



# CAP T E A M

WCA County Ambassador Program

## PUBLIC SAFETY ANSWERING POINT STATE GRANT

Modernizing Wisconsin's 911 system has been a priority for counties and other stakeholders since the early 2000s. In the 2017-19 state budget, \$6.7 million was reallocated from the Police and Fire Protection Fund (PFPF) for the creation of an emergency services IP network (ESInet), which will allow Wisconsin to move toward a long overdue upgrade for 911 by serving as the backbone to which local Public Safety Answering Points (PSAPs) can connect to utilize Next Generation 911 (NG 911) technology. The 2019-21 budget allocated \$19.7 million in FY20 to the Department of Military Affairs (DMA) for the project. Funds not utilized by the end of the biennium will lapse to the general fund.

It is unlikely that DMA will be able to expend the \$19.7 million during the 2019-21 biennium. Prior to issuing a contract for the creation of the ESInet, the state must go through an RFP process, which can be time consuming. As a result, the intent to award a contract was not issued until December 14, 2020. While AT&T was chosen as the contract recipient, a final contract cannot be issued until the end of the appeals period making it unlikely that DMA will expend the \$18.5 million remaining in the appropriation by the end of the current biennium. Therefore DMA, in its 2021-23 biennial budget submission, requested \$18.5 million in FY22. Inclusion of this request in the 2021-23 state biennial budget is vitally important to continue creation of the ESInet. Additionally, DMA also requested annual support of \$14 million for maintenance of the ESInet starting in FY23.

In the 2019-20 Legislative Session, legislation to create the framework for a state-funded PSAP grant program was signed into law. 2019 Wisconsin Act 26 requires DMA to promulgate rules to create the grant program in consultation with the 911 subcommittee. Act 26 indicates the following uses for the grant dollars: advanced training of telecommunicators; equipment or software expenses; and incentives to consolidate some or all of the functions of two or more PSAPs. The act also clearly states that only one PSAP per county is eligible to receive the grant. However, the law did not allocate any funds for the grant program.

The cost to upgrade local PSAP equipment can be cost prohibitive for many counties. Therefore, a state-funded grant program is essential in supporting PSAPs and their need to upgrade technologies. To provide some context, Price County approved funding to update its PSAP which has two main stations and one backup call station. The county budgeted \$147,000 for the equipment and an additional \$191,000 for a 10-year service agreement on the maintenance, upgrades, and management of the equipment. In

its 2020 budget, Price County set aside an additional \$30,000 for the Capture 911 recording system.

It is critical that the state invest in the ESInet, as well as our local PSAPs, for the safety and security of the public. The PFPF was initially created to fully support local 911 systems and their upgrades. Sadly, these funds were derailed and WCA and other stakeholders have since sought the return of these funds to their original intent.

**CURRENT STATUS:** 2019 Wisconsin Act 26 allows the DMA to promulgate rules for the creation of a state-funded grant program to assist PSAPs in upgrading their equipment and provide necessary training. To date, no funding has been allocated for the local grant program. DMA requested funds in its 2021-23 budget submission for the continuation of the ESInet build-out, as well as the PSAP grant.

**REQUESTED ACTION:**

- Provide \$15 million annually from the Police and Fire Protection Fund beginning in the second year of the 2021-23 biennium to fund grants to PSAPs for local system upgrades.
- Support the request of DMA for \$18.5 million in FY22 for ESInet creation and \$14 million starting in FY23 for continued maintenance of the ESInet.

**TALKING POINTS:**

- The DMA budget request to the governor includes ongoing funds to support the build-out for the ESInet which is the essential digital platform for Next Generation 911.
- 2019 Wisconsin Act 26 requires the DMA to promulgate rules to create the grant program in consultation with the 911 subcommittee.
- No funds were allocated for the grant program at the time Act 26 was signed into law.
- Uses for the grant dollars include training, equipment or software expenses, and incentives to consolidate some or all functions of two or more PSAPs.
- Only one PSAP per county is eligible to receive the grant.
- The Police and Fire Protection Fund generates more than \$50 million in each year of the biennium, all of which was supposed to go toward 911 upgrades in the state. This would be a reliable funding source for the grant program.

