



WCA
WISCONSIN COUNTIES
ASSOCIATION

W I S C O N S I N C O U N T I E S A S S O C I A T I O N

Legislative Agenda

2023-2024



Dear State Leaders ...

As we approach the start of a new legislative session, counties find themselves in a challenging position. Rising inflation, increasing demand for social, mental health and child protective services, aging infrastructure, the ongoing opioid epidemic, and an outdated funding model have resulted in counties reaching a tipping point. Absent a new approach to the state-county partnership and its service delivery model, counties will face unprecedented decisions regarding service reductions and, unfortunately, eliminations.

Counties did not arrive at this position over the last year or even the last decade. In fact, in recent years, the state has invested heavily in county programs including child welfare, roads and bridges, and 911 operations. Yet, even with these funding increases, counties are forced to confront the financial realities caused by a three-plus decade shift in state funding priorities. In the 1990s, state funding accounted for almost 50% of county resources. Today, it accounts for about 25% of county resources. This funding shift along with the state's revenue controls on counties, which are the most strict in the nation, means something must give.

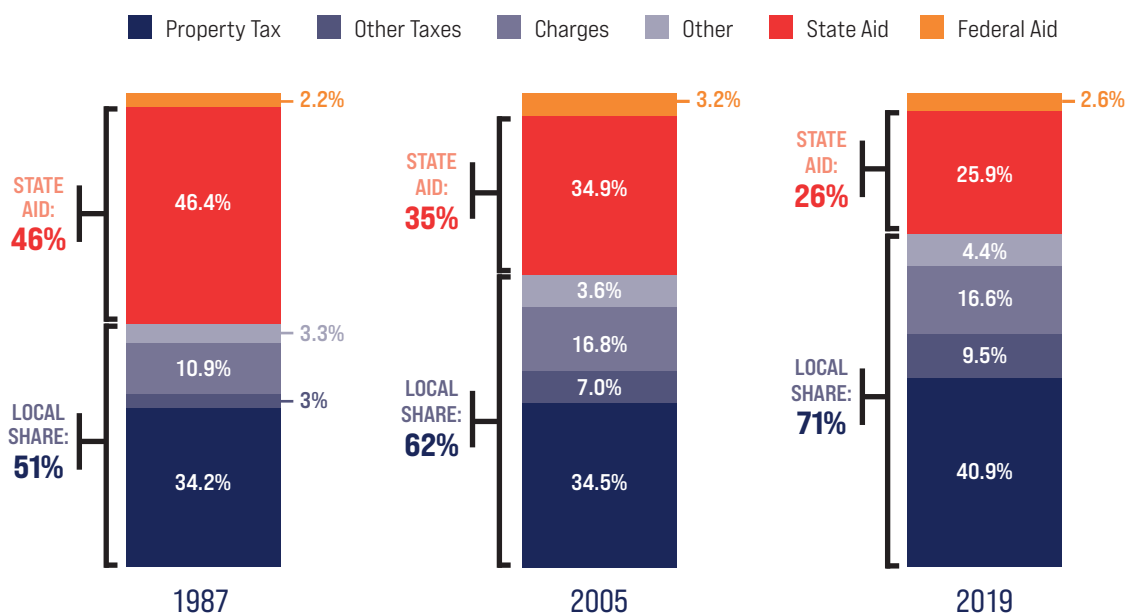
While the association has prepared a proactive legislative agenda representing important county requests for the 2023-2024 Wisconsin Legislative Session, we urge state leaders to prioritize building a 21st century funding model for county government in the coming biennium. Arguing over state aid and levy limits without fully exploring a balanced funding mechanism that would allow citizens to realize the full value of their investment in local government is counterproductive. While there undoubtedly will be many proposals for utilizing the state's historic surplus during the upcoming budget debates, county leaders urge the governor and Legislature to take this opportunity to make Wisconsin's county funding and service delivery system a model for the nation.

