

Notice of Public Meeting
Thursday, September 10, 2020
1:00 p.m.

**LEGISLATIVE
 COMMITTEE**

Door County Government Center
County Board Room/Chambers Room, 1st floor
421 Nebraska Street, Sturgeon Bay, WI

AGENDA

1. Call Meeting to Order
2. Establish a Quorum ~ Roll Call
3. Adopt Agenda / Properly Noticed
4. Approve Minutes of August 13, 2020 Legislative Committee Meeting
5. Communications
6. Public Comment
7. Supervisor Response
8. Old Business
 - A. Consideration of Statement on the Potawatomi State Park Tower
 - B. Resolution 2020-__ Racism is a Public Health Crisis
 - C. Resolutions Referred Back to Legislative Committee from Health & Human Services Board
 - Pending Legislation Sexual Misconduct
 - Wisconsin Opportunity Act
9. New Business
 - A. Review Resolutions from Other Counties and Refer to Appropriate Committees for Recommendation as to Action of the County Board
 1. Pepin County – Supporting State Session on Water Quality
 2. Jackson County – Support of Grant with Gaming Money
 3. Jackson County – Supporting a Proposed Eau Claire – Black River Falls – Tomah Amtrak Shuttle Connection
 4. Price County – Support the Commitment to Veterans Support and Outreach (CVSO) Act
10. Next Meeting Date: tbd
11. Meeting Per Diem Code
12. Adjourn

In light of the declared state of emergency and to mitigate the impact of COVID-19 this meeting will be conducted by teleconference or video conference. Members of the public may join the meeting remotely or in-person in the Peninsula Room (C121) 1st Floor Government Center (*please note public in-person has limited capacity and is on a first come, first served basis*).

To attend the meeting via computer:

Go to:

<https://doorcounty.webex.com/doorcounty/onstage/g.php?MTID=e2e6f24c349de5d18440c916447dc6aaa>

Event Password: Sept10leg2020

To Connect via phone:

Call: 1-408-418-9388

Access Code: 146 795 7619

Deviation from the order shown may occur

MINUTES
Thursday, August 13, 2020

**LEGISLATIVE
COMMITTEE**

*Door County Government Center
County Board Room/Chambers Room, 1st floor
421 braska Street, Sturgeon Bay, WI*

"These minutes have **not** been reviewed by the oversight committee and are subject to approval at the next regular committee meeting."

Call Meeting to Order

Chairman Bob Bultman called the August 13, 2020 Legislative Committee meeting to order at 1:00 p.m. at the Door County Government Center.

Establish a Quorum ~ Roll Call

Members present: Bob Bultman, Vinni Chomeau, and Erin Tauscher. Kara Counard attended virtually. Alexis Heim Peter arrived at 1:35 p.m.

Others present: Administrator Ken Pabich, Assistant Corp Counsel Karyn Behling, and County Clerk Jill Lau. Public attended virtually.

Adopt Agenda / Properly Noticed

Motion by Chomeau, seconded by Tauscher to adopt the agenda. Motion carried by voice vote.

Approve Minutes of June 11, 2020 Legislative Committee Meeting

Motion by Chomeau, second by Tauscher to approve the minutes of the June 11, 2020 meeting. Motion carried by voice vote.

Communications

No communications were presented.

Public Comment

No one from the public participated.

Supervisor Response

N/A.

Old Business

No old business was presented.

New Business

Duties of the Legislative Committee

The duties of the committee were included in the meeting packet and were reviewed. The updated duties will be forwarded to the full County Board for the November meeting.

Social Justice and Racial Equity

A resolution from Eau Claire County was reviewed. Discussion regarding drafting a resolution for Door County. Administrator Pabich reached out to Wisconsin Counties Association who provided information for other counties who have adopted social justice/racial equity resolutions. Consideration of creation of an equity, diversity, and inclusion committee or similar committee; member makeup – county board and public members; begin with the Administrative Committee; reach out to community connections to establish potential public members. Discussion and consideration of steps to implement a resolution if adopted rather than adopt and file it. A recommendation from Legislative Committee would be sent to the Administrative Committee for further review and consideration and recommendation. Potentially could look at bringing a resolution forward to the Board in November. It was suggested to gather other resolutions to use to draft a Door County resolution. It was suggested using the Eau Claire resolution as a starting point to draft a DC resolution. Any committee members who have suggestions to include in a resolution should forward those to Chairman Bultman and Administrator Pabich. Assistant CC Behling will work with Administrator Pabich to draft a

resolution which will be brought back to the Legislative Committee for consideration. Discussion of using the language of public health crisis; would this cause some confusion.

Consideration of Statement on the Potawatomi State Park Tower

Chairman Bultman provided background summarizing developments. Should the County draft a resolution in support of repair of the structure? Representative Kitchens along with Senator Robert Cowles have encouraged county officials to support the repair of the tower and suggested a letter of support be sent. Christie Weber, attending virtually, provided further details explaining the State Historical Society will be reviewing the tower to determine if it should be placed on the State Historical Registry. The DNR commissioned a study which determined repairing the tower was not economical. Furthermore, it was determined if more than 50% was repaired, it would be considered a rebuild rather than repair, and would need to comply with Americans with Disabilities Act standards. The Sturgeon Bay Historical Society commissioned their own researcher who found the majority of the structure in acceptable condition and then estimated repair costs.

Administrator Pabich suggested Christie Weber follow-up with Chairman Bultman regarding the decision of the State Historical Society. In addition, the preference would be, if all things are equal and safe, the County then consider a letter or resolution of support.

Review Resolutions from Other Counties and Refer to Appropriate Committees for Recommendation as to Action of the County Board

Wood County, Juneau County, Adams County – Request the State Senate to Convene in Session to Address the 13 Water Bills Passed in the Assembly Earlier this Year

Administrator Pabich does not see the need for any action.

Waushara County, Winnebago County – Support the Commitment to Veterans Support and Outreach (CVSO) Act

Administrator Pabich will follow-up with Veterans Service Officer Beth Wartella and will bring any information back to the committee.

Crawford County, Dunn County, Bayfield County – Advisory Referendum on Redistricting Plans and Maps

No action; we have already adopted a similar resolution.

Next Meeting Date

September 10, 2020 – 1:00 p.m.

Meeting Per Diem Code

151.

Adjourn

Motion by Tauscher, seconded by Chomeau to adjourn. Time: 2:27 p.m. Motion carried by voice vote.

Respectfully submitted by Jill M. Lau, Door County Clerk

Behling, Karyn

From: Rombach-Bartels, Jean - DNR <Jean.RombachBartels@wisconsin.gov>
Sent: Tuesday, August 25, 2020 12:21 PM
To: Behling, Karyn
Subject: RE: Potawatomi State Park Observation Tower

This is what my contact at SHPO said...

The next quarterly meeting of the State Historic Preservation Review Board is in November (November 20). Please note that agenda for this meeting and the properties to be considered has not yet been finalized. We will be reviewing the upcoming agenda in the next few weeks, and property owner notifications will be sent 30 days in advance of the meeting.

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Jean Rombach-Bartels
Phone: 920-662-5114
CELL: 920-360-8082
jean.rombackbartels@wisconsin.gov

-----Original Message-----

From: Behling, Karyn <kbehling@co.door.wi.us>
Sent: Tuesday, August 25, 2020 10:28 AM
To: Rombach-Bartels, Jean - DNR <Jean.RombachBartels@wisconsin.gov>
Subject: RE: Potawatomi State Park Observation Tower

Thanks, let me know!

Karyn E. Behling
Door County Assistant Corporation Counsel County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235
PH 920-746-2228
FAX 920-746-2339
kbehling@co.door.wi.us

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-----Original Message-----

From: Rombach-Bartels, Jean - DNR <Jean.RombachBartels@wisconsin.gov>
Sent: Thursday, August 20, 2020 1:39 PM

To: Behling, Karyn <kbehling@co.door.wi.us>
Subject: Re: Potawatomi State Park Observation Tower

No, but I'll try to find out for you.

Sent from my iPhone

On Aug 20, 2020, at 1:33 PM, Behling, Karyn <kbehling@co.door.wi.us> wrote:

Do you know when their September meeting is?

Karyn E. Behling
Door County Assistant Corporation Counsel County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235
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FAX 920-746-2339
kbehling@co.door.wi.us<mailto:kbehling@co.door.wi.us>

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From: Romback-Bartels, Jean - DNR <Jean.RombackBartels@wisconsin.gov>
Sent: Thursday, August 20, 2020 8:33 AM
To: Behling, Karyn <kbehling@co.door.wi.us>
Subject: RE: Potawatomi State Park Observation Tower

Yesterday's meeting was well attended. The Sturgeon Bay Historical Society (Christy Weber) shared additional information on the tower and it's history in the area. Rep Kitchens expressed his position on keeping the tower. The State Historic Preservation Office is considering the tower at their September meeting (I'm not sure if this is officially on their agenda yet).

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Jean Romback-Bartels
Phone: 920-662-5114
CELL: 920-360-8082
jean.rombackbartels@wisconsin.gov<mailto:jean.rombackbartels@wisconsin.gov>

From: Behling, Karyn <kbehling@co.door.wi.us<mailto:kbehling@co.door.wi.us>>
Sent: Thursday, August 20, 2020 8:20 AM
To: Romback-Bartels, Jean - DNR <Jean.RombackBartels@wisconsin.gov<mailto:Jean.RombackBartels@wisconsin.gov>>
Subject: RE: Potawatomi State Park Observation Tower

Jean,

Would I be able to get any updates on how the meeting went yesterday?

Thanks,
Karyn

Karyn E. Behling
Door County Assistant Corporation Counsel County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235
PH 920-746-2228
FAX 920-746-2339
kbehling@co.door.wi.us<mailto:kbehling@co.door.wi.us>

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From: Romback-Bartels, Jean - DNR
<Jean.RombackBartels@wisconsin.gov<mailto:Jean.RombackBartels@wisconsin.gov>>
Sent: Tuesday, August 18, 2020 3:19 PM
To: Behling, Karyn <kbehling@co.door.wi.us<mailto:kbehling@co.door.wi.us>>
Subject: RE: Potawatomi State Park Observation Tower

Hi Karyn,
Hope all is well with you. Thank you for reaching out to me regarding the tower. This is an incredibly important issue for me personally, as a past manager at the park. The observation tower has a rich history, as does the entire park.

Staff at DNR have been working with the Department of Administration, and the State Historic Preservation Office at the Wisconsin Historical Society to gather important information about the tower, including what the scope of work would be to repair/restore the tower to safe and sustainable condition. We also continue to gather information regarding our responsibility to make the tower accessible for all people who wish to use it, regardless of their ability. Based on the current outlined scope of work, which includes the replacement of components affecting the structure and usability of the tower, our legal team has determined that the work that would be necessary to ensure that the tower is safe would meet the definition of an alteration under 28 C.F.R. § 36.402 and would therefore require that the repaired tower be physically accessible. It would have to meet all state and federal building codes as well as federal ADA laws, and it would have to comply with state bidding and procurement rules. We have determined that the Sturgeon Bay Historical Society's proposal to have the contractor complete minor repair work would run counter to these laws and rules. We continue to take the position that the best and most responsible decision we can make for the tower is to deconstruct it. We have also outlined other options with the Sturgeon Bay Historical Society, which could include the sale of the tower for \$1 so they can reconstruct the tower on private lands, or complete minor repairs on the tower while keeping it closed to the public.

Additionally, we have begun discussing options for mitigation should we move forward with deconstruction. These options could include interpretive and educational displays at the tower site describing the history of the tower; utilizing elements from the tower in a non-structural way; collecting as-built dimensions of the tower for a future scaled replica; commissioning a photograph or artist's rendering of the tower for display at the park and future construction of accessible observation areas at the park, if such projects are supported through the state budget process.

We are continuing to work with the Sturgeon Bay Historical Society as they seek the tower's eligibility on the state and federal registers of historic places. We will be meeting with their members, local legislator, and others tomorrow to discuss their concerns, ideas, etc.

Let me know if you have additional questions. There are many high points at the park which may lend themselves to other features being added that could be more accessible to all.

Respectfully,

Jean

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Jean Romback-Bartels

Phone: 920-662-5114

CELL: 920-360-8082

jean.rombackbartels@wisconsin.gov<mailto:jean.rombackbartels@wisconsin.gov>

From: Behling, Karyn <kbehling@co.door.wi.us<mailto:kbehling@co.door.wi.us>>

Sent: Tuesday, August 18, 2020 1:58 PM

To: Romback-Bartels, Jean - DNR <Jean.RombackBartels@wisconsin.gov<mailto:Jean.RombackBartels@wisconsin.gov>>

Subject: Potawatomi State Park Observation Tower

Jean,

Door County is considering a Resolution in support of repairing/restoring the Potawatomi State Park Observation Tower. As the Door County Legislative Committee considers this Resolution, I was wondering if you could inform me of what the DNR's current position is regarding this and/or the current status of the Tower from the DNR's perspective. My goal is to get information from your agency to present to our Legislative Committee when they consider this Resolution, thank you.

Sincerely,

Karyn Behling

Karyn E. Behling

Door County Assistant Corporation Counsel County Government Center

421 Nebraska Street

Sturgeon Bay, WI 54235

PH 920-746-2228

FAX 920-746-2339

kbehling@co.door.wi.us<mailto:kbehling@co.door.wi.us>

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Racism is a Public Health Crisis

Draft

DOOR COUNTY

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WHEREAS, race is a social construction with no biologic basis; and

WHEREAS, racism is a social system with multiple dimensions: individual racism is internalized or interpersonal; and systemic racism is institutional or structural, and is a system of structuring opportunity and assigning value based on the social interpretation of how one looks, that unfairly disadvantages some individuals and communities, unfairly advantages other individuals and communities, and saps the strength of the whole society through the waste of human resources; and

WHEREAS, racism causes persistent racial discrimination in housing, education, employment, and criminal justice; and an emerging body of research demonstrates that racism is a social determinant of health; and

WHEREAS, more than 100 studies have linked racism to worse health outcomes; and

WHEREAS, in Wisconsin, the highest excess death rates exist for African American and Native Americans, at every stage in the life course, and our infant mortality rate for infants of non- Hispanic Black Women is the highest in the nation; and

WHEREAS, the American Public Health Association (APHA) launched a National Campaign Against Racism; and

WHEREAS, Healthiest Wisconsin 2020 states that, “Wisconsin must address persistent disparities in health outcomes, and the social, economic, educational and environmental inequities that contribute to them”; and

WHEREAS, public health’s responsibilities to address racism include reshaping our discourse and agenda so that we all actively engage in racial justice work; and

WHEREAS, while there is no epidemiologic definition of “crisis”, the health impact of racism clearly rises to the definition proposed by Galea: “The problem must affect large numbers of people, it must threaten health over the long-term, and it must require the adoption of large-scale solutions”.

NOW, THEREFORE, BE IT RESOLVED, that the Door County Board of Supervisors:

1. Asserts that racism is a public health crisis affecting our entire society
2. Assesses internal policy and procedures to ensure racial equity is a core element of Door County, led by people who are most impacted, the Board in collaboration with **Door County Equity, Diversity, and Inclusion Committee**, and other relevant parties and community partners, communicates results of assessment, and determines appropriate intervals for ongoing reassessments.
3. Works to create an equity and justice-oriented organization, with the Board and Committees, and persons who are most impacted, in identifying specific activities to increase diversity and to incorporate anti-racist policies and principles across Door County.



