectfully submitted,

EXECUTIVE OPERATIONS COMMITTEE

*excused*  
\_\_\_\_\_  
Q. Philip Idsvoog (Chair)

*[Signature]*  
\_\_\_\_\_  
James Gifford

*[Signature]*  
\_\_\_\_\_  
Allen Haga

*[Signature]*  
\_\_\_\_\_  
Don Butkowski

*[Signature]*  
\_\_\_\_\_  
James Zdroik

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Gov. Series

**RESOLUTION NO.: 14-2017-18**

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

**MAJORITY**

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. The legislature also reapportions congressional districts pursuant to federal law.

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.

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.

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.

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.

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

NOW THEREFORE, the undersigned members of the Legislative/Audit & Human Resources

Committee recommend adoption of the following resolution.

BE IT RESOLVED, that the Outagamie County Board of Supervisors does 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

17 JUN 14 PM 3:16  
OUTAGAMIE COUNTY CLERK



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

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

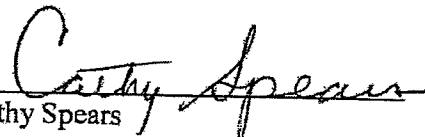
6 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy  
7 of this resolution to the Outagamie County Executive, all Wisconsin counties, and the Outagamie  
8 County Lobbyist for distribution to the Governor and the Legislature.

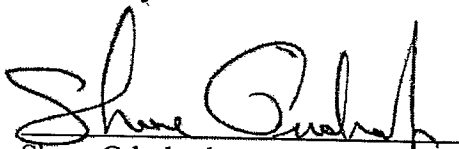
9 Dated this 23<sup>d</sup> day of May 2017

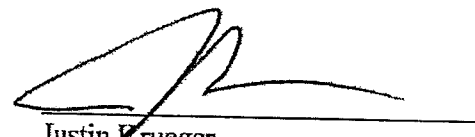
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11 Respectfully Submitted,

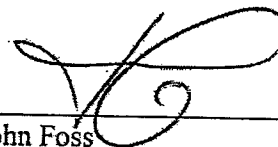
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13 LEGISLATIVE/AUDIT &  
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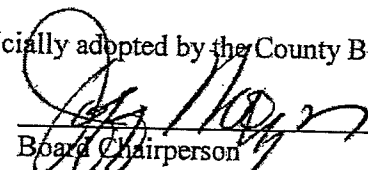
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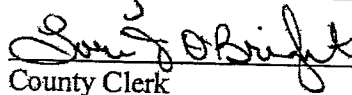
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26 Shane Griesbach

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30 Justin Krueger

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34 John Foss


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

36 Signed:   
37 \_\_\_\_\_  
38 Board Chairperson

36 Signed:   
37 \_\_\_\_\_  
38 County Clerk

36 Approved: 5.25.17

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

36 Signed:   
37 \_\_\_\_\_  
38 County Executive

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

**RESOLUTION NO. 14—2017-18**

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

**RESOLUTION NO. 14—2017-18 IS ADOPTED.**

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

4

Gov. Sotir



**Resolution No. 21 (2017)  
RESOLUTION TO CLOSE LOOPHOLES THAT SHIFT A  
GREATER PROPERTY TAX BURDEN FROM COMMERCIAL  
TO RESIDENTIAL HOMEOWNERS**

1       **Whereas**, home owners in Wisconsin already pay 70% of the total statewide property tax  
2 levy; and  
3

4       **Whereas**, that disproportionate burden is about to get much worse unless the Legislature  
5 addresses tax avoidance strategies that national chains like Walgreens, and big box retail  
6 establishments like Target and Lowe's are using across the country to gain dramatic reductions  
7 in their property tax bills at the expense of homeowners and other taxpayers; and  
8

9       **Whereas**, a carefully-orchestrated wave of 100s of lawsuits in Wisconsin is forcing  
10 assessors to slash the market value of thriving national retail stores, shifting their tax burden to  
11 local mom and pop shops and homeowners; and  
12

13       **Whereas**, Walgreens and CVS stores in Wisconsin have argued in communities across  
14 the state that the assessed value of their property for property tax purposes should be less than  
15 half of their actual sale prices on the open market; and  
16

17       **Whereas**, in many cases the courts have sided with Walgreens and CVS, requiring  
18 communities to refund tax revenue back to the stores; and  
19