Contact: Marcie Rainbolt, Government Affairs Associate  
608.663.7188  
[rainbolt@wicounties.org](mailto:rainbolt@wicounties.org)



# CAP TEAM

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## CANVASSING ABSENTEE BALLOTS

Over the last several elections, absentee ballot voting has increased considerably. According to the Wisconsin Elections Commission, any qualified elector who registers to vote is eligible to request an absentee ballot. No reason or excuse is required to receive an absentee ballot.

During the 2020 global pandemic, Wisconsin conducted the 2020 General and Presidential Election which saw an unprecedented number of requests for absentee ballots. Clerks from around the state sent over two million absentee ballots to registered voters. Of those, 1,957,514 absentee ballots were returned, setting a new record for absentee ballots in Wisconsin. The previous record was set in the 2020 Spring Election and Presidential Preference Primary. In spring 2020, clerks from around the state sent out 1,282,097 absentee ballots with 1,138,491 ballots returned. For many municipalities, this growing number of absentee ballots is becoming overwhelming, having an impact on the completion of the election canvassing process. Ultimately, with the absentee ballot increasing in popularity, election results will be delayed without changes to the canvassing process.

Currently in Wisconsin, absentee ballots cannot be counted until the day of the election. 2019 Senate Bill 574/Assembly Bill 636, that died prior to passage at the end of the 2019-2020 Legislative Session, would have given municipalities the option, by adopting an ordinance, to canvass absentee ballots on the day before the election. With this simple fix, clerks and other poll workers would be able to provide election results in a more timely manner while still upholding secure elections and allowing absentee ballots to be returned and counted on the day of the election. The legislation would not have allowed absentee ballots that are canvased the day before the election to be tabulated until the polls are closed.

Under 2019 Senate Bill 574/Assembly Bill 636, in order for a municipality to qualify for early canvassing of absentee ballots, it would have to meet the following requirements:

1. Must use automatic tabulating equipment to process absentee ballots.
2. The municipal clerk or board of election commissioners would have to notify the Wisconsin Elections Commission in writing of the plan to pass an ordinance for early canvassing of absentee ballots.
3. Early canvassing would have to satisfy procedures under current law for canvassing absentee ballots on election day.

4. The public must have access to the place where absentee ballots are being canvassed early as required under current law.
5. Automatic tabulating equipment must be secured in a location with a double-lock (i.e. a locked cabinet inside a locked office).
6. Ballots canvassed early cannot be tabulated until the polls are closed on election day.
7. No person who is assisting with early canvassing would be allowed to act in a manner that would give them the ability to know or to provide information on the accumulating or final results or be subject to a criminal penalty.
8. Certain notices will be required before each election where the early canvassing of absentee ballots will be occurring.

**CURRENT STATUS:** The Wisconsin Counties Association (WCA) is working with members of the Legislature to reintroduce the bill from the 2019-2020 Legislative Session.

**REQUESTED ACTION:** Support the option to canvass absentee ballots on the day prior to the election.

**TALKING POINTS:**

- The 2020 Presidential General Election saw an unprecedented number of absentee ballot requests. Two million absentee ballots were requested and 1,957,514 absentee ballots were returned, setting a new record for Wisconsin.
- Currently in Wisconsin, absentee ballots cannot be counted until the day of the election.
- Legislation proposed by WCA and Wisconsin county clerks would allow absentee ballots to be canvassed the day before the election if the municipality passed an ordinance and met the eight requirements set forth in the legislation ensuring election security and integrity.
- The proposed legislation contains language that protects the integrity of elections in Wisconsin while easing the burden of absentee ballot canvassing.

Contact: Marcie Rainbolt, Government Affairs Associate  
608.663.7188  
[rainbolt@wicounties.org](mailto:rainbolt@wicounties.org)



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## **COUNTY GENERAL TRANSPORTATION AIDS (GTA) AND WisDOT MULTIMODAL LOCAL SUPPLEMENT GRANT PROGRAM**

General Transportation Aids (GTA) are distributed to all counties and municipalities to assist in the maintenance, improvement, and construction of the county trunk highway system. Payments are divided among all local governments based on either a percentage of eligible highway-related expenditures or a per-mile payment, whichever is greater. GTA is often used to offset the cost of constructing roads, filling potholes, plowing snow, grading shoulders, marking pavement and repairing curbs and other transportation services.