The WCA looks forward to working with the governor and the Legislature over the next two years to ensure our state remains a great place to live, work and raise a family. *On, Wisconsin!*

Sincerely,

Kyle Christianson, Vice President of Government Affairs,
Wisconsin Counties Association

DECLINE IN STATE SHARE OF COUNTY FUNDING 1987 - 2019





Agriculture, Environment, and Land Use

- **Identify and manage invasive species populations** to assist state and county efforts in combating invasive species.
- **Restore and support** the sustainability of the state's forestry account.
- **Increase funding for recycling and conservation** efforts, including Clean Sweep programs, other medication collection programs, the Wisconsin Fund, and other related agriculture and well testing programs.
- **Provide funding for advocacy**, education, and testing to address the proper use of and disposal of PFAS (polyfluoroalkyl substances).
- **Ensure that counties** have input in the establishment of acceptable levels of PFAS concentrations in groundwater and surface waters.
- **Maintain funding** for the county land conservation staffing and cost-sharing grants established in the 2021-23 biennial state budget, and further increase funds to reflect the Department of Agriculture, Trade and Consumer Protection's statutorily recommended funding level.
- **Ensure that counties have input** with the Wisconsin Department of Natural Resources in establishing groundwater quantity criteria that are appropriate in each county and reflect decisions made at the local level.
- **Give counties flexibility** and autonomy regarding shoreland zoning and other land use-related decisions.
- **Modify Wisconsin's livestock siting policy** and ensure such legislation provides for increased local control and cost savings while providing for regulatory certainty and flexibility for the state's agricultural community.
- **Reauthorize the Knowles-Warren Stewardship Program**, provided that local participation in the program is sufficiently preserved as determined by stakeholders. Further, specify in state statutes that the program be amended to allow nature-based recreational development grants under the County Forest Subprogram.



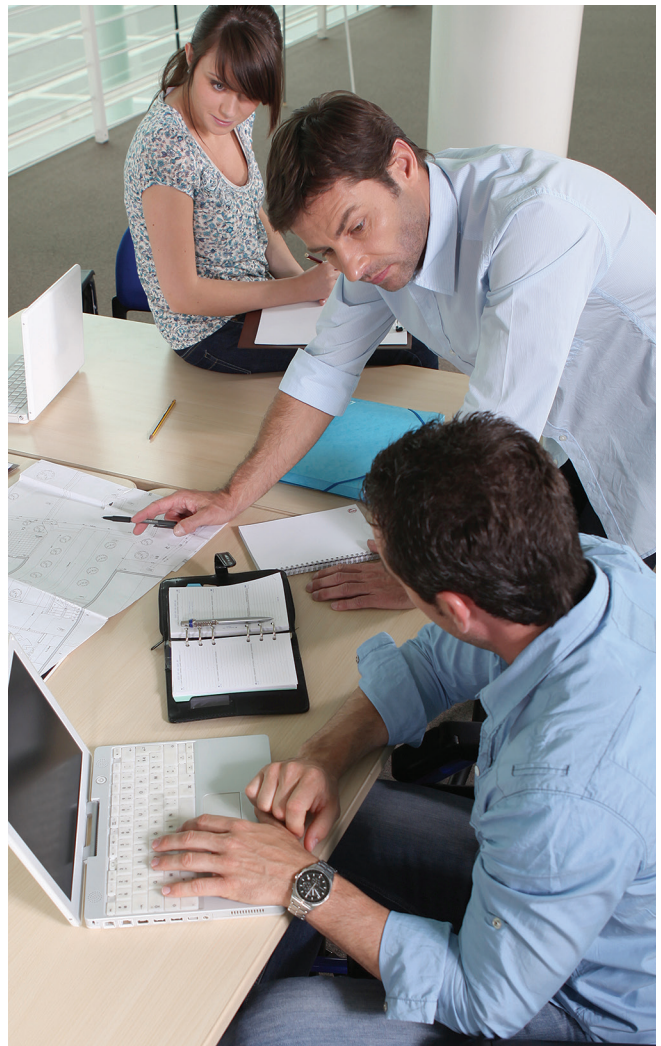
- **Increase the Wildlife Habitat Grant** from \$0.05 per acre to \$0.10 per acre and end the proration associated with the program.
- **Increase the hours, known as Times Standard Hours**, dedicated from the Division of Forestry to county forests from 46,000 to 52,000 hours.
- **Increase the county ATV law enforcement aids** from \$750,000 to \$1,250,000.
- **Increase the annual summer UTV maintenance funding** from \$200 per mile to \$400 per mile, which would result in an additional annual allocation of approximately \$425,000 to reflect the increasing number and size of ATV's and UTV's on Wisconsin's trail systems.
- **Establish a \$25 ATV/UTV rider fee** to be distributed to the appropriate town or county jurisdiction for the maintenance of UTV/ATV routes.