20       **Whereas**, there are over 200 Walgreens stores located in Wisconsin's cities and villages;  
21 and  
22

23       **Whereas**, Target, Lowe's, Meijer, Menards and other big box chains are using what is  
24 known as the "Dark Store Theory" to argue that the assessed value of a new store in a thriving  
25 location should be based on comparing their buildings to sales of vacant stores in abandoned  
26 locations from a different market segment; and  
27

28       **Whereas**, the Republican-controlled Indiana state Legislature has on two occasions in the  
29 last two years overwhelmingly passed legislation prohibiting assessors from valuing new big  
30 box stores the same as nearby abandoned stores from a different market segment; and  
31

32       **Whereas**, the Michigan state house overwhelmingly passed similar legislation in May of  
33 2016.  
34

35       **Now, Therefore, Be It Resolved**, that the St. Croix County Board of Supervisors urges  
36 the Governor and the Legislature to protect homeowners and main street businesses from having  
37 even more of the property tax burden shifted to them by passing legislation clarifying that:  
38

1. Leases are appropriately factored into the valuation of leased properties; and

17 MAY 11 PM 4:03  
CLERK  
ST. CROIX COUNTY CLERK

39  
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42

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.

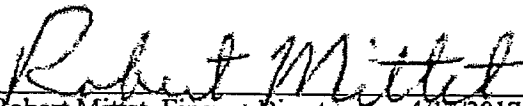
**Legal – Fiscal – Administrative Approvals:**

Legal Note:

Fiscal Impact:

Policy statement, no fiscal impact on St. Croix County.

  
Scott L. Cox, Corporation Counsel 4/14/2017

  
Robert Mittet, Finance Director 4/14/2017

  
Patrick Thompson, County Administrator 4/14/2017

04/19/17 Administration Committee APPROVED

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Jill Ann Berke, Vice Chair  
**SECONDER:** Ron Kiesler, Supervisor  
**AYES:** Sjoberg, Bergren, Berke, Kiesler, Leibfried

Vote Confirmation.

  
Roy Sjoberg, Supervisor 4/24/2017

**St. Croix County Board of Supervisors Action:**

Roll Call - Vote Requirement - Majority of Supervisors Present

<b>RESULT:</b>	<b>ADOPTED [14 TO 2]</b>
<b>MOVER:</b>	Roy Sjoberg, Supervisor
<b>SECONDER:</b>	Jill Ann Berke, Supervisor
<b>AYES:</b>	Babbitt, Sjoberg, Long, Nelson, Berke, Ostness, Larson, Hansen, Kiesler, Peterson, Anderson, Achterhof, Leibfried, Peavey
<b>NAYS:</b>	Ryan S. Sicard, Andy Brinkman
<b>ABSTAIN:</b>	Agnès Ring, Tom Coulter
<b>ABSENT:</b>	Laurie Bergren

This Resolution was Adopted by the St. Croix County Board of Supervisors on May 2, 2017

Cindy Campbell, County Clerk

5

Gov. Form 15

**Resolution No. 14-05/17**  
**Recommending Change in Unemployment Compensation Rules**

1 Moved/Sponsored by: Executive Committee

2  
3 **WHEREAS**, many employers throughout Wisconsin rely on seasonal workers to provide goods  
4 and services to our citizens and visitors; and,

5  
6 **WHEREAS**, seasonal workers usually return to the same employers and professions and,

7  
8 **WHEREAS**, these workers typically work full-time for roughly seven months per year and,

9  
10 **WHEREAS**, employers have time and money invested in the recruitment and training of these  
11 workers; and,

12  
13 **WHEREAS**, current employment regulations require that these workers apply for employment  
14 knowing they will be returning to their previous employer; and,

15  
16 **WHEREAS**, this process forces workers to apply for numerous jobs they are not qualified for  
17 nor want; and,

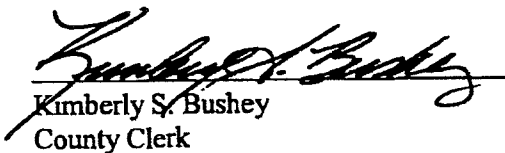
18  
19 **WHEREAS**, the law creates an additional burden on employers in the form of time and money  
20 in reviewing applications from applicants who are unqualified or who will not accept  
21 employment or remain in the job because they intend to return to their seasonal job.