Resolution No. 2020-__

Racism is a Public Health Crisis

| ROLL CALL Board Members | Aye | Nay | Exc. |
|----------------------------|-----|-----|------|
| AUSTAD | | | |
| BULTMAN | | | |
| CHOMEAU | | | |
| COUNARD | | | |
| D. ENGLEBERT | | | |
| R. ENGLEBERT | | | |
| ENIGL | | | |
| FISHER | | | |
| GAUGER | | | |
| GUNNLAUGSSON | | | |
| HEIM PETER | | | |
| KOHOUT | | | |
| LIENAU | | | |
| LUNDAHL | | | |
| NORTON | | | |
| ROBILLARD | | | |
| TAUSCHER | | | |
| THAYSE | | | |
| VIRLEE | | | |
| VRIES WOTACHEK | | | |
| VOGEL | | | |
| | | | |

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st _____ Defeated

2nd _____

Yes: _____ No: _____ Exc: _____

Reviewed by: _____, Corp. Counsel

Reviewed by: _____, Administrator

FISCAL IMPACT:

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 22nd day of September, 2020 by the Door County Board of Supervisors.

Jill M. Lau
County Clerk, Door County

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4. Incorporates into the organizational workplan and Door County’s strategic plan, educational efforts to address and dismantle racism, expand members’ understanding of racism, and how racism affects individual and population health and provide tools to assist members to dismantle their own racism, and tools to assist members to engage actively and authentically with persons from underrepresented groups and persons most impacted by racism. Door County is committed to having people who are most underrepresented and most impacted lead this work.
 5. Advocates for relevant policies that improve health in persons from racial minority demographics, and supports local, state, and federal initiatives that advance social justice, while also encouraging individual member advocacy to dismantle systemic racism.
 6. Works to build alliances and partnerships with other organizations that are confronting racism and encourages other local, state and national entities to recognize racism as a public health crisis

BE IT FURTHER RESOLVED, that the Door County Board of Supervisors directs the County Clerk to send a copy of this resolution to Governor Tony Evers, all Wisconsin State Legislators, and the Wisconsin Counties Association.

The Door County Board of Supervisors now directs the County Clerk to sign Door County on to the Wisconsin Public Health Association’s declaration that Racism is a Public Health Crisis.

SUBMITTED BY: LEGISLATIVE COMMITTEE

| | |
|--------------------------|---------------|
| _____ | _____ |
| Bob Bultman, Chairperson | Kara Counard |
| _____ | _____ |
| Alexis Heim Peter | Erin Tauscher |
| _____ | |
| Vinni Chomeau | |

DOOR COUNTY HEALTH AND HUMAN SERVICES BOARD MINUTES

Monday, August 10, 2020

These minutes have not been reviewed by the oversight board and are subject to approval or revision at the regular meeting.

1. **Call Meeting to Order**

Chair, Megan Lundhahl called the August 10, 2020 meeting of the Door County Health and Human Services Board to order at 3:14 PM in the County Board Room at the Government Center, 421 Nebraska Street, Sturgeon Bay, Wisconsin.

2. **Roll Call – Establishing Quorum**

Present: Vinni Chomeau, Sue Kohout, Megan Lundhahl, Mark Moeller, Nissa Norton, Robert Rau
Erin Tauscher

Excused: Dr. James Heise, Christa Krause

Staff Present: Julie Behnke, Business Manager; Joe Krebsbach, Director; Sue Powers, Health Officer/Public Health Manager; Shannon Lauder, Recording Secretary

3. **Adopt** Agenda

Motion by R. Rau, seconded by S. Kohout to adopt the agenda. Motion carried by unanimous voice vote.

4. **Approve** Minutes

Motion by S. Kohout, seconded by R. Rau to approve the July 13, 2020 Health and Human Services Board minutes. Motion carried by unanimous voice vote.

5. **Correspondence**

M. Lundahl read into minutes correspondence from Nikki Voight, Interim Executive Director, Door-Tran.

6. **Public Health**

a. **COVID-19 Update**

S. Powers shared current numbers related to COVID-19 in Door County. At the time, there were 106 confirmed cases of COVID since the beginning of the pandemic; 90 of which have recovered (acute symptoms resolved and out of isolation); There are 13 active cases of COVID-19 in Door County; there have been 3 deaths; no Door County residents are currently hospitalized and being treated for COVID-19; there have been 4,678 negative tests and 252 are pending.

S. Powers reports there were multiple positive cases last week, identified by contact tracing, that were linked to one particular large gathering. No other trends have been

There is a 0.6 FTE vacancy in Public Health that is being considered for 1.0 FTE in 2021 as part of the budgeting process.

d. Children's Long-Term Support (CLTS) Reduction

In 2019, following directive from the state to eliminate the waitlist in this division we went to three (3) full-time staff. The waitlist has been eliminated and caseload no longer requires three (3) full-time staff. One (1) position will be reduced to 0.8 FTE beginning August 24, 2020. This will reduce expenses in this program area for the current budget year.

e. Resolutions

a. Wisconsin Opportunity Act

La Crosse has passed a resolution asking the state to appropriate additional funding for housing stability. S. Kohout comments that legislature is not currently in session and pending election. She suggests this board defer back to Legislative Committee to watch for new activity/discussion when Legislature resumes in the Fall. V. Chomeau also requests that additional statistical data relating to poverty and housing pertinent to the needs in Door County be compiled to aid the in making an informed decision.

b. Sexual Misconduct

Outagamie has passed a Resolution in support of Senate Bill 427. J. Krebsbach explains this relates to changing of the rules related to sexual misconduct of an elder. Previously, there was no defined age, this bill defines that as age 60. It also amends the charges from a misdemeanor to 2nd Degree Sexual Assault regardless of whether age is known. Motion by N. Norton to forward Senate Bill 427 to Legislature Committee requesting they draft a resolution in support similar to what was provided by Outagamie County. Motion seconded by M. Lundhahl. Motion carried by unanimous voice vote.

8. Vouchers

No discussion

9. Topics to Be Referred to the Legislative Committee

- a. Wisconsin Opportunities Act
- b. Senate Bill 427 Sexual Misconduct

10. Matters to be Placed on a Future Agenda or Referred to a Committee, Official or Employee

- a. WI Opportunities Act-Statistical Data
- b. Discussion Regarding Mask Mandate expires 9-28-20
- c. Budget Review

11. Set Next Meeting Date

OUTAGAMIE COUNTY BOARD MEETING
January 14, 2020

RESOLUTION NO. 79--2019-20

ROLL CALL to adopt & lock in. RESOLUTION NO. 79—2019-20 IS ADOPTED AS AMENDED & LOCKED IN.

1/14/2020 7:38:26 PM RollCall Systems, Inc.

Res. No. 79--19-20



Adopt as amended + lock in

VOTE RESULTS: Passed By Majority Vote

YES: **34** NO: **0** ABSTAIN: **0** ABSENT: **2**

| | | | |
|-----------------|-----|----------------------|--------|
| 1 - THOMPSON | YES | 19 - MARCKS | YES |
| 2 - MILLER | YES | 20 - THOMAS | ABSENT |
| 3 - RENTERIA | YES | 21 - T. THYSSEN | YES |
| 4 - PATIENCE | YES | 22 - HAGEN | YES |
| 5 - GABRIELSON | YES | 23 - KLEMP | YES |
| 6 - KONETZKE | YES | 24 - IVERSON | YES |
| 7 - HAMMEN | YES | 25 - NOOYEN | YES |
| 8 - N. THYSSEN | YES | 26 - DAVIDSON | YES |
| 9 - KRUEGER | YES | 27 - CULBERTSON | YES |
| 10 - LAMERS | YES | 28 - STURN | YES |
| 11 - DILLENBERG | YES | 29 - BUCHMAN | YES |
| 12 - MC DANIEL | YES | 30 - WOODZICKA | ABSENT |
| 13 - WEGAND | YES | 31 - CLEGG | YES |
| 14 - DE GROOT | YES | 32 - VANDERHEIDEN | YES |
| 15 - PETERSON | YES | 33O' Connor-Schevers | YES |
| 16 - SCHROEDER | YES | 34 - RETTLER | YES |
| 17 - CROATT | YES | 35 - MELCHERT | YES |
| 18 - SPEARS | YES | 36 - SUPRISE | YES |

OUTAGAMIE COUNTY BOARD MEETING
January 14, 2020

RESOLUTION NO. 79--2019-20

Supervisor Gabrielson moved, seconded by Supervisor Spears, to reconsider Resolution No. 79 for the purpose of lock in.

ROLL CALL to reconsider. RESOLUTION NO. 79—2019-20 IS RECONSIDERED.

1/14/2020 7:38:06 PM RollCall Systems, Inc.



Res. No. 79--19-20

Reconsider

VOTE RESULTS: Passed By Majority Vote

YES: **34** NO: **0** ABSTAIN: **0** ABSENT: **2**

| | | | |
|-----------------|-----|----------------------|--------|
| 1 - THOMPSON | YES | 19 - MARCKS | YES |
| 2 - MILLER | YES | 20 - THOMAS | ABSENT |
| 3 - RENTERIA | YES | 21 - T. THYSSEN | YES |
| 4 - PATIENCE | YES | 22 - HAGEN | YES |
| 5 - GABRIELSON | YES | 23 - KLEMP | YES |
| 6 - KONETZKE | YES | 24 - IVERSON | YES |
| 7 - HAMMEN | YES | 25 - NOOYEN | YES |
| 8 - N. THYSSEN | YES | 26 - DAVIDSON | YES |
| 9 - KRUEGER | YES | 27 - CULBERTSON | YES |
| 10 - LAMERS | YES | 28 - STURN | YES |
| 11 - DILLENBERG | YES | 29 - BUCHMAN | YES |
| 12 - MC DANIEL | YES | 30 - WOODZICKA | ABSENT |
| 13 - WEGAND | YES | 31 - CLEGG | YES |
| 14 - DE GROOT | YES | 32 - VANDERHEIDEN | YES |
| 15 - PETERSON | YES | 33O' Connor-Schevers | YES |
| 16 - SCHROEDER | YES | 34 - RETTLER | YES |
| 17 - CROATT | YES | 35 - MELCHERT | YES |
| 18 - SPEARS | YES | 36 - SUPRISE | YES |

OUTAGAMIE COUNTY BOARD MEETING
January 14, 2020

RESOLUTION NO. 79--2019-20

ROLL CALL to adopt as amended. RESOLUTION NO. 79—2019-20 IS ADOPTED AS AMENDED.

1/14/2020 7:37:42 PM RollCall Systems, Inc.

Res. No. 79--19-20



Adopt as amended

VOTE RESULTS: Passed By Majority Vote

YES: **34** NO: **0** ABSTAIN: **0** ABSENT: **2**

| | | | |
|-----------------|-----|----------------------|--------|
| 1 - THOMPSON | YES | 19 - MARCKS | YES |
| 2 - MILLER | YES | 20 - THOMAS | ABSENT |
| 3 - RENTERIA | YES | 21 - T. THYSSEN | YES |
| 4 - PATIENCE | YES | 22 - HAGEN | YES |
| 5 - GABRIELSON | YES | 23 - KLEMP | YES |
| 6 - KONETZKE | YES | 24 - IVERSON | YES |
| 7 - HAMMEN | YES | 25 - NOOYEN | YES |
| 8 - N. THYSSEN | YES | 26 - DAVIDSON | YES |
| 9 - KRUEGER | YES | 27 - CULBERTSON | YES |
| 10 - LAMERS | YES | 28 - STURN | YES |
| 11 - DILLENBERG | YES | 29 - BUCHMAN | YES |
| 12 - MC DANIEL | YES | 30 - WOODZICKA | ABSENT |
| 13 - WEGAND | YES | 31 - CLEGG | YES |
| 14 - DE GROOT | YES | 32 - VANDERHEIDEN | YES |
| 15 - PETERSON | YES | 33O' Connor-Schevers | YES |
| 16 - SCHROEDER | YES | 34 - RETTLER | YES |
| 17 - CROATT | YES | 35 - MELCHERT | YES |
| 18 - SPEARS | YES | 36 - SUPRISE | YES |

***PROPOSED AMENDMENT TO
RESOLUTION NO.: 79—2019-20***
(see underlined text)

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 There is pending legislation that will change any act of sexual misconduct that is currently
2 a second degree sexual assault to a first degree sexual assault if the victim is 60 years of
3 age or older regardless of whether or not the offender knew the victim’s age.
4

5 The pending legislation would create the crime of physical abuse of a person that is 60
6 years of age or older that is modeled after the current law prohibition of physical abuse of
7 a child regardless of whether or not the offender knew the victim’s age.
8

9 The pending legislation creates a procedure for a court to freeze or seize assets from a
10 defendant who has been charged with a financial exploitation crime when the victim is at
11 least 60 years old.
12

13 The pending legislation allows anyone who is 60 years or older who is seeking a domestic
14 violence, individual-at-risk, or harassment restraining order to appear in a court hearing by
15 telephone or live audiovisual means.
16

17 The pending legislation could have a financial impact on local governments responsible
18 for implementing the various changes in the law. Pending legislation should include
19 allocations of state funding for local governments to implement the legislation.
20

21 NOW THEREFORE, the undersigned members of the Health and Human Services Committee
22 and the Public Safety Committee recommend adoption of the following resolution.

23 BE IT RESOLVED, that the Outagamie County Board of Supervisors does support pending
24 legislation that would change any act of sexual misconduct that is currently a second degree sexual
25 assault to a first degree sexual assault if the victim is 60 years of age or older regardless of whether or
26 not the offender knew the victim’s age, and

27 BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does support
28 pending legislation that would create the crime of physical abuse of a person that is 60 years of age or
29 older that is modeled after the current law prohibition of physical abuse of a child regardless of whether
30 or not the offender knew the victim’s age, and

Resolution No. 79—2019-20

1 BE IT STILL FURTHER RESOLVED, that the Outagamie County Board of Supervisors does
2 support pending legislation that would create a procedure for a court to freeze or seize assets from a
3 defendant who has been charged with a financial exploitation crime when the victim is at least 60 years
4 old, and

5 BE IT STILL FURTHER RESOLVED, that the Outagamie County Board of Supervisors does
6 support pending legislation that would allow anyone who is 60 years or older who is seeking a domestic
7 violence, individual-at-risk, or harassment restraining order to appear in a court hearing by telephone or
8 live audiovisual means, and

9 BE IT STILL FURTHER RESOLVED, that the legislation will respond to the financial impact
10 on the various entities that are responsible for implementing the law, and

11 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy
12 of this resolution to the Outagamie County Lobbyist, all Wisconsin Counties, and the Wisconsin
13 Counties Association.

