above expectations

BAYFIELD COUNTY

Resolution

No. 2026-115

RESOLUTION OPPOSING PROPOSED CHANGES TO THE 2030 UNITED STATES CENSUS RESIDENCE CRITERIA THAT COULD RESULT IN THE MISCOUNTING OF WISCONSIN RESIDENTS

WHEREAS, Article I, Section 2 of the United States Constitution and Section 2 of the Fourteenth Amendment provide the basis for a decennial census to determine the population of each state for purposes of apportioning representation in the United States House of Representatives; *and*

WHEREAS, pursuant to 13 U.S.C. § 141, the United States Census Bureau is responsible for conducting the decennial census and determining the usual residence of individuals for purposes of population enumeration; *and*

WHEREAS, the United States Census Bureau has historically applied the principle that an individual's usual residence is the place where that person lives and sleeps most of the time, recognizing that usual residence is not necessarily the same as legal residence or voting residence; *and*

WHEREAS, on September 10, 2026, the United States Census Bureau published proposed regulations entitled *Decennial Census of the Population of Americans; Proposed Residence Criteria and Proposed Regulations for Demographic Questions*, 91 Fed. Reg. 57524, which would establish new criteria for determining usual residence for the 2030 Census and subsequent decennial censuses; *and*

WHEREAS, the proposed rule would define an individual's usual residence as the residence at which the individual has lawfully spent the greatest number of days during a census enumeration period extending from January 3 through April 1 of the census year, rather than considering where the individual resides for the majority of the calendar year; *and*

WHEREAS, Bayfield County and communities throughout Wisconsin, are home to seasonal residents who maintain their primary homes, longstanding community ties, and substantial economic and personal interests in Wisconsin, but who temporarily reside in other states during limited portions of the year; *and*

WHEREAS, under the proposed residence criteria, individuals who reside in Wisconsin for a majority of the calendar year could nevertheless be counted as residents of another state solely because they spend more days at their seasonal residence during the January 3 through April 1 enumeration period; *and*

WHEREAS, such an approach could result in an inaccurate representation of Wisconsin's population by assigning individuals to states where they reside for only a minority of the year, while failing to recognize the communities in which they maintain their principal residence, spend the greatest portion of their time, and access the majority of the governmental programs and services that they utilize throughout the year; *and*

WHEREAS, decennial census population figures are used in determining congressional representation, legislative redistricting, and the allocation of numerous federal funding programs that support state and local government services, infrastructure, and community needs; *and*

WHEREAS, an inaccurate enumeration of Wisconsin's seasonal residents could adversely affect the population figures used for these purposes, potentially diminishing the representation and resources available to Wisconsin and its local communities; and

WHEREAS, the Bayfield County Board of Supervisors recognizes the importance of consistent, objective, and administratively practical census residence criteria, but believes those criteria should reasonably reflect where individuals actually reside for the greatest portion of the year rather than relying upon a limited period that disproportionately reflects seasonal winter migration;

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors hereby expresses its opposition to the proposed changes to the usual residence criteria contained in proposed 15 CFR § 60, as published in the Federal Register on September 10, 2026, to the extent that those changes would result in individuals who reside in Wisconsin for the majority of the calendar year being enumerated as residents of another state based upon their temporary seasonal residence during the winter months; and

BE IT FURTHER RESOLVED, that the Bayfield County Board of Supervisors respectfully urges the United States Census Bureau to withdraw or revise the proposed residence criteria to ensure that individuals maintaining residences in multiple states are counted in the state where they actually reside for the greatest portion of the year, with appropriate consideration of the totality of their living arrangements; and

BE IT FURTHER RESOLVED, that the Bayfield County Clerk is directed to transmit a copy of this resolution to Wisconsin's United States Senators, the United States Representative serving Bayfield County, the Governor of Wisconsin, the Wisconsin Counties Association, the National Association of Counties, and as a formal comment to United States Census Bureau under Docket No. 260903-0005.

By Action of the:
Bayfield County Board of Supervisors

J. Lee
Jan Lee, *Chair*

STATE OF WISCONSIN)
) ss.
COUNTY OF BAYFIELD)

I, Lynn M. Divine, *Bayfield County Clerk*, hereby certify that the foregoing is a true and correct copy of Resolution No. 2026-115, Volume 30, adopted by the Bayfield County Board of Supervisors at their meeting held on the 10th day of November 2026

Lynn M. Divine
Lynn M. Divine, *Bayfield County Clerk*