22  
23 **NOW, THEREFORE, BE IT RESOLVED** the Walworth County Board of Supervisors  
24 requests the Governor, Legislature and Department of Workforce Development come together to  
25 promulgate clear, fair rules regarding unemployment and seasonal workers.

26  
27 **BE IT FURTHER RESOLVED**, a copy of this resolution shall be sent to Governor Walker, the  
28 Walworth County Legislative delegation, Wisconsin Counties Association and all Wisconsin  
29 Counties.

30  
31 

34 Nancy Russell  
35 County Board Chair

32  
33 

34 Kimberly S. Bushey  
35 County Clerk

36  
37 County Board Meeting Date: May 9, 2017

38  
39 Action Required: Majority Vote X

Two-thirds Vote \_\_\_\_\_ Other \_\_\_\_\_

This Resolution/Ordinance was:  
Adopted; Roll Call/U.C./Voice  
Rejected/Referred/Laid Over

Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Absent: \_\_\_\_\_

Date May 9, 2017

17 MAY 15 AM 9:31  
CLERK

Policy and Fiscal Note is attached.

Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

DA Bretl      4/27/17  
Date  
David A. Bretl  
County Administrator/Corporation Counsel

N Andersen      4/28/17  
Date  
Nicole Andersen  
Deputy County Administrator - Finance

If unsigned, exceptions shall be so noted by the County Administrator.

3

**RESOLUTION NO.: 13—2017-18**

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

**MAJORITY**

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

8  
9 Governor Walker's 2017-19 Biennial Executive Budget includes language repealing  
10 Wisconsin's prevailing wage requirement. Both the Senate and Assembly have also  
11 proposed legislation eliminating Wisconsin's prevailing wage law.

12  
13 This resolution urges the Legislature to support Wisconsin workers by opposing the  
14 repeal of Wisconsin's prevailing wage law because the skilled construction tradesmen and  
15 women working on our public infrastructure deserve to be paid a fair minimum wage.  
16 Wisconsin is already experiencing a worker shortage and a skills gap. Repealing  
17 prevailing wage will only make the problem worse.

18  
19 NOW THEREFORE, the undersigned members of the Legislative/Audit & Human Resources  
20 Committee recommend adoption of the following resolution.

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

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

27 Dated this 23rd day of May 2017

28  
29 Respectfully Submitted,

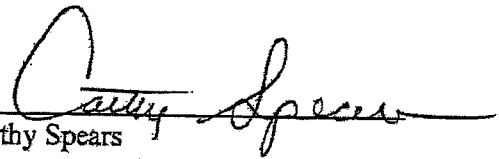
30  
31 LEGISLATIVE/AUDIT &  
32 HUMAN RESOURCES COMMITTEE

17 JUN 14 PM 3:14  
CLERK  
OUTAGAMIE COUNTY CLERK




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\_\_\_\_\_  
Travis Thyssen

  
\_\_\_\_\_  
Cathy Spears

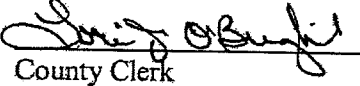
  
\_\_\_\_\_  
Shane Griesbach

  
\_\_\_\_\_  
Justin Krueger


  
\_\_\_\_\_  
John Foss

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

Signed:   
\_\_\_\_\_  
Board Chairperson

  
\_\_\_\_\_  
County Clerk

Approved: 5.25.17 Vetoed: \_\_\_\_\_

Signed:   
\_\_\_\_\_  
County Executive

**Protect Wisconsin Businesses and Workers by Supporting  
Prevailing Wage**

**What is the prevailing wage?**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**You get what you pay for.**

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

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

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

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



**Legislative Fiscal Bureau**

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

March 27, 2015

TO: Representative Robb Kahl  
Room 322 West, State Capitol

FROM: Ryan Horton, Fiscal Analyst

SUBJECT: Prevailing Wage Laws and 2015 Assembly Bill 32

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

**Prevailing Wage**

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

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

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

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

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

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

#### **Prevailing Wage Law Changes and Proposals: 2009 to 2014**

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

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

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

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

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

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

#### 2015 Assembly Bill 32

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

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

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

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

longer-term maintenance and repair costs.