14 Dated this ____ day of October, 2019

Respectfully Submitted,

HEALTH AND HUMAN SERVICES
COMMITTEE AND
PUBLIC SAFETY COMMITTEE

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24 _____
Dan Gabrielson

Justin Krueger

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29 _____
Christine Lamers

Cathy Thompson

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OUTAGAMIE COUNTY BOARD MEETING
January 14, 2020

RESOLUTION NO. 79--2019-20

Supervisor Gabrielson moved, seconded by Supervisor T. Thyssen, for adoption.

Supervisor Gabrielson moved, seconded by Supervisor T. Thyssen, to amend Resolution No. 79 as shown on the desk: Under the explanatory language (line 16), add “The pending legislation could have a financial impact on local governments responsible for implementing the various changes in the law. Pending legislation should include allocations of state funding for local governments to implement the legislation.” After the final BE IT STILL FURTHER ERSOLVED, add another clause to read, “BE IT STILL FURTHER RESOLVED, that the legislation will respond to the financial impact on the various entities that are responsible for implementing the law, and”.

ROLL CALL to amend. AMENDMENT CARRIED.

1/14/2020 7:38:27 PM RollCall Systems, Inc.

Res. No. 79--19-20



Amend

VOTE RESULTS: Passed By Majority Vote

YES: **33** NO: **0** ABSTAIN: **1** ABSENT: **2**

| | | | |
|-----------------|---------|----------------------|--------|
| 1 - THOMPSON | ABSTAIN | 19 - MARCKS | YES |
| 2 - MILLER | YES | 20 - THOMAS | ABSENT |
| 3 - RENTERIA | YES | 21 - T. THYSSEN | YES |
| 4 - PATIENCE | YES | 22 - HAGEN | YES |
| 5 - GABRIELSON | YES | 23 - KLEMP | YES |
| 6 - KONETZKE | YES | 24 - IVERSON | YES |
| 7 - HAMMEN | YES | 25 - NOOYEN | YES |
| 8 - N. THYSSEN | YES | 26 - DAVIDSON | YES |
| 9 - KRUEGER | YES | 27 - CULBERTSON | YES |
| 10 - LAMERS | YES | 28 - STURN | YES |
| 11 - DILLENBERG | YES | 29 - BUCHMAN | YES |
| 12 - MC DANIEL | YES | 30 - WOODZICKA | ABSENT |
| 13 - WEGAND | YES | 31 - CLEGG | YES |
| 14 - DE GROOT | YES | 32 - VANDERHEIDEN | YES |
| 15 - PETERSON | YES | 33O' Connor-Schevers | YES |
| 16 - SCHROEDER | YES | 34 - RETTLER | YES |
| 17 - CROATT | YES | 35 - MELCHERT | YES |
| 18 - SPEARS | YES | 36 - SUPRISE | YES |

RESOLUTION NO.: 79—2019-20

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 There is pending legislation that will change any act of sexual misconduct that is currently
2 a second degree sexual assault to a first degree sexual assault if the victim is 60 years of
3 age or older regardless of whether or not the offender knew the victim’s age.
4

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6 years of age or older that is modeled after the current law prohibition of physical abuse of
7 a child regardless of whether or not the offender knew the victim’s age.
8

9 The pending legislation creates a procedure for a court to freeze or seize assets from a
10 defendant who has been charged with a financial exploitation crime when the victim is at
11 least 60 years old.
12

13 The pending legislation allows anyone who is 60 years or older who is seeking a domestic
14 violence, individual-at-risk, or harassment restraining order to appear in a court hearing by
15 telephone or live audiovisual means.
16

17 The pending legislation could have a financial impact on local governments responsible
18 for implementing the various changes in the law. Pending legislation should include
19 allocations of state funding for local governments to implement the legislation.
20

21 NOW THEREFORE, the undersigned members of the Health and Human Services Committee
22 and the Public Safety Committee recommend adoption of the following resolution.

23 BE IT RESOLVED, that the Outagamie County Board of Supervisors does support pending
24 legislation that would change any act of sexual misconduct that is currently a second degree sexual
25 assault to a first degree sexual assault if the victim is 60 years of age or older regardless of whether or
26 not the offender knew the victim’s age, and

27 BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does support
28 pending legislation that would create the crime of physical abuse of a person that is 60 years of age or
29 older that is modeled after the current law prohibition of physical abuse of a child regardless of whether
30 or not the offender knew the victim’s age, and

Resolution No. 79—2019-20

1 BE IT STILL FURTHER RESOLVED, that the Outagamie County Board of Supervisors does
2 support pending legislation that would create a procedure for a court to freeze or seize assets from a
3 defendant who has been charged with a financial exploitation crime when the victim is at least 60 years
4 old, and

5 BE IT STILL FURTHER RESOLVED, that the Outagamie County Board of Supervisors does
6 support pending legislation that would allow anyone who is 60 years or older who is seeking a domestic
7 violence, individual-at-risk, or harassment restraining order to appear in a court hearing by telephone or
8 live audiovisual means, and

9 BE IT STILL FURTHER RESOLVED, that the legislation will respond to the financial impact
10 on the various entities that are responsible for implementing the law, and

11 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy
12 of this resolution to the Outagamie County Lobbyist, all Wisconsin Counties, and the Wisconsin
13 Counties Association.

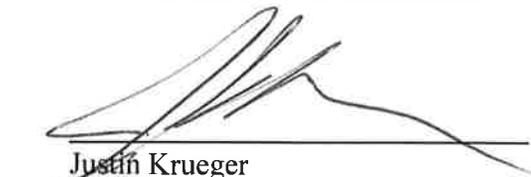
14 Dated this 14th day of January, 2020

15 Respectfully Submitted,

16 HEALTH AND HUMAN SERVICES
17 COMMITTEE AND
18 PUBLIC SAFETY COMMITTEE

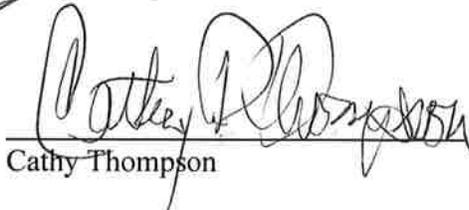
19 

20 Dan Gabrielson

21 
22 Justin Krueger

23 

24 Christine Lamers

25 
26 Cathy Thompson

27 
28 Kelly Schroeder

29 
30 Katrin Patience

Resolution No. 79—2019-20

Page 3

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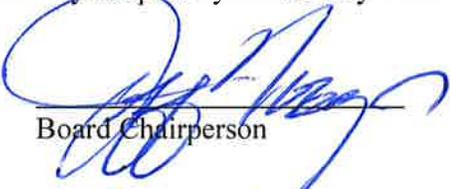
Dan Dillenberg

James Duncan

Mike Woodzicka

Dominic Renteria

Duly and officially adopted by the County Board on: January 14, 2020

Signed: 
Board Chairperson


County Clerk

Approved: 1.16.20

Vetoed: _____

Signed: 
County Executive



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0356/1
MLJ:kjf

2019 SENATE BILL 427

September 17, 2019 - Introduced by Senators TESTIN, CARPENTER, BERNIER, NASS, OLSEN, PETROWSKI and WANGGAARD, cosponsored by Representatives MACCO, WITKE, BALLWEG, BOWEN, BRANDTJEN, DITTRICH, EDMING, GUNDRUM, HORLACHER, JAMES, KRUG, KULP, MAGNIFICI, MURSAU, NOVAK, PETERSEN, PETRYK, PLUMER, QUINN, RAMTHUN, ROHRKASTE, STEFFEN, SUMMERFIELD, TITTL, TRANEL and SKOWRONSKI. Referred to Committee on Judiciary and Public Safety.

1 **AN ACT** *to renumber* 813.125 (1) (am) 1. and 813.125 (1) (am) 2.; *to amend* 48.57
 2 (3p) (g) 2., 48.685 (1) (c) 2., 50.065 (1) (e) 1., 103.34 (1) (b) 2., 165.84 (7) (ab) 1.,
 3 301.048 (2) (bm) 1. a., 302.11 (1g) (a) 2., 303.07 (2), 813.123 (1) (eg), 813.125 (1)
 4 (am) (intro.), 895.45 (1) (a), 938.208 (1) (a), 938.34 (4m) (b) 1., 938.355 (2d) (b)
 5 3., 939.62 (2m) (a) 2m. b., 939.632 (1) (e) 1., 941.29 (1g) (a), 941.291 (1) (b),
 6 949.03 (1) (b), 968.26 (1b) (a) 2. a., 969.035 (1), 969.08 (10) (b), 973.01 (2) (c) 2.
 7 a., 973.0135 (1) (b) 2., 973.06 (1) (av) 2. a., 973.06 (1) (av) 2. b., 973.123 (1) and
 8 980.01 (6) (b); and *to create* 343.12 (7) (c) 9j., 813.12 (1) (ar), 813.12 (5b),
 9 813.123 (6g), 813.125 (1) (am) 3., 813.125 (1) (am) 4. (intro.), 813.125 (5b),
 10 939.623, 940.198, 940.225 (1) (d) and 971.109 of the statutes; **relating to:**
 11 increased penalties for crimes against elder persons; restraining orders for
 12 elder persons; freezing assets of a defendant charged with financial

2019 - 2020 Legislature

- 2 -

LRB-0356/1

MLJ:kjf

SENATE BILL 427

- 1 exploitation of an elder person; sexual assault of an elder person; physical
 2 abuse of an elder person; and providing a penalty.

Analysis by the Legislative Reference Bureau**SEXUAL ASSAULT OF AN ELDER PERSON**

Under this bill, any act of sexual misconduct that is currently a second degree sexual assault is a first degree sexual assault if the victim is 60 years of age or older. Under current law, if a person engages in any of the specified acts of sexual misconduct, he or she is guilty of a Class C felony. Under the bill, he or she is guilty of a Class B felony if the victim is 60 years of age or older, whether or not he or she knew the victim's age.

PHYSICAL ABUSE OF AN ELDER PERSON

This bill creates the crime of physical abuse of an elder person that is modeled after the current law prohibition of physical abuse of a child. Under the bill, an elder person is anyone who is 60 years of age or older, and a person may be prosecuted irrespective of whether he or she knew the age of the crime victim. Under the bill, the penalties range from a Class C felony for intentionally causing great bodily harm to a Class I felony for recklessly causing bodily harm.

FREEZING OF ASSETS

This bill creates a procedure for a court to freeze or seize assets from a defendant who has been charged with a financial exploitation crime when the victim is an elder person.

Under the bill, if a person is charged with a financial exploitation crime, the crime involves property valued at more than \$2,500, and the crime victim is at least 60 years old, a prosecuting attorney may file a petition with the court to freeze the funds, assets, or property of the person in an amount up to 100 percent of the alleged value of property involved in the person's pending criminal proceeding for purposes of preserving the property for future payment of restitution to the crime victim.

INCREASED PENALTIES

This bill creates a scheme that allows a term of imprisonment that is imposed for a criminal conviction to be increased in length if the crime victim was an elder person. Under the bill, a maximum term of imprisonment of one year or less may be increased to not more than two years; a maximum term of imprisonment of more than one year but not more than ten years may be increased by not more than four years; and a maximum term of imprisonment of more than ten years may be increased by not more than six years. Under the bill, the term of imprisonment may be lengthened irrespective of whether the defendant knew the age of the crime victim.

RESTRAINING ORDERS FOR AN ELDER PERSON

This bill allows an elder person who is seeking a domestic violence, individual-at-risk, or harassment restraining order to appear in a court hearing by

2019 - 2020 Legislature

- 3 -

LRB-0356/1
MLJ:kjf**SENATE BILL 427**

telephone or live audiovisual means. Under the bill, an elder person is anyone who is 60 years old or older.

Under current law, a person seeking a domestic violence, individual-at-risk, or harassment restraining order must appear in person in the courtroom at a hearing to obtain a restraining order.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

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

- 1 **SECTION 1.** 48.57 (3p) (g) 2. of the statutes is amended to read:
- 2 48.57 (3p) (g) 2. The person has had imposed on him or her a penalty specified
- 3 in s. 939.64, 1999 stats., or s. 939.641, 1999 stats., or s. 939.6195, 939.62, 939.621,
- 4 939.623, 939.63 or 939.645 or has been convicted of a violation of the law of any other
- 5 state or federal law under circumstances under which the person would be subject
- 6 to a penalty specified in any of those sections if convicted in this state.
- 7 **SECTION 2.** 48.685 (1) (c) 2. of the statutes is amended to read:
- 8 48.685 (1) (c) 2. A violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19
- 9 (2), (4), (5) or (6), 940.198 (2), 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2),
- 10 940.29, 940.295, 942.09 (2), 948.02 (1) or (2), 948.025, 948.03 (2) or (5) (a) 1., 2., 3.,
- 11 or 4., 948.05, 948.051, 948.055, 948.06, 948.07, 948.08, 948.081, 948.085, 948.11 (2)
- 12 (a) or (am), 948.12, 948.13, 948.21 (2), 948.215, 948.30, or 948.53.
- 13 **SECTION 3.** 50.065 (1) (e) 1. of the statutes is amended to read:
- 14 50.065 (1) (e) 1. "Serious crime" means a violation of s. 940.19 (3), 1999 stats.,
- 15 a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (4), (5) or (6),
- 16 940.198 (2), 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295,
- 17 948.02 (1), 948.025 or 948.03 (2) (a) or (5) (a) 1., 2., or 3., or a violation of the law of

Resolution No. 79—2019-20

Page 7

2019 - 2020 Legislature

- 4 -

LRB-0356/1

MLJ:kjf

SENATE BILL 427**SECTION 3**

1 any other state or United States jurisdiction that would be a violation of s. 940.19 (3),
 2 1999 stats., or a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (4),
 3 (5) or (6), 940.198 (2), 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29,
 4 940.295, 948.02 (1), 948.025 or 948.03 (2) (a) or (5) (a) 1., 2., or 3. if committed in this
 5 state.

6 **SECTION 4.** 103.34 (1) (b) 2. of the statutes is amended to read:

7 103.34 (1) (b) 2. A violation of s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.07,
 8 940.08, 940.09, 940.10, 940.19 (2), (4), (5), or (6), 940.198 (2), 940.21, 940.225 (1), (2),
 9 or (3), 940.23, 940.235, 940.24, 940.25, 940.30, 940.302, 940.305, 940.31, 943.02,
 10 943.03, 943.04, 943.10, 943.30, 943.31, 943.32, 944.32, 944.34, 946.10, 948.02 (1) or
 11 (2), 948.025, 948.03 (2), (3), or (5) (a) 1., 2., 3., or 4., 948.04, 948.05, 948.051, 948.055,
 12 948.06, 948.07, 948.075, 948.08, 948.085, 948.11 (2) (a) or (am), 948.12, 948.13,
 13 948.21 (2), 948.215, or 948.30 or of a substantially similar federal law or law of
 14 another state.

15 **SECTION 5.** 165.84 (7) (ab) 1. of the statutes is amended to read:

16 165.84 (7) (ab) 1. A felony violation of s. 940.01, 940.05, 940.198 (2), 940.21,
 17 940.225 (1), (2), or (3), 940.235, 940.30, 940.302 (2), 940.305, 940.31, 940.32 (2), (2e),
 18 or (2m), 940.43, 940.45, 941.20, 941.21, 941.327, 943.02, 943.06, 943.10, 943.23 (1g)
 19 or (2), 943.32, 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c) or (5) (a) 1., 2., 3., or 4.,
 20 948.05, 948.051, 948.055, 948.07, 948.08, 948.085, 948.095, or 948.30 (2).