County Organization and Personnel



- **Increase grant dollars** for the County Veterans Service Officers Improvement Grant.
- **Increase the competitive bidding threshold** from current levels to \$100,000 with the exception of certain highway projects for local units of government, change the publication requirements to allow more bids, and ensure all local governments comply with similar bidding thresholds.
- **Require the Wisconsin State Legislature** to wait during the redistricting process until local governments produce and provide their numbers, wards and district information, and to use local boundaries to create state districts.
- **Allow, through municipal ordinance**, the ability for clerks to canvass absentee ballots on the Monday before an election as long as they have the proper tabulating machines, security and other provisions that ensure the integrity of the election.
- **Provide additional aids** to counties for special elections costs, including, but not limited to, costs for the publication of required election notices, printing of absentee ballots and envelopes, designing and printing ballots and poll books, and programming electronic voting machines.
- **Allow counties to retain** a larger portion of the real estate transfer fee.
- **Authorize counties to use** a design-and-build method of construction.





Health and Human Services

AGING

- **Fully fund** Aging and Disability Resource Centers (ADRCs).
- **Support additional or expanded** ADRC services that may be required based on population growth and health disparities.
- **Enact the Caregiver, Advise, Record, Enable (CARE) Act** in Wisconsin to require hospitals to inform a designated caregiver when a patient is admitted to the hospital, transferred, or discharged, and how to care for the patient after discharge.
- **Increase the Medicaid** reimbursement rate for adult care providers.
- **Create a state income tax credit** for family caregivers.

BEHAVIORAL HEALTH

- **Create regional crisis stabilization beds** as well as crisis urgent care and observation centers to improve the state's emergency detention system.
- **Increase funding** for crisis services.
- **Increase funding** for Community Support programs.
- **Increase Medicaid reimbursement rates** for mental health providers.
- **Increase the flexibility** for providers and consumers in the delivery of mental health services utilizing telehealth.
- **Amend Chapter 980** of state statutes to ease county administrative burdens and provide placement flexibility for sexually violent persons.
- **Amend Chapter 51** of state statutes to address lack of clarity regarding behavioral health services and enhance efficiencies consistent with due process.



CHILD SUPPORT

- **Increase child support funding** to meet increased service demands.
- **Provide funding to modernize** the child support system.

CHILD WELFARE

- **Increase funding for child welfare services** in Wisconsin.
- **Support a demonstration project** intended to keep more kids with complex needs in the state.
- **Support a pilot project** to test a concept of professional foster parents to keep more kids in community settings.
- **Provide additional resources** to keep more kids in-home through prevention and early intervention.
- **Provide resources to support** the child welfare workforce-workload study.
- **Revise state law** to include the entire lineage of first and second cousins, no matter the generation of removal, when determining placement for a child.

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Health and Human Services *[continued...]*

COUNTY NURSING HOMES

- **Support systemic payment reform**, including Medicaid rate increases, to support rising costs and the various impacts of the COVID-19 pandemic.
- **Provide additional resources** for staff recruitment, training, and education to address the workforce shortage in long-term care facilities.
- **Create fair and equitable rates** for Family Care providers to be more reflective of the costs of care and the workforce crisis.
- **Support initiatives for people** living with dementia in skilled nursing and assisted living facilities by expanding the facility-based workforce, reforming payment, and addressing the associated regulatory challenges.

ECONOMIC SUPPORT

- **Increase base funding** in the income maintenance administration allocation.
- **Increase funding** for fraud prevention and intervention services.

LONG-TERM SUPPORT

- **Increase funding** to cover county costs associated with the intake, eligibility, and enrollment functions for the Katie Beckett and the Children's Long-Term Support programs.
- **Provide resources** for evidence-based practices like dialectical behavior therapy.
- **Increase funding** for the Birth to Three Program.
- **Increase funding** for the adult protective services system.
- **Provide the Department of Health Services** with the statutory guidance needed to maintain current practice related to placements made by managed care organizations.



YOUTH JUSTICE

- **Increase funding allocated** to counties for youth justice services to fund all costs associated with bringing 17-year-old, first-time juvenile offenders back to the youth justice system.
- **Provide funding** for the successful development and operation of secured residential care centers for children and youth.

PUBLIC HEALTH

- **Build and retain public health** infrastructure through increased and flexible funding.
- **Preserve public health authority** for control of communicable diseases and other public health threats.
- **Increase funding** for communicable disease prevention, suppression and control.
- **Seek funding** for programs to abate lead in paint, soil and pipes, including a statutory provision requiring lead remediation dollars to be used for that purpose.