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

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

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

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

#### **The Prevailing Wage Debate**

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

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

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

#### **Evidence on the Impact of Prevailing Wage Laws on Construction Costs**

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RH/sas  
Attachments

ATTACHMENT I

Prevailing Wage Provisions included in 2009 Wisconsin Act 28

**Publicly Funded Private Construction Projects**

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

**Project Threshold**

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

**Reporting Requirements**

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

**Liability and Penalties**

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

**Other Provisions**

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

**ATTACHMENT II**

**Prevailing Wage Provisions included in 2011 Wisconsin Act 32**

**Exemption for Nursing Homes**

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

**Exemption for Residential Projects**

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

**Exemption for Residential Development**

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

**Exemption for Chip/Slurry Seal**

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

**Exemption for Trucking Activities**

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

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

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

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

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

#### **Work Performed Without Compensation**

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

#### **Night Shift Differential and Holiday Pay**

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

#### **Prevailing Wage Survey**

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

#### **Statewide Concern; Uniformity -- Local Ordinances**

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

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

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

#### **Project Thresholds**

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

#### **Reporting Requirements**

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

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



**Inspection of Records**

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

**Publicly Funded Private Construction Projects**

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

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

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

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

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

**RESOLUTION NO. 13—2017-18**

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

**RESOLUTION NO. 13—2017-18 IS ADOPTED.**

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

5

Gov. Dennis

**RESOLUTION NO.: 18-2017-18**

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

**MAJORITY**

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. 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. Participation would be optional for county sheriffs, tribal jails, and houses of correction. If they chose to participate, the contractual obligations of the Department of Corrections and the county would be articulated in a Memorandum of Understanding.

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

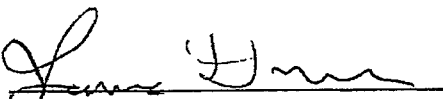
BE IT RESOLVED, that the Outagamie County Board of Supervisors does support proposed legislation permitting inmates confined to county jails, county houses of correction, or tribal jails under a Department of Corrections contract to leave the facility to participate in employment-related activities or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

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

Dated this 23rd day of May 2017

Respectfully Submitted,

PUBLIC SAFETY COMMITTEE

  
James Duncan

  
Lee W. Hammen

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*Katrin Patience*  
Katrin Patience

*Tony Krueger*  
Tony Krueger

*Mike Thomas*  
Mike Thomas

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

Signed: *[Signature]*  
Board Chairperson

*[Signature]*  
County Clerk

Approved: 5.25.17

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

Signed: *[Signature]*  
County Executive



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-3038/1  
MLJ:amn

2017 BILL

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

---

*Analysis by the Legislative Reference Bureau*

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

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

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

2017 - 2018 Legislature

- 2 -

LRB-3038/1

MLJ:amn

SECTION 1

**BILL**

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

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

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

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

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

22

(END)

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

RESOLUTION NO. 18—2017-18

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

RESOLUTION NO. 18—2017-18 IS ADOPTED.

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

6

Gov. 2017-18

**RESOLUTION NO.: 19—2017-18**

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

**MAJORITY.**

LADIES AND GENTLEMEN:

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

4  
5 A proposal is being considered to allow the person to file a petition with the sentencing  
6 court after he or she completes their sentence. Upon receipt of the petition, the court  
7 must review the petition at a hearing or, if the victim of the crime waives a hearing  
8 without a hearing, may then order the record expunged or may deny the petition. If the  
9 petition is denied, the person may not file another petition for two years.

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

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

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

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

21 Dated this 23rd day of May 2017

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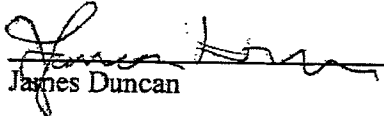
Respectfully Submitted,

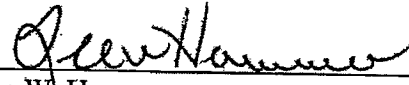
PUBLIC SAFETY COMMITTEE


FILED  
17 JUN 16 PM 3:16  
OUTAGAMIE COUNTY CLERK  
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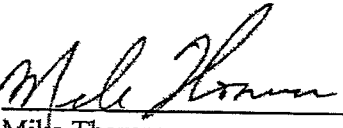
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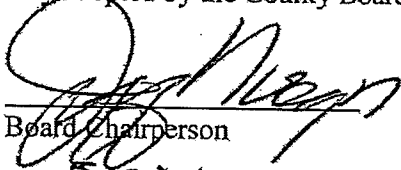
  