21 **SECTION 6.** 301.048 (2) (bm) 1. a. of the statutes is amended to read:

22 301.048 (2) (bm) 1. a. A crime specified in s. 940.19 (3), 1999 stats., s. 940.195
 23 (3), 1999 stats., s. 943.23 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 940.01,
 24 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (4) or (5), 940.195 (4)
 25 or (5), 940.198 (2), 940.20, 940.201, 940.203, 940.21, 940.225 (1) to (3), 940.23,

2019 - 2020 Legislature

- 5 -

LRB-0356/1

MLJ:kjf

SECTION 6

SENATE BILL 427

1 940.235, 940.285 (2) (a) 1. or 2., 940.29, 940.295 (3) (b) 1g., 1m., 1r., 2., or 3., 940.31,
 2 940.43 (1) to (3), 940.45 (1) to (3), 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01
 3 (2) (c), 943.011, 943.013, 943.02, 943.04, 943.06, 943.10 (2), 943.23 (1g), 943.30,
 4 943.32, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.051,
 5 948.06, 948.07, 948.08, 948.085, or 948.30.

6 **SECTION 7.** 302.11 (1g) (a) 2. of the statutes is amended to read:

7 302.11 (1g) (a) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m),
 8 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s. 940.02,
 9 940.03, 940.05, 940.09 (1c), 940.19 (5), 940.195 (5), 940.198 (2), 940.21, 940.225 (1)
 10 or (2), 940.305 (2), 940.31 (1) or (2) (b), 943.02, 943.10 (2), 943.23 (1g), 943.32 (2),
 11 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c) or (5) (a) 1., 2., 3., or 4.,
 12 948.05, 948.06, 948.07, 948.08, or 948.30 (2).

13 **SECTION 8.** 303.07 (2) of the statutes is amended to read:

14 303.07 (2) When convicted persons are subject to commitment to the county
 15 jail, or to the Wisconsin state prisons under s. 939.62 (1) (a) or 939.623 (2) (a) for a
 16 term not exceeding 2 years, the court may instead commit them for equivalent terms
 17 to a reforestation camp authorized under sub. (1).

18 **SECTION 9.** 343.12 (7) (c) 9j. of the statutes is created to read:

19 343.12 (7) (c) 9j. Physical abuse of an elder person under s. 940.198 (2).

20 **SECTION 10.** 813.12 (1) (ar) of the statutes is created to read:

21 813.12 (1) (ar) "Elder person" means any individual who is 60 years of age or
 22 older.

23 **SECTION 11.** 813.12 (5b) of the statutes is created to read:

Resolution No. 79—2019-20

Page 9

2019 - 2020 Legislature

- 6 -

LRB-0356/1

MLJ:kjf

SENATE BILL 427

SECTION 11

1 813.12 (5b) ELDER PERSON PETITIONER. If the petitioner is an elder person, the
2 court shall permit the petitioner to participate in hearings under this section by
3 telephone or live audiovisual means.

4 **SECTION 12.** 813.123 (1) (eg) of the statutes is amended to read:

5 813.123 (1) (eg) "Harassment" has the meaning given in s. 813.125 (1) (am) 4.

6 **SECTION 13.** 813.123 (6g) of the statutes is created to read:

7 813.123 (6g) ELDER ADULT-AT-RISK PETITIONER. If the petitioner is an elder adult
8 at risk, the court shall permit the petitioner to participate in hearings under this
9 section by telephone or live audiovisual means.

10 **SECTION 14.** 813.125 (1) (am) (intro.) of the statutes is amended to read:

11 813.125 (1) (am) (intro.) In this section, ~~"harassment" means any of the~~
12 following:

13 **SECTION 15.** 813.125 (1) (am) 1. of the statutes is renumbered 813.125 (1) (am)

14 4. a.

15 **SECTION 16.** 813.125 (1) (am) 2. of the statutes is renumbered 813.125 (1) (am)

16 4. b.

17 **SECTION 17.** 813.125 (1) (am) 3. of the statutes is created to read:

18 813.125 (1) (am) 3. "Elder person" means any individual who is 60 years of age
19 or older.

20 **SECTION 18.** 813.125 (1) (am) 4. (intro.) of the statutes is created to read:

21 813.125 (1) (am) 4. (intro.) "Harassment" means any of the following:

22 **SECTION 19.** 813.125 (5b) of the statutes is created to read:

23 813.125 (5b) ELDER PERSON PETITIONER. If the petitioner is an elder person, the
24 court shall permit the petitioner to participate in hearings under this section by
25 telephone or live audiovisual means.

Resolution No. 79—2019-20

Page 10

2019 - 2020 Legislature

- 7 -

LRB-0356/1

MLJ:kjf

SECTION 20

SENATE BILL 427

1 **SECTION 20.** 895.45 (1) (a) of the statutes is amended to read:

2 895.45 (1) (a) "Abusive conduct" means domestic abuse, as defined under s.
3 49.165 (1) (a), 813.12 (1) (am), or 968.075 (1) (a), harassment, as defined under s.
4 813.125 (1) (am) 4, sexual exploitation by a therapist under s. 940.22, sexual assault
5 under s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child abuse under
6 ss. 948.02 to 948.11.

7 **SECTION 21.** 938.208 (1) (a) of the statutes is amended to read:

8 938.208 (1) (a) Probable cause exists to believe that the juvenile has committed
9 a delinquent act that would be a felony under s. 940.01, 940.02, 940.03, 940.05,
10 940.19 (2) to (6), 940.198, 940.21, 940.225 (1), 940.31, 941.20 (3), 943.02 (1), 943.23
11 (1g), 943.32 (2), 947.013 (1t), (1v) or (1x), 948.02 (1) or (2), 948.025, 948.03, or 948.085
12 (2), if committed by an adult.

13 **SECTION 22.** 938.34 (4m) (b) 1. of the statutes is amended to read:

14 938.34 (4m) (b) 1. The juvenile has committed a delinquent act that would be
15 a felony under s. 940.01, 940.02, 940.03, 940.05, 940.19 (2) to (6), 940.198, 940.21,
16 940.225 (1), 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), 943.32 (2), 947.013 (1t), (1v)
17 or (1x), 948.02 (1) or (2), 948.025, 948.03, or 948.085 (2) if committed by an adult.

18 **SECTION 23.** 938.355 (2d) (b) 3. of the statutes is amended to read:

19 938.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (3),
20 1999 stats., or s. 940.19 (2), (4), or (5), 940.198 (2) (a) or (3) (a), 940.225 (1) or (2),
21 948.02 (1) or (2), 948.025, 948.03 (2) (a), (3) (a), or (5) (a) 1., 2., or 3., or 948.085 or a
22 violation of the law of any other state or federal law, if that violation would be a
23 violation of s. 940.19 (2), (4), or (5), 940.198 (2) (a) or (3) (a), 940.225 (1) or (2), 948.02
24 (1) or (2), 948.025, or 948.03 (2) (a), (3) (a), or (5) (a) 1., 2., or 3. if committed in this
25 state, as evidenced by a final judgment of conviction, and that the violation resulted

2019 - 2020 Legislature

- 8 -

LRB-0356/1

MLJ:kjf

SENATE BILL 427**SECTION 23**

1 in great bodily harm, as defined in s. 939.22 (14), or in substantial bodily harm, as
2 defined in s. 939.22 (38), to the juvenile or another child of the parent.

3 **SECTION 24.** 939.62 (2m) (a) 2m. b. of the statutes is amended to read:

4 **939.62 (2m)** (a) 2m. b. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)
5 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s.
6 940.01, 940.02, 940.03, 940.05, 940.09 (1c), 940.16, 940.19 (5), 940.195 (5), 940.198
7 (2) (a) or (c), 940.21, 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02,
8 943.10 (2), 943.23 (1g), 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2)
9 (a) or (c) or (5) (a) 1., 2., 3., or 4., 948.05, 948.06, 948.07, 948.075, 948.08, 948.081,
10 948.085, or 948.30 (2).

11 **SECTION 25.** 939.623 of the statutes is created to read:

12 **939.623 Increased penalty for elder person victims.** (1) In this section,
13 “elder person” means any individual who is 60 years of age or older.

14 (2) If the crime victim is an elder person, and the present conviction is for any
15 crime for which imprisonment may be imposed, the maximum term of imprisonment
16 prescribed by law for that crime may be increased as follows:

17 (a) A maximum term of imprisonment of one year or less may be increased to
18 not more than 2 years.

19 (b) A maximum term of imprisonment of more than one year but not more than
20 10 years may be increased by not more than 4 years.

21 (c) A maximum term of imprisonment of more than 10 years may be increased
22 by not more than 6 years.

23 (3) This section applies irrespective of whether the defendant had actual
24 knowledge of the crime victim’s age. A mistake regarding the crime victim’s age is
25 not a defense to an increased penalty under this section.

2019 - 2020 Legislature

- 9 -

LRB-0356/1

MLJ:kjf

SENATE BILL 427**SECTION 26**

1 **SECTION 26.** 939.632 (1) (e) 1. of the statutes is amended to read:

2 939.632 (1) (e) 1. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09
3 (1c), 940.19 (2), (4) or (5), 940.198 (2) (a) or (c), 940.21, 940.225 (1), (2) or (3), 940.235,
4 940.305, 940.31, 941.20, 941.21, 943.02, 943.06, 943.10 (2), 943.23 (1g), 943.32 (2),
5 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c) or (5) (a) 1., 2., 3., or 4., 948.05, 948.051,
6 948.055, 948.07, 948.08, 948.085, or 948.30 (2) or under s. 940.302 (2) if s. 940.302
7 (2) (a) 1. b. applies.

8 **SECTION 27.** 940.198 of the statutes is created to read:

9 **940.198 Physical abuse of an elder person.** (1) DEFINITIONS. In this
10 section:

11 (a) "Elder person" means any individual who is 60 years of age or older.

12 (b) "Recklessly" means conduct that creates a situation of unreasonable risk of
13 harm to and demonstrates a conscious disregard for the safety of the elder person.

14 (2) INTENTIONAL CAUSATION OF BODILY HARM. (a) Whoever intentionally causes
15 great bodily harm to an elder person is guilty of a Class C felony.

16 (b) Whoever intentionally causes bodily harm to an elder person is guilty of a
17 Class H felony.

18 (c) Whoever intentionally causes bodily harm to an elder person under
19 circumstances or conditions that are likely to produce great bodily harm is guilty of
20 a Class F felony.

21 (3) RECKLESS CAUSATION OF BODILY HARM. (a) Whoever recklessly causes great
22 bodily harm to an elder person is guilty of a Class E felony.

23 (b) Whoever recklessly causes bodily harm to an elder person is guilty of a Class
24 I felony.

2019 - 2020 Legislature

- 10 -

LRB-0356/1

MLJ:kjf

SENATE BILL 427**SECTION 27**

1 (c) Whoever recklessly causes bodily harm to an elder person under
2 circumstances or conditions that are likely to produce great bodily harm is guilty of
3 a Class H felony.

4 (4) KNOWLEDGE OF AGE NOT REQUIRED. This section applies irrespective of
5 whether the defendant had actual knowledge of the victim's age. A mistake
6 regarding the victim's age is not a defense to a prosecution under this section.

7 **SECTION 28.** 940.225 (1) (d) of the statutes is created to read:

8 940.225 (1) (d) Commits a violation under sub. (2) against an individual who
9 is 60 years of age or older. This paragraph applies irrespective of whether the
10 defendant had actual knowledge of the victim's age. A mistake regarding the victim's
11 age is not a defense to a prosecution under this paragraph.

12 **SECTION 29.** 941.29 (1g) (a) of the statutes is amended to read:

13 941.29 (1g) (a) "Violent felony" means any felony under s. 943.23 (1m), 1999
14 stats., or s. 943.23 (1r), 1999 stats., this section, or s. 940.01, 940.02, 940.03, 940.05,
15 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.198, 940.20, 940.201, 940.203,
16 940.21, 940.225, 940.23, 940.235, 940.285 (2), 940.29, 940.295 (3), 940.30, 940.302,
17 940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.2905,
18 941.292, 941.30, 941.327 (2) (b) 3. or 4., 943.02, 943.04, 943.06, 943.10 (2), 943.23
19 (1g), 943.32, 943.87, 946.43, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05,
20 948.051, 948.06, 948.07, 948.08, 948.085, or 948.30.

21 **SECTION 30.** 941.291 (1) (b) of the statutes is amended to read:

22 941.291 (1) (b) "Violent felony" means any felony, or the solicitation, conspiracy,
23 or attempt to commit any felony, under s. 943.23 (1m) or (1r), 1999 stats., or s. 940.01,
24 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.198,
25 940.20, 940.201, 940.203, 940.21, 940.225, 940.23, 940.285 (2), 940.29, 940.295 (3),

2019 - 2020 Legislature

- 11 -

LRB-0356/1

MLJ:kjf

SECTION 30**SENATE BILL 427**

1 940.30, 940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28,
 2 941.29, 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.04, 943.06,
 3 943.10 (2), 943.23 (1g), 943.32, 943.81, 943.82, 943.83, 943.85, 943.86, 943.87,
 4 943.88, 943.89, 943.90, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04,
 5 948.05, 948.06, 948.07, 948.08, 948.085, or 948.30; or, if the victim is a financial
 6 institution, as defined in s. 943.80 (2), a felony, or the solicitation, conspiracy, or
 7 attempt to commit a felony under s. 943.84 (1) or (2).

8 **SECTION 31.** 949.03 (1) (b) of the statutes is amended to read:

9 949.03 (1) (b) The commission or the attempt to commit any crime specified in
 10 s. 346.62 (4), 346.63 (2) or (6), 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08,
 11 940.09, 940.10, 940.19, 940.198, 940.20, 940.201, 940.21, 940.22 (2), 940.225, 940.23,
 12 940.235, 940.24, 940.25, 940.285, 940.29, 940.30, 940.302 (2), 940.305, 940.31,
 13 940.32, 941.327, 942.09, 943.02, 943.03, 943.04, 943.10, 943.20, 943.23 (1g), 943.32,
 14 943.81, 943.86, 943.87, 948.02, 948.025, 948.03, 948.04, 948.05, 948.051, 948.06,
 15 948.07, 948.075, 948.08, 948.085, 948.09, 948.095, 948.20, 948.21 (1), 948.30 or
 16 948.51.

17 **SECTION 32.** 968.26 (1b) (a) 2. a. of the statutes is amended to read:

18 968.26 (1b) (a) 2. a. Section 940.04, 940.11, 940.19 (2), (4), (5), or (6), 940.195
 19 (2), (4), (5), or (6), 940.198 (2) (b) or (c) or (3), 940.20, 940.201, 940.203, 940.205,
 20 940.207, 940.208, 940.22 (2), 940.225 (3), 940.29, 940.302 (2) (c), 940.32, 941.32,
 21 941.38 (2), 942.09 (2), 943.10, 943.205, 943.32 (1), 946.43, 946.44, 946.47, 946.48,
 22 948.02 (3), 948.03 (2) (b) or (c), (3), or (4), 948.04, 948.055, 948.095, 948.10 (1) (a),
 23 948.11, 948.13 (2) (a), 948.14, 948.20, 948.23 (1), (2), or (3) (c) 2. or 3., or 948.30 (1).

