



131 W. Wilson St., Suite 505
Madison, Wisconsin 53703
phone (608) 267-2380; (800) 991-5502
fax: (608) 267-0645
league@lwm-info.org; www.lwm-info.org

To: Senate Committee on Senate Organization

From: Curt Witynski, J.D., Deputy Director, League of Wisconsin Municipalities

Date: January 11, 2021

Re: AB 1, Response to COVID-19 Pandemic

The League of Wisconsin Municipalities opposes the amended version of AB 1 that passed out of the Assembly last week because of the severe limitations it imposes on local health officers. The bill limits the duration of any action taken by a local health officer to control the spread of COVID-19 to two business days unless an extension is approved by a two-thirds vote of the local governing body, and each such extension may not exceed 14 days. It also specifies that this approval procedure does not confer authority to close or restrict capacity in businesses or places of worship.

Currently, local health officers have the statutory authority to do what is reasonable and necessary for the prevention and suppression of disease and forbid public gatherings when necessary to control outbreaks or epidemics among other public health powers. In addition, local health officers must take all measures necessary to prevent, suppress, and control communicable diseases and report those measures to the appropriate governing body along with the progress of the communicable disease.

Although most municipalities are served by county health departments pursuant to Wis. Stat. sec. 251.02, 16 municipalities operate their own health department or partner with the county or other municipalities: Appleton, De Pere, Eau Claire, Franklin, Greenfield, Hales Corners, Madison, Menasha, Milwaukee, North Shore, Oak Creek, South Milwaukee/St. Francis, Wauwatosa, West Allis, Racine, and Watertown.)

The Senate Substitute amendment to AB 1 introduced this morning addresses our concerns about the version of AB 1 the Assembly passed. The substitute amendment makes no changes to current law regarding the powers of local health officers to take action to prevent and suppress the spread of the COVID 19 virus.

We urge the committee to recommend passage of the substitute amendment and not the version of AB 1 passed by the Assembly. Thanks for considering our comments.