Lee W. Hammen

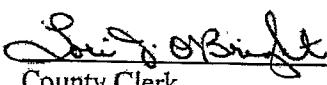
  
Katrin Patience

  
Tony Krueger

  
Mike Thomas

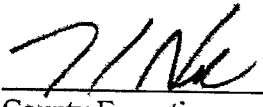
Duly and officially adopted by the County Board on: May 23, 2017

Signed:   
Board Chairperson

  
County Clerk

Approved: 5-25-17

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

Signed:   
County Executive

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

**RESOLUTION NO. 19—2017-18**

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

**RESOLUTION NO. 19—2017-18 IS ADOPTED.**

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

11-17  
CB MG

3

Gov. Service



# DOOR COUNTY

## Resolution No. 2017-43

### RECOUNT REFORM

#### TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH	X		
KOHOUT	X		
LIENAU	X		
LUNDAHL	X		
MOELLER	X		
NEINAS	X		
ROBILLARD	X		
SCHULTZ	X		
SITTE	X		
SOHNS	X		
VIRLEE	X		
VLIES WOTACHEK	X		
WAIT	X		
	21	0	0

**BOARD ACTION**  
Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st Kohout Defeated

2nd Sohns

Yes: 21 No: 0 Exc: 0

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

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

**Certification:**  
I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of June, 2017 by the Door County Board of Supervisors.

[Signature]  
Jill M. Lau  
County Clerk, Door County

1 **WHEREAS**, After the general election, a candidate that lost by over 1.3  
2 million votes and only received 1% of the total vote petitioned for and  
3 initiated a full statewide recount. The recount prevented clerks from  
4 attending to their regular duties and resulted in unanticipated expense; and

5  
6 **WHEREAS**, The Recount Reform Bill preserves the right to request a  
7 recount but limits them to the margin of error. Only "aggrieved parties" can  
8 petition for a recount. An aggrieved party is a candidate that is within 1%  
9 of the winning candidate in an election with over 4,000 votes or within 40  
10 votes in a race under 4,000 votes; and

11  
12 **WHEREAS**, The Recount Reform proposal also improves the recount  
13 process to ensure tax payers are not responsible for any unnecessary  
14 recount costs and to ensure submission of Wisconsin Electoral College  
15 votes. Changes include: The Wisconsin Elections Commission will be  
16 reimbursed for any costs incurred in a recount; extends the time to submit  
17 recount costs from 30 to 45 days; shortens the recount petition deadline by  
18 two days to ensure submission of Wisconsin's Electoral College votes;  
19 gives the county board of canvassers an additional day to begin their  
20 recount. The proposal does not affect Wisconsin's free recount margin of  
21 0.25%; and

22  
23 **WHEREAS**, The undersigned members of the Legislative Committee  
24 recommend adoption of this resolution, in support of the Recount Reform  
25 Bill.

26  
27 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board  
28 of Supervisors does support legislation to allow only aggrieved parties to  
29 petition for a recount to ensure tax payers are not responsible for any  
30 unnecessary recount costs, to allow the Wisconsin Elections Commission  
31 to be reimbursed for any costs incurred in a recount; extend the time to  
32 submit recount costs from 30 to 45 days; shorten the recount petition  
33 deadline by two days to ensure submission of Wisconsin's Electoral  
34 College votes; give the county board of canvassers an additional day to  
35 begin their recount.

36  
37 **BE IT FURTHER RESOLVED**, That the County Clerk is hereby directed  
38 to transmit a copy of this Resolution to the Governor of the State of  
39 Wisconsin, to legislators representing Door County constituents, and to the  
40 Wisconsin Counties Association and all Wisconsin Counties.