24 **SECTION 33.** 969.035 (1) of the statutes is amended to read:

2019 - 2020 Legislature

- 12 -

LRB-0356/1

MLJ:kjf

SENATE BILL 427**SECTION 33**

1 969.035 (1) In this section, "violent crime" means any crime specified in s.
2 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08, 940.10, 940.19 (5), 940.195
3 (5), 940.198 (2) (a) or (c), 940.21, 940.225 (1), 940.23, 941.327, 948.02 (1) or (2),
4 948.025, 948.03, or 948.085.

5 **SECTION 34.** 969.08 (10) (b) of the statutes is amended to read:

6 969.08 (10) (b) "Serious crime" means any crime specified in s. 943.23 (1m),
7 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 346.62 (4), 940.01, 940.02, 940.03,
8 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (5), 940.195 (5), 940.198 (2) (a) or (c),
9 940.20, 940.201, 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.24, 940.25, 940.29,
10 940.295 (3) (b) 1g., 1m., 1r., 2. or 3., 940.302 (2), 940.31, 941.20 (2) or (3), 941.26,
11 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.03, 943.04, 943.06,
12 943.10, 943.23 (1g), 943.30, 943.32, 943.81, 943.82, 943.83, 943.85, 943.86, 943.87,
13 943.88, 943.89, 943.90, 946.01, 946.02, 946.43, 947.015, 948.02 (1) or (2), 948.025,
14 948.03, 948.04, 948.05, 948.051, 948.06, 948.07, 948.085, or 948.30 or, if the victim
15 is a financial institution, as defined in s. 943.80 (2), a crime under s. 943.84 (1) or (2).

16 **SECTION 35.** 971.109 of the statutes is created to read:

17 **971.109 Freezing assets of a person charged with financial**
18 **exploitation of an elder person. (1) DEFINITIONS.** In this section:

19 (a) "Elder person" means any individual who is 60 years of age or older.

20 (b) "Financial exploitation" has the meaning given in s. 46.90 (1) (ed).

21 **(2) SEIZURE OF ASSETS.** (a) If a defendant is charged with a crime that is
22 financial exploitation, the crime involves the taking or loss of property valued at
23 more than \$2,500, and the crime victim is an elder person, a prosecuting attorney
24 may file a petition with the court in which the defendant has been charged to freeze
25 the funds, assets, or property of the defendant in an amount up to 100 percent of the

2019 - 2020 Legislature - 13 -

SENATE BILL 427

LRB-0356/1
MLJ:kjf
SECTION 35

1 alleged value of funds, assets, or property in the defendant's pending criminal
2 proceeding for purposes of restitution to the crime victim. The hearing on the
3 petition may be held ex parte if necessary to prevent additional exploitation of the
4 victim.

5 (b) If there is a showing of probable cause in the hearing, the court shall issue
6 an order to freeze or seize the funds, assets, or property of the defendant in the
7 amount calculated under par. (a). A copy of the order shall be served upon the
8 defendant whose funds, assets, or property has been frozen or seized.

9 (c) The court's order shall prohibit the sale, gifting, transfer, or wasting of the
10 funds, assets, or real or personal property of the elder person that are owned by or
11 vested in the defendant without the express permission of the court.

12 (3) RELEASE OF FUNDS. (a) At any time within 30 days after service of the order
13 under sub. (2) (b), the defendant or any person claiming an interest in the funds,
14 assets, or property may file a petition to release the funds, assets, or property. The
15 court shall hold a hearing on the motion within 10 days from the date the motion is
16 filed.

17 (b) In any proceeding under par. (a), the state has the burden of proving by a
18 preponderance of the evidence that the defendant used, was using, is about to use,
19 or is intending to use any funds, assets, or property in a way that constitutes or would
20 constitute financial exploitation. If the court finds that any funds, assets, or property
21 were used, are about to be used, or are intended to be used in a way that constitutes
22 or would constitute financial exploitation, the court shall order the funds, assets, or
23 property frozen or held until further order of the court.

2019 - 2020 Legislature

- 14 -

LRB-0356/1

MLJ:kjf

SENATE BILL 427**SECTION 35**

1 (4) DISMISSAL OR ACQUITTAL. If the prosecution of a charge of financial
2 exploitation is dismissed or if a judgment of acquittal is entered, the court shall
3 vacate the order issued under sub. (2) (b).

4 **SECTION 36.** 973.01 (2) (c) 2. a. of the statutes is amended to read:

5 973.01 (2) (c) 2. a. Sections 939.621, 939.623, 939.632, 939.635, 939.645, 946.42
6 (4), 961.442, 961.46, and 961.49.

7 **SECTION 37.** 973.0135 (1) (b) 2. of the statutes is amended to read:

8 973.0135 (1) (b) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)
9 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., s.
10 940.01, 940.02, 940.03, 940.05, 940.09 (1c), 940.16, 940.19 (5), 940.195 (5), 940.198
11 (2) (a) or (c), 940.21, 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02,
12 943.10 (2), 943.23 (1g), 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2)
13 (a) or (c) or (5) (a) 1., 2., 3., or 4., 948.05, 948.051, 948.06, 948.07, 948.075, 948.08, or
14 948.30 (2).

15 **SECTION 38.** 973.06 (1) (av) 2. a. of the statutes is amended to read:

16 973.06 (1) (av) 2. a. The defendant was charged under s. 946.41 solely because
17 he or she recanted a report of abusive conduct, including interspousal battery, as
18 described under s. 940.19 or 940.20 (1m), domestic abuse, as defined in s. 49.165 (1)
19 (a), 813.12 (1) (am), or 968.075 (1) (a), harassment, as defined in s. 813.125 (1) (am)
20 4., sexual exploitation by a therapist under s. 940.22, sexual assault under s.
21 940.225, child abuse, as defined under s. 813.122 (1) (a), or child abuse under ss.
22 948.02 to 948.11.

23 **SECTION 39.** 973.06 (1) (av) 2. b. of the statutes is amended to read:

24 973.06 (1) (av) 2. b. The defendant was a victim of abusive conduct, including
25 interspousal battery, as described under s. 940.19 or 940.20 (1m), domestic abuse, as

2019 - 2020 Legislature - 15 -

SENATE BILL 427

LRB-0356/1
MLJ:kjf
SECTION 39

1 defined in s. 49.165 (1) (a), 813.12 (1) (am), or 968.075 (1) (a), harassment, as defined
 2 in s. 813.125 (1) (am) 4., sexual exploitation by a therapist under s. 940.22, sexual
 3 assault under s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child
 4 abuse under ss. 948.02 to 948.11, and he or she was charged under s. 946.41 based
 5 on information he or she omitted or false information he or she provided during the
 6 course of an investigation into the crime committed against him or her.

7 **SECTION 40.** 973.123 (1) of the statutes is amended to read:

8 973.123 (1) In this section, "violent felony" means any felony under s. 943.23
 9 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 940.01, 940.02, 940.03, 940.05,
 10 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.198, 940.20, 940.201, 940.203,
 11 940.21, 940.225, 940.23, 940.235, 940.285 (2), 940.29, 940.295 (3), 940.30, 940.302,
 12 940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.29,
 13 941.292, 941.30, 941.327 (2) (b) 3. or 4., 943.02, 943.04, 943.06, 943.10 (2), 943.23
 14 (1g), 943.32, 943.87, 946.43, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05,
 15 948.051, 948.06, 948.07, 948.08, 948.085, or 948.30.

16 **SECTION 41.** 980.01 (6) (b) of the statutes is amended to read:

17 980.01 (6) (b) Any crime specified in s. 940.01, 940.02, 940.03, 940.05, 940.06,
 18 940.19 (2), (4), (5), or (6), 940.195 (4) or (5), 940.198 (2) or (3), 940.30, 940.305, 940.31,
 19 941.32, 943.10, 943.32, or 948.03 that is determined, in a proceeding under s. 980.05
 20 (3) (b), to have been sexually motivated.

21

(END)

Original
Amended 1-14-2020

RESOLUTION NO.: 79—2019-20

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 There is pending legislation that will change any act of sexual misconduct that is currently
2 a second degree sexual assault to a first degree sexual assault if the victim is 60 years of
3 age or older regardless of whether or not the offender knew the victim's age.
4

5 The pending legislation would create the crime of physical abuse of a person that is 60
6 years of age or older that is modeled after the current law prohibition of physical abuse of
7 a child regardless of whether or not the offender knew the victim's age.
8

9 The pending legislation creates a procedure for a court to freeze or seize assets from a
10 defendant who has been charged with a financial exploitation crime when the victim is at
11 least 60 years old.
12

13 The pending legislation allows anyone who is 60 years or older who is seeking a domestic
14 violence, individual-at-risk, or harassment restraining order to appear in a court hearing by
15 telephone or live audiovisual means.
16

17 NOW THEREFORE, the undersigned members of the Health and Human Services Committee
18 and the Public Safety Committee recommend adoption of the following resolution.

19 BE IT RESOLVED, that the Outagamie County Board of Supervisors does support pending
20 legislation that would change any act of sexual misconduct that is currently a second degree sexual
21 assault to a first degree sexual assault if the victim is 60 years of age or older regardless of whether or
22 not the offender knew the victim's age, and

23 BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does support
24 pending legislation that would create the crime of physical abuse of a person that is 60 years of age or
25 older that is modeled after the current law prohibition of physical abuse of a child regardless of whether
26 or not the offender knew the victim's age, and
27
28



2019 SENATE BILL 427

September 17, 2019 - Introduced by Senators TESTIN, CARPENTER, BERNIER, NASS, OLSEN, PETROWSKI and WANGGAARD, cosponsored by Representatives MACCO, WITTKER, BALLWEG, BOWEN, BRANDTJEN, DITTRICH, EDMING, GUNDRUM, HORLACHER, JAMES, KRUG, KULP, MAGNAFICI, MURSAU, NOVAK, PETERSEN, PETRYK, PLUMER, QUINN, RAMTHUN, ROHRKASTE, STEFFEN, SUMMERFIELD, TITTL, TRANEL and SKOWRONSKI. Referred to Committee on Judiciary and Public Safety.

1 **AN ACT to renumber** 813.125 (1) (am) 1. and 813.125 (1) (am) 2.; **to amend** 48.57
2 (3p) (g) 2., 48.685 (1) (c) 2., 50.065 (1) (e) 1., 103.34 (1) (b) 2., 165.84 (7) (ab) 1.,
3 301.048 (2) (bm) 1. a., 302.11 (1g) (a) 2., 303.07 (2), 813.123 (1) (eg), 813.125 (1)
4 (am) (intro.), 895.45 (1) (a), 938.208 (1) (a), 938.34 (4m) (b) 1., 938.355 (2d) (b)
5 3., 939.62 (2m) (a) 2m. b., 939.632 (1) (e) 1., 941.29 (1g) (a), 941.291 (1) (b),
6 949.03 (1) (b), 968.26 (1b) (a) 2. a., 969.035 (1), 969.08 (10) (b), 973.01 (2) (c) 2.
7 a., 973.0135 (1) (b) 2., 973.06 (1) (av) 2. a., 973.06 (1) (av) 2. b., 973.123 (1) and
8 980.01 (6) (b); and **to create** 343.12 (7) (c) 9j., 813.12 (1) (ar), 813.12 (5b),
9 813.123 (6g), 813.125 (1) (am) 3., 813.125 (1) (am) 4. (intro.), 813.125 (5b),
10 939.623, 940.198, 940.225 (1) (d) and 971.109 of the statutes; **relating to:**
11 increased penalties for crimes against elder persons; restraining orders for
12 elder persons; freezing assets of a defendant charged with financial

SENATE BILL 427

- 1 exploitation of an elder person; sexual assault of an elder person; physical
2 abuse of an elder person; and providing a penalty.

Analysis by the Legislative Reference Bureau**SEXUAL ASSAULT OF AN ELDER PERSON**

Under this bill, any act of sexual misconduct that is currently a second degree sexual assault is a first degree sexual assault if the victim is 60 years of age or older. Under current law, if a person engages in any of the specified acts of sexual misconduct, he or she is guilty of a Class C felony. Under the bill, he or she is guilty of a Class B felony if the victim is 60 years of age or older, whether or not he or she knew the victim's age.

PHYSICAL ABUSE OF AN ELDER PERSON

This bill creates the crime of physical abuse of an elder person that is modeled after the current law prohibition of physical abuse of a child. Under the bill, an elder person is anyone who is 60 years of age or older, and a person may be prosecuted irrespective of whether he or she knew the age of the crime victim. Under the bill, the penalties range from a Class C felony for intentionally causing great bodily harm to a Class I felony for recklessly causing bodily harm.

FREEZING OF ASSETS

This bill creates a procedure for a court to freeze or seize assets from a defendant who has been charged with a financial exploitation crime when the victim is an elder person.

Under the bill, if a person is charged with a financial exploitation crime, the crime involves property valued at more than \$2,500, and the crime victim is at least 60 years old, a prosecuting attorney may file a petition with the court to freeze the funds, assets, or property of the person in an amount up to 100 percent of the alleged value of property involved in the person's pending criminal proceeding for purposes of preserving the property for future payment of restitution to the crime victim.

INCREASED PENALTIES

This bill creates a scheme that allows a term of imprisonment that is imposed for a criminal conviction to be increased in length if the crime victim was an elder person. Under the bill, a maximum term of imprisonment of one year or less may be increased to not more than two years; a maximum term of imprisonment of more than one year but not more than ten years may be increased by not more than four years; and a maximum term of imprisonment of more than ten years may be increased by not more than six years. Under the bill, the term of imprisonment may be lengthened irrespective of whether the defendant knew the age of the crime victim.

RESTRAINING ORDERS FOR AN ELDER PERSON

This bill allows an elder person who is seeking a domestic violence, individual-at-risk, or harassment restraining order to appear in a court hearing by

SENATE BILL 427

telephone or live audiovisual means. Under the bill, an elder person is anyone who is 60 years old or older.

Under current law, a person seeking a domestic violence, individual-at-risk, or harassment restraining order must appear in person in the courtroom at a hearing to obtain a restraining order.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

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

1 **SECTION 1.** 48.57 (3p) (g) 2. of the statutes is amended to read:

2 48.57 **(3p)** (g) 2. The person has had imposed on him or her a penalty specified
3 in s. 939.64, 1999 stats., or s. 939.641, 1999 stats., or s. 939.6195, 939.62, 939.621,
4 939.623, 939.63 or 939.645 or has been convicted of a violation of the law of any other
5 state or federal law under circumstances under which the person would be subject
6 to a penalty specified in any of those sections if convicted in this state.