County GTA is critical to maintaining the 19,000-mile county trunk highway system. Faced with limits on local property tax collections and rising costs in the delivery of state-mandated services, many counties have been forced to delay important maintenance activities. According to a survey of county highway commissioners, the average replacement schedule for a county road is now over 75 years—far longer than the lifespan of a county highway.

While the Governor and Legislature have recently devoted additional funding to county GTA, state funding currently accounts for a smaller share of county maintenance costs than a decade ago.

The WisDOT Multimodal Local Supplement Grant Program was authorized in the 2019-21 state budget. The program provided \$90 million to local governments for shovel-ready projects throughout the state. The program was incredibly successful in completing critical infrastructure projects, but demand for the program far exceeded available funding.

Applications for the grant program totaled \$1.47 billion, while total funding available was \$90 million. As a result, nearly 94% of grant applications were unable to receive funding, regardless of their merit. Considering the demonstrated need at the local level for additional transportation funding, continuation of this program is critical to ensuring counties, cities, villages, and towns have the resources needed to maintain and improve our state's transportation infrastructure.

Transportation funding has long been a heavily debated issue in the State Capitol. While there has been considerable opposition among a contingent of the Wisconsin State Legislature to new transportation revenues, the Multimodal Local Supplement Grant Program received broad bipartisan support in the last budget.

**CURRENT STATUS:** Counties received an increase in annual GTA payments statewide in the 2019-21 state biennial budget - from \$111.1 million to \$122.3 million. Funding for the WisDOT Multimodal Local Supplement Grant Program was achieved through a one-time general-purpose revenue transfer to the Segregated Transportation fund in the 2019-21 biennial budget. There is currently no base funding or ongoing funding for the program at this time.

**REQUESTED ACTION:**

- Provide additional county GTA funding so that 30 percent of county maintenance costs are covered by state funding.
- Establish ongoing base funding for the WisDOT Multimodal Local Supplement Grant Program in the 2021-23 biennial budget.

**TALKING POINTS:**

- GTA is critical towards maintaining the 19,000-mile county trunk highway system.
- The “share of costs” counties receive in GTA from the state is the local portion of the gas tax and vehicle registration fees collected from users.
- Investing in county GTA allows counties to adopt sustainable road maintenance schedules, which extend the useful life of local roads.
- Applications for the WisDOT Multimodal Local Supplement Grant Program totaled \$1.47 billion, while total funding available was \$90 million.
- Considering the demonstrated need at the local level for additional transportation funding, continuation of this program is critical to ensuring counties, cities, villages, and towns have the resources needed to maintain and improve our state’s transportation infrastructure.
- Transportation funding has long been a heavily debated issue in the State Capitol. While there has been considerable opposition among a contingent of the Wisconsin State Legislature to new transportation revenues, the Multimodal Local Supplement Grant Program received broad bipartisan support in the last budget.
- The program was incredibly successful in completing critical infrastructure projects, but demand for the program far exceeded available funding.

Annual Aid Funding Change and Percentage of  
Costs Covered by State Aid (2008-2019)  
(Approximate County Transportation Expense and Share of Costs)

County GTA Allocation

Year	% Change	% of Costs
2008	3.0	22.5
2009	3.0	22.5
2010	2.0	22.0
2011	3.0	22.2
2012	-9.4	18.8
2013	0.0	19.0
2014	0.0	18.2
2015	4.0	18.4
2016	0.0	17.9
2017	6.6	18.6
2018	6.5	19.8
2019	5.0	20.8
2020	5.0	21.7

Contact: Daniel Bahr, Government Affairs Associate  
608.663.7188  
[bahr@wicounties.org](mailto:bahr@wicounties.org)



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## SUBSIDIZED GUARDIANSHIPS

Subsidized guardianship offers a way for children in foster care to reach permanence. When termination of parental rights (TPR) and reunification with the child's parents are not the best option, it may be possible for a relative, a person who is like-kin, or a foster parent (in certain circumstances) to become the legal guardian and receive a monthly subsidy. Guardians are able to consent for the child's every day events such as school activities, health care needs, and family vacations. Though the guardian becomes responsible, family dynamics and relationships may remain intact.