#### SUBMITTED BY: LEGISLATIVE COMMITTEE

[Signature] Susan Kohout, Chairman  
[Signature] Helen Bacon  
[Signature] Roy Englebert

[Signature] David Enigl  
[Signature] Steve Sohns

DOOR COUNTY  
7 JUN 2017  
9:27 AM

**Resolution No. 40-17**

**Recommending Change in Unemployment Compensation Rules**

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

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

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

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

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

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

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

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

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

Submitted by,      Gerald Erdmann  
SHAWANO COUNTY BOARD CHAIR

4

30th - 2017



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

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

**SHAWANO COUNTY CLERK - PAMELA SCHMIDT**

STATE OF WISCONSIN }  
COUNTY OF SHAWANO }

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

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

Pamela Schmidt  
Shawano County Clerk

17 JUL -6 AM 7:56  
SHAWANO COUNTY CLERK

***RESOLUTION NO.: 12—2017-18***

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

***MAJORITY***

1 A proposal has been submitted that requires the Department of Administration (DOA) to  
2 solicit public bids to sell the Green Bay Correctional Institution and other specified  
3 parcels of land in the Village of Allouez. The proposal further requires the DOA to solicit  
4 bids for a contract to build per DOA's specifications, and lease to the state with an option  
5 to purchase, a prison facility in Brown County or in an adjacent county to have an  
6 occupancy date of no later than November 1, 2022. The proposal further requires that the  
7 facility be managed and staffed by employees of the Department of Corrections. The  
8 DOA must enter into a lease with the purchaser of the Green Bay Correction Institution  
9 that will allow the state to continue to use the institution and property until the occupancy  
10 date of the new facility. If the state purchases the new facility, the state will make an  
11 annual payment to the municipality where the facility is located equal to the property  
12 taxes paid by the owner of the facility for the last year in which the property was subject  
13 to taxation.

14  
15 NOW THEREFORE, the undersigned members of the Finance Committee recommend adoption  
16 of the following resolution.

17 BE IT RESOLVED, that the Outagamie County Board of Supervisors does oppose any  
18 legislation proposing the selling of the current Green Bay Correctional Institution and building a new,  
19 privately-owned facility, and

20 BE IT STILL FURTHER RESOLVED, that the Outagamie County Board of Supervisors does  
21 encourage the Governor to require the creation of an inventory of facilities with open and rentable jail  
22 beds, and

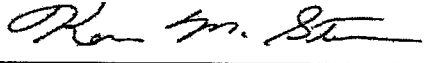
23 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy  
24 of this resolution to the Outagamie County Executive, all Wisconsin counties, and the Outagamie  
25 County Lobbyist for distribution to Governor Walker and the state legislators.

26 Dated this 23<sup>rd</sup> day of May 2017

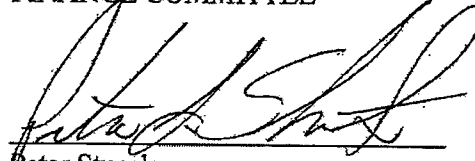
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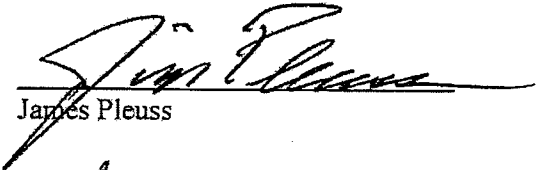
Respectfully Submitted,  
FINANCE COMMITTEE



Kevin Sturn



Peter Stueck



James Pleuss



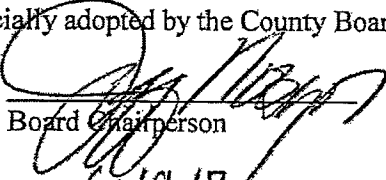
Nadine Miller



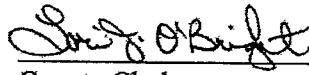
Chris Croatt

Duly and officially adopted by the County Board on: June 13, 2017

Signed:



Board Chairperson



County Clerk

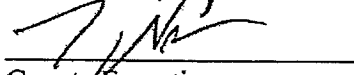
Approved:

6.19.17

Vetoed:

\_\_\_\_\_

Signed:



County Executive

7

OUTAGAMIE COUNTY BOARD MEETING  
JUNE 13, 2017

RESOLUTION NO. 12—2017-18

At the June 13, 2017 meeting, Supervisor Sturn moved, seconded by Supervisor Patience, for adoption.

Chairperson Nooyen stepped down to discuss the resolution; Supervisor De Groot assumed chair. After discussion, Chairperson Nooyen retook the chair.