7 **SECTION 2.** 48.685 (1) (c) 2. of the statutes is amended to read:

8 48.685 **(1)** (c) 2. A violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19
9 (2), (4), (5) or (6), 940.198 (2), 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2),
10 940.29, 940.295, 942.09 (2), 948.02 (1) or (2), 948.025, 948.03 (2) or (5) (a) 1., 2., 3.,
11 or 4., 948.05, 948.051, 948.055, 948.06, 948.07, 948.08, 948.081, 948.085, 948.11 (2)
12 (a) or (am), 948.12, 948.13, 948.21 (2), 948.215, 948.30, or 948.53.

13 **SECTION 3.** 50.065 (1) (e) 1. of the statutes is amended to read:

14 50.065 **(1)** (e) 1. "Serious crime" means a violation of s. 940.19 (3), 1999 stats.,
15 a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (4), (5) or (6),
16 940.198 (2), 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295,
17 948.02 (1), 948.025 or 948.03 (2) (a) or (5) (a) 1., 2., or 3., or a violation of the law of

SENATE BILL 427**SECTION 3**

1 any other state or United States jurisdiction that would be a violation of s. 940.19 (3),
2 1999 stats., or a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (4),
3 (5) or (6), 940.198 (2), 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29,
4 940.295, 948.02 (1), 948.025 or 948.03 (2) (a) or (5) (a) 1., 2., or 3. if committed in this
5 state.

6 **SECTION 4.** 103.34 (1) (b) 2. of the statutes is amended to read:

7 103.34 (1) (b) 2. A violation of s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.07,
8 940.08, 940.09, 940.10, 940.19 (2), (4), (5), or (6), 940.198 (2), 940.21, 940.225 (1), (2),
9 or (3), 940.23, 940.235, 940.24, 940.25, 940.30, 940.302, 940.305, 940.31, 943.02,
10 943.03, 943.04, 943.10, 943.30, 943.31, 943.32, 944.32, 944.34, 946.10, 948.02 (1) or
11 (2), 948.025, 948.03 (2), (3), or (5) (a) 1., 2., 3., or 4., 948.04, 948.05, 948.051, 948.055,
12 948.06, 948.07, 948.075, 948.08, 948.085, 948.11 (2) (a) or (am), 948.12, 948.13,
13 948.21 (2), 948.215, or 948.30 or of a substantially similar federal law or law of
14 another state.

15 **SECTION 5.** 165.84 (7) (ab) 1. of the statutes is amended to read:

16 165.84 (7) (ab) 1. A felony violation of s. 940.01, 940.05, 940.198 (2), 940.21,
17 940.225 (1), (2), or (3), 940.235, 940.30, 940.302 (2), 940.305, 940.31, 940.32 (2), (2e),
18 or (2m), 940.43, 940.45, 941.20, 941.21, 941.327, 943.02, 943.06, 943.10, 943.23 (1g)
19 or (2), 943.32, 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c) or (5) (a) 1., 2., 3., or 4.,
20 948.05, 948.051, 948.055, 948.07, 948.08, 948.085, 948.095, or 948.30 (2).

21 **SECTION 6.** 301.048 (2) (bm) 1. a. of the statutes is amended to read:

22 301.048 (2) (bm) 1. a. A crime specified in s. 940.19 (3), 1999 stats., s. 940.195
23 (3), 1999 stats., s. 943.23 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 940.01,
24 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (4) or (5), 940.195 (4)
25 or (5), 940.198 (2), 940.20, 940.201, 940.203, 940.21, 940.225 (1) to (3), 940.23,

SENATE BILL 427

1 940.235, 940.285 (2) (a) 1. or 2., 940.29, 940.295 (3) (b) 1g., 1m., 1r., 2., or 3., 940.31,
2 940.43 (1) to (3), 940.45 (1) to (3), 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01
3 (2) (c), 943.011, 943.013, 943.02, 943.04, 943.06, 943.10 (2), 943.23 (1g), 943.30,
4 943.32, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.051,
5 948.06, 948.07, 948.08, 948.085, or 948.30.

6 **SECTION 7.** 302.11 (1g) (a) 2. of the statutes is amended to read:

7 302.11 (1g) (a) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m),
8 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s. 940.02,
9 940.03, 940.05, 940.09 (1c), 940.19 (5), 940.195 (5), 940.198 (2), 940.21, 940.225 (1)
10 or (2), 940.305 (2), 940.31 (1) or (2) (b), 943.02, 943.10 (2), 943.23 (1g), 943.32 (2),
11 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c) or (5) (a) 1., 2., 3., or 4.,
12 948.05, 948.06, 948.07, 948.08, or 948.30 (2).

13 **SECTION 8.** 303.07 (2) of the statutes is amended to read:

14 303.07 (2) When convicted persons are subject to commitment to the county
15 jail, or to the Wisconsin state prisons under s. 939.62 (1) (a) or 939.623 (2) (a) for a
16 term not exceeding 2 years, the court may instead commit them for equivalent terms
17 to a reforestation camp authorized under sub. (1).

18 **SECTION 9.** 343.12 (7) (c) 9j. of the statutes is created to read:

19 343.12 (7) (c) 9j. Physical abuse of an elder person under s. 940.198 (2).

20 **SECTION 10.** 813.12 (1) (ar) of the statutes is created to read:

21 813.12 (1) (ar) "Elder person" means any individual who is 60 years of age or
22 older.

23 **SECTION 11.** 813.12 (5b) of the statutes is created to read:

SENATE BILL 427**SECTION 11**

1 813.12 (5b) ELDER PERSON PETITIONER. If the petitioner is an elder person, the
2 court shall permit the petitioner to participate in hearings under this section by
3 telephone or live audiovisual means.

4 **SECTION 12.** 813.123 (1) (eg) of the statutes is amended to read:

5 813.123 (1) (eg) “Harassment” has the meaning given in s. 813.125 (1) (am) 4.

6 **SECTION 13.** 813.123 (6g) of the statutes is created to read:

7 813.123 (6g) ELDER ADULT-AT-RISK PETITIONER. If the petitioner is an elder adult
8 at risk, the court shall permit the petitioner to participate in hearings under this
9 section by telephone or live audiovisual means.

10 **SECTION 14.** 813.125 (1) (am) (intro.) of the statutes is amended to read:

11 813.125 (1) (am) (intro.) In this section, ~~“harassment” means any of the~~
12 following:

13 **SECTION 15.** 813.125 (1) (am) 1. of the statutes is renumbered 813.125 (1) (am)
14 4. a.

15 **SECTION 16.** 813.125 (1) (am) 2. of the statutes is renumbered 813.125 (1) (am)
16 4. b.

17 **SECTION 17.** 813.125 (1) (am) 3. of the statutes is created to read:

18 813.125 (1) (am) 3. “Elder person” means any individual who is 60 years of age
19 or older.

20 **SECTION 18.** 813.125 (1) (am) 4. (intro.) of the statutes is created to read:

21 813.125 (1) (am) 4. (intro.) “Harassment” means any of the following:

22 **SECTION 19.** 813.125 (5b) of the statutes is created to read:

23 813.125 (5b) ELDER PERSON PETITIONER. If the petitioner is an elder person, the
24 court shall permit the petitioner to participate in hearings under this section by
25 telephone or live audiovisual means.

SENATE BILL 427

1 **SECTION 20.** 895.45 (1) (a) of the statutes is amended to read:

2 895.45 (1) (a) “Abusive conduct” means domestic abuse, as defined under s.
3 49.165 (1) (a), 813.12 (1) (am), or 968.075 (1) (a), harassment, as defined under s.
4 813.125 (1) (am) 4, sexual exploitation by a therapist under s. 940.22, sexual assault
5 under s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child abuse under
6 ss. 948.02 to 948.11.

7 **SECTION 21.** 938.208 (1) (a) of the statutes is amended to read:

8 938.208 (1) (a) Probable cause exists to believe that the juvenile has committed
9 a delinquent act that would be a felony under s. 940.01, 940.02, 940.03, 940.05,
10 940.19 (2) to (6), 940.198, 940.21, 940.225 (1), 940.31, 941.20 (3), 943.02 (1), 943.23
11 (1g), 943.32 (2), 947.013 (1t), (1v) or (1x), 948.02 (1) or (2), 948.025, 948.03, or 948.085
12 (2), if committed by an adult.

13 **SECTION 22.** 938.34 (4m) (b) 1. of the statutes is amended to read:

14 938.34 (4m) (b) 1. The juvenile has committed a delinquent act that would be
15 a felony under s. 940.01, 940.02, 940.03, 940.05, 940.19 (2) to (6), 940.198, 940.21,
16 940.225 (1), 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), 943.32 (2), 947.013 (1t), (1v)
17 or (1x), 948.02 (1) or (2), 948.025, 948.03, or 948.085 (2) if committed by an adult.

18 **SECTION 23.** 938.355 (2d) (b) 3. of the statutes is amended to read:

19 938.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (3),
20 1999 stats., or s. 940.19 (2), (4), or (5), 940.198 (2) (a) or (3) (a), 940.225 (1) or (2),
21 948.02 (1) or (2), 948.025, 948.03 (2) (a), (3) (a), or (5) (a) 1., 2., or 3., or 948.085 or a
22 violation of the law of any other state or federal law, if that violation would be a
23 violation of s. 940.19 (2), (4), or (5), 940.198 (2) (a) or (3) (a), 940.225 (1) or (2), 948.02
24 (1) or (2), 948.025, or 948.03 (2) (a), (3) (a), or (5) (a) 1., 2., or 3. if committed in this
25 state, as evidenced by a final judgment of conviction, and that the violation resulted

SENATE BILL 427**SECTION 23**

1 in great bodily harm, as defined in s. 939.22 (14), or in substantial bodily harm, as
2 defined in s. 939.22 (38), to the juvenile or another child of the parent.

3 **SECTION 24.** 939.62 (2m) (a) 2m. b. of the statutes is amended to read:

4 939.62 **(2m)** (a) 2m. b. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)
5 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s.
6 940.01, 940.02, 940.03, 940.05, 940.09 (1c), 940.16, 940.19 (5), 940.195 (5), 940.198
7 (2) (a) or (c), 940.21, 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02,
8 943.10 (2), 943.23 (1g), 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2)
9 (a) or (c) or (5) (a) 1., 2., 3., or 4., 948.05, 948.06, 948.07, 948.075, 948.08, 948.081,
10 948.085, or 948.30 (2).

11 **SECTION 25.** 939.623 of the statutes is created to read:

12 **939.623 Increased penalty for elder person victims. (1)** In this section,
13 “elder person” means any individual who is 60 years of age or older.

14 **(2)** If the crime victim is an elder person, and the present conviction is for any
15 crime for which imprisonment may be imposed, the maximum term of imprisonment
16 prescribed by law for that crime may be increased as follows:

17 (a) A maximum term of imprisonment of one year or less may be increased to
18 not more than 2 years.

19 (b) A maximum term of imprisonment of more than one year but not more than
20 10 years may be increased by not more than 4 years.

21 (c) A maximum term of imprisonment of more than 10 years may be increased
22 by not more than 6 years.

23 **(3)** This section applies irrespective of whether the defendant had actual
24 knowledge of the crime victim’s age. A mistake regarding the crime victim’s age is
25 not a defense to an increased penalty under this section.

SENATE BILL 427

1 **SECTION 26.** 939.632 (1) (e) 1. of the statutes is amended to read:

2 939.632 (1) (e) 1. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09
3 (1c), 940.19 (2), (4) or (5), 940.198 (2) (a) or (c), 940.21, 940.225 (1), (2) or (3), 940.235,
4 940.305, 940.31, 941.20, 941.21, 943.02, 943.06, 943.10 (2), 943.23 (1g), 943.32 (2),
5 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c) or (5) (a) 1., 2., 3., or 4., 948.05, 948.051,
6 948.055, 948.07, 948.08, 948.085, or 948.30 (2) or under s. 940.302 (2) if s. 940.302
7 (2) (a) 1. b. applies.

8 **SECTION 27.** 940.198 of the statutes is created to read:

9 **940.198 Physical abuse of an elder person. (1) DEFINITIONS.** In this
10 section:

11 (a) "Elder person" means any individual who is 60 years of age or older.

12 (b) "Recklessly" means conduct that creates a situation of unreasonable risk of
13 harm to and demonstrates a conscious disregard for the safety of the elder person.

14 **(2) INTENTIONAL CAUSATION OF BODILY HARM.** (a) Whoever intentionally causes
15 great bodily harm to an elder person is guilty of a Class C felony.

16 (b) Whoever intentionally causes bodily harm to an elder person is guilty of a
17 Class H felony.

18 (c) Whoever intentionally causes bodily harm to an elder person under
19 circumstances or conditions that are likely to produce great bodily harm is guilty of
20 a Class F felony.

21 **(3) RECKLESS CAUSATION OF BODILY HARM.** (a) Whoever recklessly causes great
22 bodily harm to an elder person is guilty of a Class E felony.

23 (b) Whoever recklessly causes bodily harm to an elder person is guilty of a Class
24 I felony.

SENATE BILL 427**SECTION 27**

1 (c) Whoever recklessly causes bodily harm to an elder person under
2 circumstances or conditions that are likely to produce great bodily harm is guilty of
3 a Class H felony.

4 (4) KNOWLEDGE OF AGE NOT REQUIRED. This section applies irrespective of
5 whether the defendant had actual knowledge of the victim's age. A mistake
6 regarding the victim's age is not a defense to a prosecution under this section.

7 **SECTION 28.** 940.225 (1) (d) of the statutes is created to read:

8 940.225 (1) (d) Commits a violation under sub. (2) against an individual who
9 is 60 years of age or older. This paragraph applies irrespective of whether the
10 defendant had actual knowledge of the victim's age. A mistake regarding the victim's
11 age is not a defense to a prosecution under this paragraph.

12 **SECTION 29.** 941.29 (1g) (a) of the statutes is amended to read:

13 941.29 (1g) (a) "Violent felony" means any felony under s. 943.23 (1m), 1999
14 stats., or s. 943.23 (1r), 1999 stats., this section, or s. 940.01, 940.02, 940.03, 940.05,
15 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.198, 940.20, 940.201, 940.203,
16 940.21, 940.225, 940.23, 940.235, 940.285 (2), 940.29, 940.295 (3), 940.30, 940.302,
17 940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.2905,
18 941.292, 941.30, 941.327 (2) (b) 3. or 4., 943.02, 943.04, 943.06, 943.10 (2), 943.23
19 (1g), 943.32, 943.87, 946.43, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05,
20 948.051, 948.06, 948.07, 948.08, 948.085, or 948.30.

21 **SECTION 30.** 941.291 (1) (b) of the statutes is amended to read:

22 941.291 (1) (b) "Violent felony" means any felony, or the solicitation, conspiracy,
23 or attempt to commit any felony, under s. 943.23 (1m) or (1r), 1999 stats., or s. 940.01,
24 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.198,
25 940.20, 940.201, 940.203, 940.21, 940.225, 940.23, 940.285 (2), 940.29, 940.295 (3),

SENATE BILL 427

1 940.30, 940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28,
2 941.29, 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.04, 943.06,
3 943.10 (2), 943.23 (1g), 943.32, 943.81, 943.82, 943.83, 943.85, 943.86, 943.87,
4 943.88, 943.89, 943.90, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04,
5 948.05, 948.06, 948.07, 948.08, 948.085, or 948.30; or, if the victim is a financial
6 institution, as defined in s. 943.80 (2), a felony, or the solicitation, conspiracy, or
7 attempt to commit a felony under s. 943.84 (1) or (2).