Under a subsidized guardianship, the guardian receives a monthly payment. The payment amount is based on the Foster Care Rate Setting Policy. The subsidized guardianship rate can be the same or less than the final foster care payment for the child, but it cannot be more. Requests can be made for amendments/adjustments to the monthly payment amount. Payments continue until a child reaches the age of 18 (unless a full-time student). The child also continues to receive medical coverage through Medicaid (Title XIX).

Child welfare agencies are required to offer subsidized guardianship to all providers who are eligible to receive it.

Counties use existing funds provided through the Children and Family Aids allocation to fund subsidized guardianship payments. When the state legislature included subsidized guardianships as a permanency option as part of the 2011-2013 state biennial budget, it was sold as "cost-neutral" to counties. However, that is simply not the case. Prior to the use of subsidized guardianships, termination of parental rights, leading to adoption, was the route to permanency. Once a child was adopted, payments from the Children and Family Aids allocation stopped. Under subsidized guardianship, payments continue until the child reaches 18 years of age; therefore, the number of families receiving payments compounds. As a result, dollars that were previously redirected to support the work of child welfare agencies following adoption must now continue as subsidized guardianship payments making this permanency option anything but cost neutral for counties.

Year	Number of Children Receiving Subsidized Guardianship Payment	Total Subsidized Guardianship Costs
2013	109	\$429,063
2014	219	\$1,005,057
2015	304	\$1,472,983
2016	405	\$1,865,881
2017	492	\$2,551,579
2018	622	\$3,501,338
2019	780	\$4,436,609

As is visible from the chart above, the annual cost of subsidized guardianships continues to rise. Counties anticipate their costs will continue to increase for the next several years before payments level out (when the number of youth entering subsidized guardianship equals the number of youth aging out).

**CURRENT STATUS:** Each year, counties must allocate a larger percentage of their Children and Family Aids allocation toward subsidized guardianship payments.

**REQUESTED ACTION:** Transfer payment responsibility for subsidized guardianships to the state in a manner similar to the adoption assistance program.

**TALKING POINTS:**

- Consistent with the payment structure for other permanency options - most notably, the adoption assistance program.
- The system incentivizes subsidized guardianships over TPR leading to adoption:
  - Attorneys indicate it is easier than seeking a termination of parental rights (TPR)
  - Monthly payments continue
  - State benefits continue for the child e.g., child care and Medicaid
- Since child welfare agencies are no longer actively involved in subsidized guardianship cases, it only makes sense to separate them from the financial component of a subsidized guardianship, consistent with the manner in which adoption subsidies are funded.
- The cost to counties will continue to increase for several years before the costs will level out. Once they level out, subsidized guardianship payments will remain a significant expense that should not be funded by the Children and Family Aids allocation.

Contact: Sarah Diedrick-Kasdorf, Deputy Director of Government Affairs  
608.663.7188  
[diedrick@wicounties.org](mailto:diedrick@wicounties.org)



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## MENTAL HEALTH CRISIS SERVICES

State statute imparts counties with the primary responsibility for the well-being, treatment, and care of persons with mental illness and substance use disorders who reside in the county limited to the programs, services and resources the county is able to provide within the limits of available state and federal funds and of county funds required to be appropriated to match state funds. Counties must provide directly or contract with providers to deliver mental health and substance abuse services in the least restrictive environment appropriate for an individual's needs. These services include:

- Collaborative and cooperative services for prevention;
- Diagnostic and evaluation services;
- Inpatient and outpatient care, residential facilities, partial hospitalization, emergency care, and supportive transitional services;
- Related research and staff in-service training; and
- Continuous planning, development, and evaluation of programs and services.

In addition, every county must establish an emergency mental health services program to serve persons in crisis situations within the county, regardless of their county of residence. At a minimum, emergency programs must offer 24-hour crisis telephone service and 24-hour in- person service on an on-call basis. Telephone service must be staffed by mental health professionals or paraprofessionals or by trained mental health volunteers, backed up by mental health professionals. In order to receive reimbursement under the state's medical assistance program, an emergency mental health services program must have additional features such as a mobile crisis team for on-site in person response, walk-in services, and short-term voluntary or involuntary hospital care (emergency detention) when less restrictive alternatives are not sufficient to stabilize an individual experiencing a mental health crisis. Chapter 51 of the Wisconsin State Statutes establishes procedures for the emergency detention of persons experiencing a mental health or substance abuse crisis, as well as procedures for the commitment of certain persons for treatment under either a civil or criminal court proceeding.