RESOLUTION NO. 12—2017-18 IS ADOPTED.

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



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

**RESOLUTION NO. 12—2017-18**

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

Supervisor Duncan moved, seconded by Supervisor T. Krueger, to refer Resolution No. 12—2017-18 to the Public Safety Committee. Supervisor Culbertson questioned the sponsorship of the resolution. Corporation Counsel Joe Guidote noted that the resolution should be sponsored by Legislative/Audit & Human Resources Committee. After discussion, Supervisor Duncan and Supervisor T. Krueger agreed to change their amendment so that the resolution be referred to both the Public Safety Committee and the Legislative/Audit & Human Resources Committee. Supervisor Thyssen noted that the agenda for the committees should have the referred resolution put on the back end of the Legislative/Audit & Human Resources Committee agenda and on the front end of Public Safety Committee agenda so that the public can be present at both committees for comment.

**ROLL CALL on referral: 34 aye, 2 absent. RESOLUTION NO. 12—2017-18 IS REFERRED TO THE PUBLIC SAFETY COMMITTEE AND THE LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE.**

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



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-2289/2  
CMH&JK:klm

2017 BILL

1     **AN ACT** to repeal 13.48 (8) and 302.01 (4); to amend 302.02 (1m) (b) and 302.21  
2             (title) and (1); and to create 20.835 (5) (b), 70.1191, 301.16 (1p), 301.19 (3) (c)  
3             and 302.01 (1) (k) of the statutes; relating to: sale of Green Bay Correctional  
4             Institution and construction and lease with a purchase option of a correctional  
5             institution in Brown County or an adjacent county and making an  
6             appropriation.

---

*Analysis by the Legislative Reference Bureau*

This bill requires the Department of Administration to solicit public bids to sell the Green Bay Correctional Institution and other specified parcels of land in the village of Allouez. This bill also requires 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. This bill requires that the facility be managed and staffed by employees of the Department of Corrections. Under this bill, DOA must also enter into a lease with the purchaser of the GBCI that will allow the state to continue to use the institution and property until the occupancy date of the new facility. 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.

2017 - 2018 Legislature

- 2 -

LRB-2289/2  
CMH&JK:klm

**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.** 13.48 (8) of the statutes is repealed.

2           **SECTION 2.** 20.835 (5) (b) of the statutes is created to read:

3           20.835 (5) (b) *Payment in lieu of taxes; correctional institution.* A sum sufficient  
4 to make the payments in lieu of taxes under s. 70.1191.

5           **SECTION 3.** 70.1191 of the statutes is created to read:

6           **70.1191 Payment in lieu of taxes; correctional institution.** If the state  
7 exercises its option to purchase the facility described under 2017 Wisconsin Act ....  
8 (this act), section 9101 (1) (b), the department of administration shall make a  
9 payment from the appropriation account under s. 20.835 (5) (b) to the municipality  
10 where the facility is located equal to the amount of the property taxes paid by the  
11 previous owner of the facility for the last year in which the property was subject to  
12 taxation. The department shall make the payment on or before July 31 of each year  
13 beginning with the year in which the facility becomes exempt from taxation under  
14 s. 70.11 (1). The department shall make the payment under this section for every  
15 year in which the facility is exempt under s. 70.11 (1).

16           **SECTION 4.** 301.16 (1p) of the statutes is created to read:

17           301.16 (1p) In addition to the institutions under sub. (1), the department shall  
18 lease the facility under 2017 Wisconsin Act .... (this act), section 9101 (1) (b), to use  
19 as a correctional institution. The institution shall be staffed with Wisconsin state  
20 employees in the classified service.

21           **SECTION 5.** 301.19 (3) (c) of the statutes is created to read:

2017 - 2018 Legislature

- 3 -

LRB-2289/2  
CMF&JK:klm  
SECTION 5

**BILL**

1           301.19 (3) (c) A facility described under 2017 Wisconsin Act .... (this act),  
2 section 9101 (1) (b).

3           **SECTION 6.** 302.01 (1) (k) of the statutes is created to read:

4           302.01 (1) (k) The correctional institution under 2017 Wisconsin Act .... (this  
5 act), section 9101 (1) (b).

6           **SECTION 7.** 302.01 (4) of the statutes is repealed.