8 **SECTION 31.** 949.03 (1) (b) of the statutes is amended to read:

9 949.03 (1) (b) The commission or the attempt to commit any crime specified in
10 s. 346.62 (4), 346.63 (2) or (6), 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08,
11 940.09, 940.10, 940.19, 940.198, 940.20, 940.201, 940.21, 940.22 (2), 940.225, 940.23,
12 940.235, 940.24, 940.25, 940.285, 940.29, 940.30, 940.302 (2), 940.305, 940.31,
13 940.32, 941.327, 942.09, 943.02, 943.03, 943.04, 943.10, 943.20, 943.23 (1g), 943.32,
14 943.81, 943.86, 943.87, 948.02, 948.025, 948.03, 948.04, 948.05, 948.051, 948.06,
15 948.07, 948.075, 948.08, 948.085, 948.09, 948.095, 948.20, 948.21 (1), 948.30 or
16 948.51.

17 **SECTION 32.** 968.26 (1b) (a) 2. a. of the statutes is amended to read:

18 968.26 (1b) (a) 2. a. Section 940.04, 940.11, 940.19 (2), (4), (5), or (6), 940.195
19 (2), (4), (5), or (6), 940.198 (2) (b) or (c) or (3), 940.20, 940.201, 940.203, 940.205,
20 940.207, 940.208, 940.22 (2), 940.225 (3), 940.29, 940.302 (2) (c), 940.32, 941.32,
21 941.38 (2), 942.09 (2), 943.10, 943.205, 943.32 (1), 946.43, 946.44, 946.47, 946.48,
22 948.02 (3), 948.03 (2) (b) or (c), (3), or (4), 948.04, 948.055, 948.095, 948.10 (1) (a),
23 948.11, 948.13 (2) (a), 948.14, 948.20, 948.23 (1), (2), or (3) (c) 2. or 3., or 948.30 (1).

24 **SECTION 33.** 969.035 (1) of the statutes is amended to read:

SENATE BILL 427**SECTION 33**

1 969.035 (1) In this section, “violent crime” means any crime specified in s.
2 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08, 940.10, 940.19 (5), 940.195
3 (5), 940.198 (2) (a) or (c), 940.21, 940.225 (1), 940.23, 941.327, 948.02 (1) or (2),
4 948.025, 948.03, or 948.085.

5 **SECTION 34.** 969.08 (10) (b) of the statutes is amended to read:

6 969.08 (10) (b) “Serious crime” means any crime specified in s. 943.23 (1m),
7 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 346.62 (4), 940.01, 940.02, 940.03,
8 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (5), 940.195 (5), 940.198 (2) (a) or (c),
9 940.20, 940.201, 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.24, 940.25, 940.29,
10 940.295 (3) (b) 1g., 1m., 1r., 2. or 3., 940.302 (2), 940.31, 941.20 (2) or (3), 941.26,
11 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.03, 943.04, 943.06,
12 943.10, 943.23 (1g), 943.30, 943.32, 943.81, 943.82, 943.83, 943.85, 943.86, 943.87,
13 943.88, 943.89, 943.90, 946.01, 946.02, 946.43, 947.015, 948.02 (1) or (2), 948.025,
14 948.03, 948.04, 948.05, 948.051, 948.06, 948.07, 948.085, or 948.30 or, if the victim
15 is a financial institution, as defined in s. 943.80 (2), a crime under s. 943.84 (1) or (2).

16 **SECTION 35.** 971.109 of the statutes is created to read:

17 **971.109 Freezing assets of a person charged with financial**
18 **exploitation of an elder person. (1) DEFINITIONS.** In this section:

19 (a) “Elder person” means any individual who is 60 years of age or older.

20 (b) “Financial exploitation” has the meaning given in s. 46.90 (1) (ed).

21 **(2) SEIZURE OF ASSETS.** (a) If a defendant is charged with a crime that is
22 financial exploitation, the crime involves the taking or loss of property valued at
23 more than \$2,500, and the crime victim is an elder person, a prosecuting attorney
24 may file a petition with the court in which the defendant has been charged to freeze
25 the funds, assets, or property of the defendant in an amount up to 100 percent of the

SENATE BILL 427

1 alleged value of funds, assets, or property in the defendant's pending criminal
2 proceeding for purposes of restitution to the crime victim. The hearing on the
3 petition may be held ex parte if necessary to prevent additional exploitation of the
4 victim.

5 (b) If there is a showing of probable cause in the hearing, the court shall issue
6 an order to freeze or seize the funds, assets, or property of the defendant in the
7 amount calculated under par. (a). A copy of the order shall be served upon the
8 defendant whose funds, assets, or property has been frozen or seized.

9 (c) The court's order shall prohibit the sale, gifting, transfer, or wasting of the
10 funds, assets, or real or personal property of the elder person that are owned by or
11 vested in the defendant without the express permission of the court.

12 **(3) RELEASE OF FUNDS.** (a) At any time within 30 days after service of the order
13 under sub. (2) (b), the defendant or any person claiming an interest in the funds,
14 assets, or property may file a petition to release the funds, assets, or property. The
15 court shall hold a hearing on the motion within 10 days from the date the motion is
16 filed.

17 (b) In any proceeding under par. (a), the state has the burden of proving by a
18 preponderance of the evidence that the defendant used, was using, is about to use,
19 or is intending to use any funds, assets, or property in a way that constitutes or would
20 constitute financial exploitation. If the court finds that any funds, assets, or property
21 were used, are about to be used, or are intended to be used in a way that constitutes
22 or would constitute financial exploitation, the court shall order the funds, assets, or
23 property frozen or held until further order of the court.

SENATE BILL 427**SECTION 35**

1 **(4) DISMISSAL OR ACQUITTAL.** If the prosecution of a charge of financial
2 exploitation is dismissed or if a judgment of acquittal is entered, the court shall
3 vacate the order issued under sub. (2) (b).

4 **SECTION 36.** 973.01 (2) (c) 2. a. of the statutes is amended to read:

5 973.01 **(2)** (c) 2. a. Sections 939.621, 939.623, 939.632, 939.635, 939.645, 946.42
6 (4), 961.442, 961.46, and 961.49.

7 **SECTION 37.** 973.0135 (1) (b) 2. of the statutes is amended to read:

8 973.0135 **(1)** (b) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)
9 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., s.
10 940.01, 940.02, 940.03, 940.05, 940.09 (1c), 940.16, 940.19 (5), 940.195 (5), 940.198
11 (2) (a) or (c), 940.21, 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02,
12 943.10 (2), 943.23 (1g), 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2)
13 (a) or (c) or (5) (a) 1., 2., 3., or 4., 948.05, 948.051, 948.06, 948.07, 948.075, 948.08, or
14 948.30 (2).

15 **SECTION 38.** 973.06 (1) (av) 2. a. of the statutes is amended to read:

16 973.06 **(1)** (av) 2. a. The defendant was charged under s. 946.41 solely because
17 he or she recanted a report of abusive conduct, including interspousal battery, as
18 described under s. 940.19 or 940.20 (1m), domestic abuse, as defined in s. 49.165 (1)
19 (a), 813.12 (1) (am), or 968.075 (1) (a), harassment, as defined in s. 813.125 (1) (am)
20 4., sexual exploitation by a therapist under s. 940.22, sexual assault under s.
21 940.225, child abuse, as defined under s. 813.122 (1) (a), or child abuse under ss.
22 948.02 to 948.11.

23 **SECTION 39.** 973.06 (1) (av) 2. b. of the statutes is amended to read:

24 973.06 **(1)** (av) 2. b. The defendant was a victim of abusive conduct, including
25 interspousal battery, as described under s. 940.19 or 940.20 (1m), domestic abuse, as

SENATE BILL 427

1 defined in s. 49.165 (1) (a), 813.12 (1) (am), or 968.075 (1) (a), harassment, as defined
2 in s. 813.125 (1) (am) 4, sexual exploitation by a therapist under s. 940.22, sexual
3 assault under s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child
4 abuse under ss. 948.02 to 948.11, and he or she was charged under s. 946.41 based
5 on information he or she omitted or false information he or she provided during the
6 course of an investigation into the crime committed against him or her.

7 **SECTION 40.** 973.123 (1) of the statutes is amended to read:

8 973.123 (1) In this section, “violent felony” means any felony under s. 943.23
9 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 940.01, 940.02, 940.03, 940.05,
10 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.198, 940.20, 940.201, 940.203,
11 940.21, 940.225, 940.23, 940.235, 940.285 (2), 940.29, 940.295 (3), 940.30, 940.302,
12 940.305, 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.29,
13 941.292, 941.30, 941.327 (2) (b) 3. or 4., 943.02, 943.04, 943.06, 943.10 (2), 943.23
14 (1g), 943.32, 943.87, 946.43, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05,
15 948.051, 948.06, 948.07, 948.08, 948.085, or 948.30.

16 **SECTION 41.** 980.01 (6) (b) of the statutes is amended to read:

17 980.01 (6) (b) Any crime specified in s. 940.01, 940.02, 940.03, 940.05, 940.06,
18 940.19 (2), (4), (5), or (6), 940.195 (4) or (5), 940.198 (2) or (3), 940.30, 940.305, 940.31,
19 941.32, 943.10, 943.32, or 948.03 that is determined, in a proceeding under s. 980.05
20 (3) (b), to have been sexually motivated.

21 (END)

| | | | |
|---|------------------------------------|---|---|
| | RESOLUTION # <u>65-3/20</u> | ITEM # <u>3-9</u> BOARD ACTION Adopted: <input checked="" type="checkbox"/> For: <u>23</u> Against: <u>-</u> Abstain: <u>-</u> Abs/Excd: <u>6</u> Vote Req: <u>-</u> Other Action: <u>-</u> | HEALTH AND HUMAN SERVICES BOARD Adopted: <input checked="" type="checkbox"/> For: <u>9</u> Against: <u>0</u> Abstain: <u>8</u> Abs/Excd: <u>8</u> |
| TO: HONORABLE MEMBERS OF THE LA CROSSE COUNTY BOARD OF SUPERVISORS | | | |

RE: IN SUPPORT OF THE WISCONSIN OPPORTUNITY ACT (SB 467, AB 508)

WHEREAS, the Institute for Research on Poverty reports that more than 1 in 10 Wisconsinites live in poverty, including 16.9% of all children in the state; and

WHEREAS, the 2017 *Wisconsin Poverty Report* shows that poverty has increased in the state; and

WHEREAS, in 2018, the Department of Public Instruction identified more than 19,000 homeless children and youth throughout the state; and

WHEREAS, 306,000 low-income Wisconsin renters pay more than half their income for housing; and

WHEREAS, 37.5% of Wisconsinites struggle to afford the necessities of housing, childcare, health care, food, and transportation, according to the 2018 United Way *ALICE Study of Financial Hardship*; and

WHEREAS, a recent community needs assessment conducted by our local Couleecap Community Action Program assessing barriers to economic stability experienced by low-income individuals and households revealed that over half of the low income households surveyed that received income from wages still had to rely on food pantries, and state and local safety net programs just to make ends meet for their families; that even with healthcare insurance 86% of households surveyed still listed healthcare accessibility, especially dental, vision, and mental health care as a significant barrier for their families; and 60% of people reported having difficulty paying for their utility bills and homeowners struggled to make home repairs that kept their homes safe, putting their housing at risk; and

WHEREAS, the Wisconsin Opportunity Act aims to provide the transformational investments that reduce poverty and fundamentally improve people's economic circumstances. This act furthers the goal of addressing the systemic barriers to achieving economic stability by providing housing, health, job training, and income supports; and

WHEREAS, the WOA is the result of extensive consultation with stakeholders and local communities and features fundamentally sound practices for improving the lives of low and moderate-income households across the state and enacting and implementing WOA will position our state as a leader in promoting inclusive economic development;

NOW, THEREFORE, BE IT RESOLVED that the La Crosse County Board of Supervisors supports passage and enactment of the Wisconsin Opportunity Act in the Wisconsin State Legislature;

BE IT FURTHER RESOLVED, that La Crosse County Board of Supervisors directs the Clerk to send a copy of this resolution to State Senator Jennifer Shilling, State Representative Jill Billings, State Representative Steve Doyle, Governor Tony Evers, County Board Chairs and County Clerks of all other counties in Wisconsin and the Wisconsin Counties Association (WCA).

FISCAL NOTE: No fiscal impact.

Date: March 10, 2020

Sharon Hays
COMMITTEE CHAIR

Alice K. Sorenson
RECORDING CLERK

| | Reviewed Only | Recommended | Not Recommended | |
|---|---------------|-------------|-----------------|---|
| Co. Admin. | <u>JK</u> | _____ | _____ | Requested By: Monica Kruse Maureen Freedland Date Requested: February 25, 2020 Drafted By: Corporation Counsel |
| Fin. Director | <u>SKD</u> | _____ | _____ | |
| Corp. Counsel | <u>JK</u> | _____ | _____ | |
| Board Chair | <u>JK</u> | _____ | _____ | |
| Adopted by the La Crosse County Board this <u>19</u> Day of <u>March</u> , 2020 | | | | |

STATE OF WISCONSIN
COUNTY OF LA CROSSE

I, Ginny Dankmeyer, County Clerk of La Crosse County do hereby certify that this document is a true and correct copy of the original resolution required by law to be in my custody and which the County Board of Supervisors of La Crosse County adopted at a meeting held on the 19th day of March 2020.

Ginny Dankmeyer
Ginny Dankmeyer, La Crosse County Clerk

Wisconsin Opportunity Act Section-by-Section Summary

Statement of Purpose

Findings:

- The Institute for Research on Poverty reports that more than 1 in 10 Wisconsinites live in poverty,
- In 2018, the Department of Public Instruction identified more than 19,000 homeless children and youth throughout the state;
- While unemployment remains low, housing costs have increased out of proportion to income;
- 306,000 low-income Wisconsin renters pay more than half their income for housing;
- 37.5% of Wisconsinites struggle to afford the necessities of housing, child care, health care, food, and transportation, according to the 2018 United Way *ALICE Study of Financial Hardship*.

Therefore, the [**Wisconsin Opportunity Act**] aims to provide the transformational investments that reduce poverty and fundamentally improve people's economic circumstances. This act furthers the goal of addressing barriers to achieving economic stability by providing housing, health, job training, and income supports.

Wisconsin Community Service Block Grant

- Creation of a Wisconsin state supplement CSBG program [25% State Match]

Housing Stability

- An additional \$220,000 for the Critical Assistance Program;
- An additional \$900,000 for the Housing Assistance Program;
- An increase of \$700,000 for the State Shelter Subsidy Grant Program;
- Establishes within WHEDA a pilot program for homeless families with children;
- Directs the Interagency Council on Homelessness to review the state's housing and homelessness-related programs and identify ways to better serve homeless children and youth;
- This bill requires DPI to issue a report to the legislature on the number of homeless children and youth identified in the public-school system;
- The bill requires WHEDA to annually issue a report on households with "worst case housing" needs in this state;
- WHEDA to issue bonds up to \$1,000,000 to make grants to housing authorities to provide rent assistance to individuals and families who are in danger of being evicted.

