



LEGAL AFFAIRS COMMITTEE MEETING – Thursday June 13, 2019

The Legal Affairs Committee meeting was called to order by Chair Mike Leis, at 11:30 a.m. on Thursday, June 13, 2019 in Room 309 at the Courthouse Annex.

Members Present: Mike Leis, David Eggen, Justin Running, Kay Stanek and Dave Strudthoff.

Others in attendance were Ron Hoff, Nikki Swayne, Diane McGinnis, Dennis Brault, Tim Hundt, Lonnie Muller and Mike Windle.

Affirmation of proper public notice of meeting was given.

4. Review of the May 9, 2019 minutes. Motion to approve the minutes as written by Eggen, 2nd by Running. Motion carried.

5. Review/approval of vouchers/budget status. Motion by Running, second by Stanek to approve the vouchers presented at the June 13, 2019 meeting. Motion carried.

6. Audience to Visitors – None

7. Corporation Counsel Communication, Leis explained Correspondents between Nikki Swayne and Pam Eitland. Strudthoff stated we should set goals for Corporation Counsel Duties.

8. Committee member's reports/questions, Leis asked about process used for Corp Counsel Survey. Leis asked Strudthoff why he started survey without committee approval. Strudthoff stated to move process forward and save time. Corp Counsel Contract bidding on next month's schedule as well as Board rules changes.

9. Resolution – Title: Supporting a Constitutional Amendment – Citizens United

Whereas, government of, by, and for the people has long been a cherished American value, and;

Whereas, free and fair elections are essential to democracy and effective self-governance, and;

Whereas, corporations are not and never have been human beings or persons, and therefore are rightfully subservient to human beings and governments as our legal creations; and rightly are provided ONLY privileges by the states, and;

Whereas, interpretation of the U.S. Constitution by appointed Supreme Court Justices to include corporations in the term “persons” has long denied We the People’s exercise of self-governance by endowing corporations with Constitutional protections intended by the Framers for ONLY We the People, and;

Whereas, in 1976 in the ruling on *Buckley v. Valeo*. The untenable decision of the Supreme Court changed the course of American elections and established the doctrine that spending money to influence elections is a form of speech; and;

Whereas, on January 10, 2010, in *Citizens United v. Federal Elections Commission*, the Supreme Court overturned a century of precedence by ruling that corporate spending on elections cannot be limited under the First Amendment; now therefore,

Now Therefore be it Resolved, that the Vernon County Board of Supervisors, in legal session assembled, does hereby approve that the following question be placed on the April 7, 2020 Spring Election ballot as an advisory referendum question:

Question: Should the Wisconsin Legislature enact resolutions and legislation to advance the following effort:

That “We the People” of the County of Vernon, Wisconsin, seek to reclaim democracy from the expansion of corporate personhood rights and the corrupting influence of unregulated political contributions and spending. We stand

with communities across the country to support passage of an amendment to the United States Constitution stating:

- 1. Only human beings are endowed with constitutional rights — not corporations, unions, nonprofits or other artificial entities, and**
- 2. Money is not speech, and therefore limiting political contributions and spending is not equivalent to limiting speech.**

YES _____ NO _____

Explanation: On January 10, 2010, in *Citizens United v. Federal Elections Commission*, the Supreme Court overturned a century of precedence by ruling that corporate spending on elections cannot be limited under the First Amendment. This Supreme Court decision results in an expansion of corporate personhood rights and a corrupting influence of unregulated political contributions and spending.

A YES vote indicates that you support the Wisconsin Legislature enacting resolutions and legislation to advance efforts to pass an amendment to the United States Constitution stating that (1) only human beings are endowed with constitutional rights — not corporations, unions, nonprofits or other artificial entities; and, (2) money is not speech, and therefore limiting political contributions and spending is not equivalent to limiting speech.

A NO vote indicates that you do not support the Wisconsin Legislature enacting resolutions and legislation to advance efforts to pass an amendment to the United States Constitution stating that (1) only human beings are endowed with constitutional rights — not corporations, unions, nonprofits or other artificial entities; and, (2) money is not speech, and therefore limiting political contributions and spending is not equivalent to limiting speech.

OR the following YES/NO Vote Explanations:

A YES vote supports amending the United States Constitution to make clear that corporations, unions, and other artificial entities do not have inalienable human rights, and supports limiting spending by corporations, unions, and other artificial entities related to elections.

A “NO” vote supports the position that corporations, unions, and other artificial entities have inalienable human rights, and supports unlimited spending by corporations, unions, or other artificial entities in elections.

And be it Further Resolved, that the Corporation Counsel prepare a Notice of Referendum to be published by the Vernon County Clerk in accordance with statutory requirements; and,

And be it Further Resolved, that this Resolution and the Referendum shall be filed with the Vernon County Clerk no later than 70 days prior to the election at which the question will appear on the ballot.

Dated: May 9, 2019.

Submitted by Legal Affairs Committee, Mike Leis, Chair

Adopted by the Vernon County Board of Supervisors on June 4, 2019.

Motion by Eggen, 2nd by Strudthoff for an April 2020 ballot. Carried all.

10. Loss Control report & Workers Compensation report. Hoff reported loss control stating we still have open claims for the Nursing Home (1) and Human Resources (2) and Highway(2). For 2019 Workers Compensation we have 15 claims, zero lost time and \$4,254.90 total paid.

11. Corporation Counsel Update with Nikki Swayne, AbtSwayne Law, annexation update, Greg Lunde files update, Discuss annexation of County Land and Vernon Manor to City of Viroqua. Greg Lunde file reviews are completed, Swayne explained process on old files, separate rules for each category of files, need to keep some stored and were we could store them. Digital storage could be an option.

12. Nikki Swayne, Abt Swayne Law Conferring with Legal Counsel, Respect to Zoning V. Hall/Stafslieen Litigation, Swayne stated this is a Zoning issue and Swayne is conferring with an attorney for Hall – Stafslieen.

Set next meeting. July 11, 2019 at 11:30 a.m. in Room 309, third floor Courthouse Annex.

Motion by Running, second by Eggen to adjourn at 12:08 p.m. Motion carried.

Minutes respectfully submitted by,
Ron Hoff, County Clerk