7           **SECTION 8.** 302.02 (1m) (b) of the statutes is amended to read:

8           302.02 (1m) (b) ~~Green-Bay Correctional Institution.~~ The ~~Green-Bay~~  
9 ~~Correctional Institution~~ correctional institution under 2017 Wisconsin Act .... (this  
10 act), section 9101 (1) (b) and its precincts are considered to be in ~~Brown County,~~ and  
11 ~~the Brown County~~ the county in which the institution is physically located, and that  
12 county's circuit court has jurisdiction of all crimes committed within the county.

13           **SECTION 9.** 302.21 (title) and (1) of the statutes are amended to read:

14           **302.21 (title) Vocational education program in auto body repair at the**  
15 **~~Green-Bay Correctional Institution.~~** (1) The department may maintain and  
16 operate a vocational education program in auto body repair at the ~~Green-Bay~~  
17 ~~Correctional Institution~~ correctional institution under 2017 Wisconsin Act .... (this  
18 act), section 9101 (1) (b). Notwithstanding s. 303.06 (1), in connection with the  
19 vocational education program the institution may receive from licensed automobile  
20 dealers and regularly established automobile repair shops vehicles to be repaired,  
21 painted or otherwise processed by residents enrolled in the program.

22           **SECTION 9101. Nonstatutory provisions; Administration.**

23           (1) SALE OF GREEN BAY CORRECTIONAL INSTITUTION; LEASE OF NEW FACILITY.

24           (a) Notwithstanding sections 13.48 (14) (am), 16.848 (1), and 301.24 (4) of the  
25 statutes, the department of administration shall solicit public bids for the purchase

2017 - 2018 Legislature

- 4 -

LRB--2289/2  
CMH&JK:klm  
SECTION 9101

**BILL**

1 of the Green Bay Correctional Institution, including the parcels of land in the village  
2 of Allouez AL-119, AL-119-9, and AL-119-10, contingent upon a contract under  
3 paragraph (b). The department of administration reserves the right to reject any bid  
4 in the best interest of the state. If the department of administration receives no  
5 acceptable bid under this paragraph, paragraph (b) does not apply. If the department  
6 of administration accepts a bid, the department shall enter into a lease with the  
7 purchaser that will allow the state to use the institution and parcels until November  
8 1, 2022, or a later date as agreed upon by the department and the purchaser.

9 (b) Notwithstanding section 301.18 (4) of the statutes, the department of  
10 administration shall solicit bids to contract with a person to build and lease to the  
11 state, with the option to purchase, a prison facility in Brown County or an adjacent  
12 county that shall have an occupancy date of not later than November 1, 2022. The  
13 contract shall have a provision that its terms are contingent upon an accepted bid  
14 under paragraph (a). The department of administration shall, in consultation with  
15 the department of corrections, ensure that the contract establishes construction and  
16 design specifications for the prison facility, including a requirement that the facility's  
17 design and function shall reasonably accommodate at least 100 inmates, who may  
18 not be maximum security inmates in a segregated portion of the facility. The  
19 specifications shall be in compliance with American Corrections Association  
20 standards. The contract shall permit inspection of the site and facility by agents of  
21 the department of administration. The contract shall contain the requirement that  
22 the facility be managed and staffed by employees of the department of corrections.

23 (c) When the department of administration determines the occupancy date  
24 under paragraph (b), the department shall provide notice to the legislative reference  
25 bureau of the occupancy date. If the department does not provide notice by

2017 - 2018 Legislature

- 5 -

LRB-2289/2  
CMH&JK:klm  
SECTION 9101

**BILL**

1 November 22, 2022, the treatment of sections 13.48 (8), 301.16 (1p), 301.19 (3) (c),  
2 302.01 (1) (k) and (4), 302.02 (1m) (b), and 302.21 (title) and (1) of the statutes is void.

3 **SECTION 9452. Effective dates; Other.**

4 (1) CORRECTIONAL INSTITUTIONS. The treatment of sections 13.48 (8), 301.16 (1p),  
5 301.19 (3) (c), 302.01 (1) (k) and (4), 302.02 (1m) (b), and 302.21 (title) and (1) of the  
6 statutes takes effect on the day after the occupancy date provided by the department  
7 of administration under SECTION 9101 (1) (c) of this act.

8 (END)

