

RESOLUTION NO. 6-18

RESOLUTION BY EXECUTIVE COMMITTEE OPPOSING THE PASSAGE OF 2017 SENATE BILL 777
AND 2017 ASSEMBLY BILL 923 RELATING TO CHANGING THE AUTHORITY OF COUNTY
EXECUTIVES AND COUNTY BOARDS

To the Honorable Members of the Lafayette County Board of Supervisors:

WHEREAS, the Legislative and Executive branches of Lafayette County government are proud of the years of successfully working together, embracing fiscal responsibility, and continuing to demonstrate creativity in the execution of governance duties; and

WHEREAS, this relationship - admired by other counties - has had its challenges but it remains intact and viable because each branch takes its responsibilities to citizens seriously, and feels duty bound to produce the best policies possible; and

WHEREAS, proposed 2017 Senate Bill 777 ("SB 777") and 2017 Assembly Bill 923 ("AB 923") make a number of changes to laws relating to the authority of county executives and county boards, both exclusive to any county with a population of 750,000 or more (populous county) and statewide; and

WHEREAS, SB 777 and AB 923 generally provide that any power conferred to a county executive or administrator must be broadly and liberally construed and limited only by express language, and that, to the extent that a conflict exists between county board action and county executive or administrator action, the action of the executive or administrator shall prevail, to the extent of the conflict; and

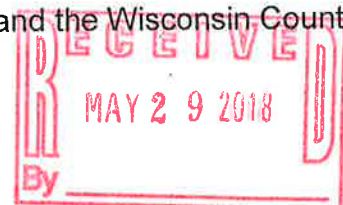
WHEREAS, SB 777 and AB 923 change the authority of county executives and county boards statewide relative to acceptance of donations, gifts, and grants, and transportation leases; and

WHEREAS, SB 777 and AB 923 restrict county board actions related to the budget, including the disallowance of any items other than: a) the county or municipal tax levy; b) anticipated revenue amounts from all sources; and c) appropriations for all departments, and for any other obligations of the county or municipality; and prohibiting the county board of a county with a county executive and a municipality's governing body from issuing municipal obligations in an amount that is higher than the amount initially proposed by the county or chief executive in his or her proposed budget for that biennium; and

WHEREAS, SB 777 and AB 923 allow the county executive to determine whether to utilize biennial budgeting; and

WHEREAS, SB 777 and AB 923, generally, fundamentally expand the powers that may be exercised by the county executive and limit the powers that may be exercised by a county board of a populous county, and the Lafayette County Board of Supervisors is concerned that such disruption to the checks and balances between local branches of government, though limited to a populous county, may lead to passage of similar changes statewide; and

WHEREAS, the Lafayette County Board of Supervisors is alarmed at the sudden appearance and rapid ascension of SB 777 and AB 923, without appropriate vetting and input from the 72 Wisconsin counties, through their boards, constitutional officers, corporation counsel, and the Wisconsin Counties Association; and



WHEREAS, the Lafayette County Board of Supervisors is strongly opposed to any provisions that would significantly change the current powers of county boards, executives and administrators in the following areas:

- The ability to spend money;
- The ability to borrow money;
- The ability to set the property tax levy;
- The ability to set the salaries of constitutional officers and county employees;
- The authority regarding contracts;
- The authority to confirm appointments and dismissals;
- The balance of ultimate authority between county boards and executives or administrators;

WHEREAS, although the Lafayette County Board of Supervisors is not opposed to the modernization of the functions of county government, the policy changes in SB 777 and AB 923 have not been properly vetted by the aforementioned interested parties nor has the general public been properly informed of the shift in the balance of power among their local elected officials; and

NOW, THEREFORE, BE IT RESOLVED that the Lafayette County Board of Supervisors hereby expresses its opposition to 2017 Senate Bill 777 and 2017 Assembly Bill 923; and


BE IT FURTHER RESOLVED that the County Clerk is hereby directed to transmit a copy of this Resolution to Governor Scott Walker, all Wisconsin Legislative Representatives, all Wisconsin Counties, and the Wisconsin Counties Association.

Respectfully Submitted,

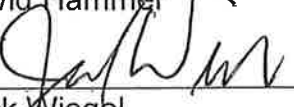
Executive Rules & Legislative Committee




Tony Ruesga, Chair




David Hammer



Jack Wiegel



Gerald Heimann

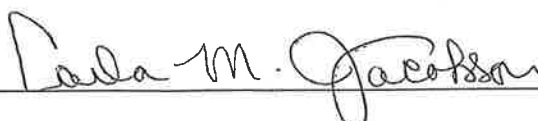


Larry Ludlum

LEGAL NOTE: Within county board authority.

FISCAL NOTE: No direct fiscal impact from the passage of this resolution.

I, Carla M. Jacobson, Clerk of the County of Lafayette, State of Wisconsin, do certify that this resolution was adopted by the Lafayette County Board of Supervisors at a meeting held on May 15, 2018.



Carla M. Jacobson

Carla M. Jacobson
Lafayette County Clerk