Counties have been struggling to find placements for individuals in need of crisis services. Private hospitals have decreased the number of mental health crisis beds. Mendota Mental Health Institute no longer accepts patients under an emergency detention. The lack of placement options not only poses difficulty for county crisis staff when searching for an empty bed, but also poses a problem for law enforcement officials who must take officers off the road for long distance transports.

There are no easy answers to addressing this bed crisis. While the number of beds may be an issue, just as important is the proximity of the bed to the individual experiencing a mental health crisis. Additionally, Wisconsin also needs to develop different types of placement options. While some individuals may benefit from a costly placement at Winnebago Mental Health Institute, others may benefit from a placement at a crisis stabilization facility located closer to home and closer to their natural supports. Just as importantly, others may benefit from a more robust local crisis response system.

**CURRENT STATUS:** The crisis response system is in need of additional tools to respond appropriately to the needs of individuals experiencing a mental health crisis. Attorney General Josh Kaul held a summit on this issue on October 31, 2019. Several coalitions have formed to discuss potential solutions to Wisconsin's mental health crisis system. While process issues may be more of a challenge on which to reach consensus, there are a number of changes that can be made to improve the experience of an individual in a mental health crisis.

**REQUESTED ACTION:** The Wisconsin Counties Association worked in conjunction with the Badger State Sheriffs' Association and the Wisconsin Sheriffs and Deputy Sheriffs Association, as well as the Wisconsin Chapter of the American College of Emergency Physicians and Wisconsin Psychiatric Association, on the following recommendations:

- Include language in the 2021-23 state biennial budget to facilitate a strategic planning process to address:
  - The development of regional facilities to serve individuals in psychiatric crisis in the least restrictive setting possible.
  - Effective funding mechanisms for sustained expansion of evidence-based community treatment options to avoid hospitalizations.
  - Other relevant elements of the "Crisis Now" model to enhance crisis services across the state.
- Inclusion of general fund supported bonding under the Building Commission to fund regional facilities in the second year of the budget.
- Create a new directory of crisis-related facilities that are available throughout the state. This includes peer-run respite beds, crisis stabilization beds, and inpatient psychiatric beds available by region.
- Require the use of the SMART Medical Clearance Form by all inpatient receiving units.
- Increase Medical Assistance rates for inpatient psychiatric mental health services.
- Require the Department of Justice, in conjunction with the Law Enforcement Standards Board, to expand training for law enforcement about the 51.15 process.
- Invest \$1 million annually to create a "crisis intervention team" pilot.

**TALKING POINTS:**

- In 2017, counties reported spending over \$566 million on services for individuals with mental illness, and over \$74 million on services for individuals with substance use disorders.
- Counties have significant levy investment in mental health programs.
- Counties all across the state are experiencing an increase in crisis contacts. Data from 28 counties shows an increase in crisis contacts from 251,841 in 2015 to 304,513 in 2017. County staff are stretched thin with the increasing number and complexity of crisis contacts.
- Counties are serving an increasing number of individuals using opioids and methamphetamines.
- Wisconsin currently lacks crisis stabilization facilities for adults.
- Implements, and encourages the use of, evidence-based practices.
- There is a shortage of mental health beds all across the state.
- If regional crisis stabilization facilities are established, individuals may be diverted from costly placements in Winnebago Mental Health Institute or other private facilities.
- Provides less restrictive options for the care of individuals in a mental health crisis.
- The creation of regional crisis stabilization facilities can reduce the trauma experienced by individuals facing a mental health crisis.
- Reduces the time spent by law enforcement on emergency detentions, freeing officers up for other law enforcement functions.

Contact: Sarah Diedrick-Kasdorf, Deputy Director of Government Affairs  
608.663.7188  
[diedrick@wicounties.org](mailto:diedrick@wicounties.org)