Judicial and Public Safety

- **Increase the Victim Witness** Reimbursement appropriation.
- **Return a greater portion** of the court support services appropriation to counties through increases in court support services, guardian ad litem, and court interpreter payments.
- **Increase funding** for the Wisconsin Disaster Fund.
- **Eliminate the Department of Corrections' ability** to prorated probation and parole payments to jails.
- **Increase state funding** for the statewide implementation of the Treatment Alternatives and Diversion Program and evidence-based decision making practices, including assistance in implementing new programs and training for employees.
- **Provide for uniformity** in fees charged by the Register in Probate and the Clerk of Courts. In addition, allow statutory fees for items not currently subject to a filing fee in the Register in Probate office.
- **Approve compromise legislation** on protective status for county jailers that will require county jailers to pay for the increased payments to the Wisconsin Retirement System and duty disability.
- **Provide the courts with greater flexibility** and discretion for the collection of crime victim restitution by amending Wis. Stat. 973.20(11)(a) and adding the clerk of courts as one who may receive money or property due as restitution.
- **Increase the small claims filing fee**, which has not increased in 10 years, from the current \$22 to \$42 and allow the county to retain \$30.20 of the fee rather than \$10.20 as it currently retains.
- **Increase the state public defender** private bar rate from the current \$70 per hour.
- **Divert a greater portion** of the Police and Fire Protection Fund to the state-funded Public Safety Answering Points Grant program created under 2019 WI Act 26.





Taxation and Finance

- **Modify the current** annual levy limit adjustment to be based on the change in property values due to the greater of net new construction or 3%.
- **Enact an exemption** from levy limits for economic development and public safety expenditures.
- **Provide levy limit flexibility** for initiatives that involve the transfer of services from one unit of local government to another by eliminating the statutorily required property tax adjustments; and, support an incentive program to encourage more local government transferring and sharing of services.
- **Increase the shared revenue** appropriation to reflect the growing costs of providing state-mandated services.
- **Allow counties to engage** in short-term general obligation borrowing for operational expenses.
- **Allow counties to impose** a sales tax in excess of 0.5%, but not to exceed 1.5%.
- **Amend property assessment** requirements to close the "dark store" property assessment loophole and enact legislation overturning the 2008 Wisconsin Supreme Court decision in Walgreens v. City of Madison.
- **Support legislation** that increases representation in Tax Incremental Financing decisions and increases transparency and predictability of Tax Incremental Districts.
- **Provide annual inflationary increases** to county utility aid.
- **Eliminate the personal property tax** by reimbursing counties for lost revenue.
- **Enforce the Managed Forest Law property limits** by amending state law to close the LLC loophole.
- **Amend the tax deed process** to ensure counties are reimbursed for all costs associated with the tax foreclosure process.





Transportation and Public Works



- **Meet the state's transportation needs** by building on the long-term funding solutions passed in the 2021-23 state budget to meet the state's transportation needs.
- **Increase General Transportation Aid payments** to counties in an amount equal to 30% share of costs to maintain the county trunk highway system.
- **Increase Mass Transit Operating Aids** to reflect the growing costs for counties.
- **Increase state funding levels** for local road and bridge programs.
- **Make additional investments** in the Local Road Improvement program.
- **Increase funding** for the Specialized Transportation Assistance program for counties created by Wis. Stat. 85.21.
- **Protect work zone employees** by allowing flaggers to report work zone traffic infractions and allowing citations to be issued.
- **Establish automated** speed enforcement in work zones.
- **Add work zone safety** information to the state's required curriculum for drivers' education.
- **Prohibit the use** of cellular devices during the operation of a vehicle, with the exception of a "hands free" device.
- **Amend Wis. Stat. 32.28** such that the condemning authority shall assume responsibility for payment for all legal costs in the circumstance where a jury verdict as approved by the court under Wis. Stat. 32.05 (11) exceeds the jurisdictional offer or the highest written offer prior to the jurisdictional offer by at least the amount in the offer plus at least 30%.
- **Extend the supplemental appropriation** to local governments for local road repairs and reclamation of the county trunk highway system that was approved in the 2021-23 state budget.
- **Give counties complete** control of UTV/ATV usage on the county trunk highway system.
- **Deposit funds** from electric vehicle charging stations into the state's segregated Transportation Fund.