Workforce Development & Job and Income Supports

- Increase funding for the Job and Business Development Program (DWD) by \$799,400;
- Increase funding for the Skills Enhancement Program (SEP-DCF) by \$500,000;
- The bill increases the earned income threshold for SEP eligibility to 200 percent of the poverty line;
- Inclusion of homeless populations within Workforce Innovation & Opportunity Act (WIOA) strategic plans;

- DWD pilot to offer job and employment services for individuals receiving housing vouchers or receiving services from state-funded homeless shelters. Pilot funded at \$500,000 in each fiscal year of the 2019-2021 biennium;
- Creation of a Household and Dependent Care Services Tax Credit.

Transportation Services and Coordination

- Increase the funding for the “Work-n-Wheels” program by \$249,450;
- Increases by 10% the total amount of state aid payments for mass transit systems serving areas having a population of less than 50,000;
- Requires DHS to determine and implement a reimbursement rate for nonemergency medical transportation services for Medical Assistance recipients who are nursing home residents that is the same as the prevalent brokerage reimbursement rate applied to other nonemergency medical transportation services for Medical Assistance recipients.

Access to Health Care

- The bill would authorize within the Department of Health Services a grant program to provide CAA’s with support to respond to the needs of communities and low-income families and individuals in crisis resulting from opioid addiction-related issues.
- The bill would provide \$800,000 to DHS to encourage the development and expansion of sober living residences.

Research

- \$50,000 mental health research on farmer suicide (DATCP);
- Creation of a Public Assistance Advisory Committee;
- DCF to collect statewide data on ACES (Adverse Childhood Experiences)
- \$50,000 to support to the annual *Wisconsin Poverty Report*

RESOLUTION NO. 26-20

SUPPORTING A STATE SENATE SPECIAL SESSION ON WATER QUALITY

WHEREAS, a clean, plentiful supply of rural drinking water is necessary for the health and well-being of roughly 70% of Wisconsinites; and

WHEREAS, keeping Wisconsin’s rural drinking water free of pollutants, especially nitrogen and phosphorus, benefits not only citizens but also Wisconsin’s tourism industry as well as rural economic development; and

WHEREAS, the 2019 Speaker’s Task Force on Water Quality brought attention to state legislators and the state’s residents, as a whole, the immensity of this problem, and

WHEREAS, the Wisconsin Assembly took a step in addressing the problem by passing 13 “Water Bills” on February 18, 2020; and

WHEREAS, the State Senate never had the opportunity to consider these “Water Bills” when its last scheduled session on March 24, 2020, was postponed by the COVID-19 pandemic.

NOW THEREFORE BE IT RESOLVED that the Pepin County Board of Supervisors does hereby request the State Senate to convene in “extraordinary session” to address the 13 “Water Bills” passed in the Assembly earlier this year; and

BE IT FURTHER RESOLVED that the Pepin County Clerk is directed to send a copy of this resolution to members of the Assembly who represent Pepin County, all State Senators, the Wisconsin Counties Association, and the Wisconsin Towns Association.

RECOMMENDED BY THE PEPIN COUNTY LAND CONSERVATION & PLANNING / UW-EXTENSION COMMITTEE:

COMMITTEE MEMBERS VOTE

/s/ Angie Bocksell
Angie Bocksell, Chair

| | | | |
|-----------------|---------------|---------------|----------------|
| <u>5</u> | <u>0</u> | <u>0</u> | <u>0</u> |
| In favor | Oppose | Absent | Abstain |

FISCAL IMPACT REVIEWED – No impact to current County budget. Adoption of “Water Quality Bills” may provide additional revenue to Pepin County to support local water quality efforts.

/s/ Pamela Hansen
Finance Director

| | |
|------------------|------------------------|
| <u>x</u> | <u> </u> |
| Recommend | Not Recommended |

COUNTY BOARD ACTION:

| | | |
|---------------|-----------------|--|
| <u> x </u> | ADOPTED | by the Pepin County Board of Supervisors on this <u>15th</u> day of August, 2020 |
| <u> </u> | DEFEATED | |
| <u> </u> | TABLED | |
| | | In favor <u> 11 </u> Oppose <u> 1 </u> Absent <u> 0 </u> Abstain <u> 0 </u> |

/s/ Audrey Bauer
County Clerk

/s/ Tom Milliren
County Board Chair

Resolution 30-8-2020

RE: Support of Grant Funds Using Indian Gaming Revenues

WHEREAS, Tribal Gaming Compacts contain language that reads that the State will make "best efforts" to assure that monies paid to the State shall be spent on several different items including "Support of programs and services of the County in which the Tribe is located", and

WHEREAS, poorer counties and municipalities in northern Wisconsin continue to face difficult times in maintaining, among other things, local roads, providing public safety services, and are often not eligible for state and federal funding because they cannot raise the local match requirements; and

WHEREAS, northern counties and municipalities with Indian casinos experience additional wear and tear on their roadways and need additional highway safety services; and

WHEREAS, to meet the intent of how some of the tribal gaming revenues is to be used and to meet the growing transportation and public safety needs in counties and municipalities with Indian tribal casinos, it is proposed that a grant program be created;

NOW THEREFORE BE IT RESOLVED, that the Jackson County Board of Supervisors hereby:

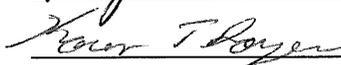
1. Requests the State of Wisconsin grant to each county with an Indian casino and containing the headquarters of the tribe an increase in their county road aids by \$125,000 annually, such to be funded using Indian Gaming revenues.
2. Requests the State of Wisconsin grant an additional \$125,000 in Indian Gaming revenues to municipalities within those counties, such to be shared equally by the municipality in which the tribes headquarter is located and municipalities that border the municipality having the tribal headquarters.
3. Request the State of Wisconsin to authorize counties and municipalities to use these grant funds on road improvements, as a qualifying match for other state programs requiring local share, or for equipment needed to respond to emergency calls.
4. Requests that these grant funds have no impact on the regular road aids these counties and municipalities receive.
5. Request the Governor to include in his next biennial budget these needed funds and for the State Legislature to support this effort.

BE IT FURTHER RESOLVED, the Jackson County Board of Supervisors requests the Governor and State Legislature to amend the gaming compact to require that all lands entered and accepted into the United States Tribal Trust be added to the original compact agreement of tribal lands as of July 3rd, 2003 and additional lands should be paid to the counties at \$1,000 per acre starting in 2021.

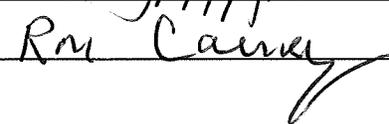
Executive and Finance Committee











Resolution 29-8-2020

RE: Supporting a Proposed Eau Claire – Black River Falls – Tomah Amtrak Shuttle Connection

WHEREAS, Passenger rail service, as part of an integrated multimodal transportation system, is increasingly being recognized as a critical choice for small, medium and large communities to provide reasonable priced, safe, accessible transportation to compliment other modes of transportation and for communities to be economically competitive and to be attractive to skilled talent; and

WHEREAS, the West Central Wisconsin business community sees the value of passenger rail service as critical to efficient travel for employees, and allows for productive use of time during travel, and increases the attractiveness of West Central Wisconsin as a business location and tourism destination; and

WHEREAS, since 1999 the West Central Wisconsin Rail Coalition has worked to obtain passenger rail service for area communities including Hudson/River Falls, Baldwin, Menomonie and Eau Claire/Chippewa Falls and is currently developing a public-private partnership to establish an initial corridor between St. Paul and Eau Claire with future extension eastward to Milwaukee and Chicago; and

WHEREAS, both the Wisconsin and Minnesota state rail plans include the West Central Wisconsin corridor in the long-range plans for passenger rail service; and

WHEREAS, Tomah currently has passenger rail service with the Amtrak Empire Builder train once daily in each direction on a route linking Tomah to the Wisconsin communities of La Crosse, Wisconsin Dells, Portage, Columbus and Milwaukee, as well as Chicago, Winona, Red Wing and Minneapolis-St. Paul in neighboring states. The Amtrak Empire Builder provides direct rail service from Tomah to 45 cities and towns all the way to the Pacific Northwest, and connections to more than 400 domestic and Canadian destinations; and,

WHEREAS, residents and visitors of West Central Wisconsin drive to Tomah to access the Empire Builder and the Amtrak national network because there is no direct dedicated shuttle connection from West Central Wisconsin and no intercity public bus service from Black River Falls to Tomah; and.

WHEREAS, the Wisconsin Department of Transportation, like 17 other U. S. states, has an operating contract with Amtrak to supplement service along the existing Chicago to Milwaukee route with 14 additional train departures, six days per week, 12 on Sunday, because travel utility and demand is best served with multiple frequencies (departures and arrivals) each day providing competitive travel service that prompts motorists to opt not to drive and expanding the existing transportation network between Milwaukee and Chicago; and,

WHEREAS, the departments of transportation for the state of Wisconsin and Minnesota are working with Amtrak on the Twin Cities Milwaukee Chicago (TCMC) project to consider adding a second daily route between St. Paul, Milwaukee and Chicago to serve the additional demand for passenger rail transportation in the corridor. With the implementation of this service there exists the opportunity to expand its usefulness by connecting communities via dedicated shuttle service; and,

WHEREAS, the inclusion of a direct shuttle service between the Chippewa Valley (including downtown Eau Claire), Black River Falls and Tomah Amtrak Station in the TCMC project would significantly enhance the utility of these rail improvements for West Central Wisconsin, and would open up travel opportunities for residents and visitors and provide improved mobility for students and seniors to connect with Milwaukee/Chicago through Tomah, and who don't want to drive the 80 miles to access the service; and,

WHEREAS, the City of Eau Claire is constructing a new Transit Center in downtown Eau Claire connecting the shuttle service to the new Transit Center would be beneficial to travelers as it provides access to the national intercity rail network; and

WHEREAS, the United States Federal government has appropriated approximately \$1.4 billion for rail-specific, competitive grants, that are available to states to implement passenger rail improvement projects; and,

WHEREAS, Jackson County and the communities in West Central Wisconsin are looking towards the benefits made possible by a better connected, more functional transportation network that includes more frequent passenger train departures, such as are being experienced by communities in 28 different Amtrak-state partnered passenger rail corridors that exist across the U. S.; and,

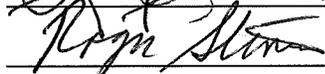
WHEREAS, implementation of shuttle service to Tomah would be a step towards and be complementary to the future implementation of direct passenger rail service to West Central Wisconsin.

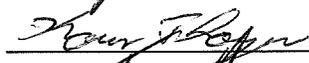
NOW THEREFORE BE IT RESOLVED, that the Jackson County Board of Supervisors request the State of Wisconsin work with the West Central Rail Coalition, Amtrak, the Canadian Pacific Railroad, Minnesota Department of Transportation and other communities along the route to implement one additional passenger train service each day between Chicago, Milwaukee and St. Paul, via Tomah, and to include dedicated shuttle service between Tomah, Black River Falls and Eau Claire to meet the arrivals and departures of both the new train and the Empire Builder.

BE IT FURTHER RESOLVED, the County Clerk is directed to send a copy of this resolution to our state legislators, Wisconsin Counties Association and county clerks who represent the West Central Wisconsin.

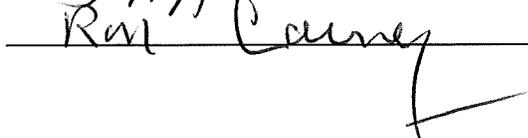
Executive and Finance Committee











Resolution 22-20

Support the Commitment to Veterans Support and Outreach (CVSO) Act

WHEREAS, the number of veteran suicides continues to rise nationwide. Approximately fourteen (14) of the twenty (20) veterans who die by suicide each day are not under the care of the Department of Veterans Affairs (VA). We must undertake a national approach to identify these veterans and where they live; and

WHEREAS, County Veterans Service Officers (CVSOs) are normally the first point of contact when a veteran transitions from active duty status to civilian life. CVSOs provide assistance on a wide range of benefits, including service-connected benefits, enrollment in the VA health care system, VA home loans, VA education benefits, and assistance with job placement where available; and

WHEREAS, transitioning veterans are not always aware of benefits they may be eligible for, and CVSOs are often the first person to inform veterans of these available benefits; and

WHEREAS, CVSOs are employed by counties and are nationally accredited to prepare, present, and prosecute these claims on behalf of veterans; and

WHEREAS, there is no direct federal funding currently available for CVSOs; and

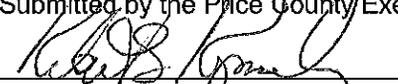
WHEREAS, there is legislation currently pending in both houses of Congress, known as the "Commitment to Veteran Support and Outreach Act (SB-3020 / AB-5516), which would authorize the Secretary of Veterans Affairs to enter into contracts with the individual states, or to award grants to states to promote health and wellness, help prevent veteran suicide, and improve outreach to veterans; and

WHEREAS, the CVSO Act would provide for \$50 Million annually for five (5) years to expand outreach and support CVSOs or similar entities who currently assist veterans in obtaining over \$50 Billion annually.

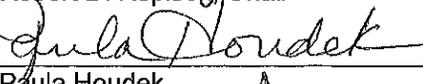
NOW, THEREFORE, BE IT RESOLVED by the Price County Board of Supervisors that it hereby supports this pending legislation in both houses of Congress, known as the "Commitment to Veteran Support and Outreach Act (SB-3020 / AB-5516) that authorizes the Secretary of Veterans Affairs to enter into contracts or award grants directly to individual states to help prevent suicide, and to promote the health and wellness and improve outreach to veterans.

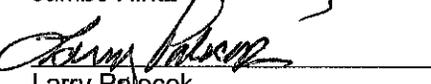
BE IT FURTHER RESOLVED by the Price County Board of Supervisors that it directs the Price County Clerk to forward a copy of this Resolution to all other Wisconsin counties, the Price County Veterans Service Officer, the Secretary of the Wisconsin Department of Veteran Affairs, the National Association of Counties (NACo), Veterans and Military Services Committee, the National Association of County Veterans Service Officers (NACVSO), the County Veterans Service Officer Association of Wisconsin (CVSOAWI), and the Wisconsin State Association of County Veterans Service Commissions (WSACVSC).

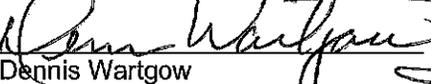
Submitted by the Price County Executive Committee.


Robert D. Kopisch, Chair


James Hintz

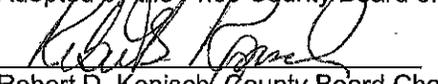

Paula Houdek

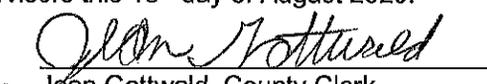

Larry Palecek


Dennis Wartgow

Reviewed by County Administrator: 
Nicholas Trimmer

Adopted by the Price County Board of Supervisors this 18th day of August 2020.


Robert D. Kopisch, County Board Chair


Jean Gottwald, County Clerk

For: 12 Against: 0