

**COUNTY BOARD STAFF COMMITTEE**  
**September 13, 2011**

**Call to Order.** Chair Podzilni called the meeting of the County Board Staff Committee to order at 4:00 P.M. in Conference Room N-1 Rock County Courthouse-East.

**Committee Members Present:** Supervisors Podzilni, Kraft, Brill, Bussie, Peer, Yankee, Collins, Arnold and Jensen.

**Committee Members Absent:** None.

**Staff Members Present:** Craig Knutson, County Administrator; Eugene Dumas, Deputy Corporation Counsel; Randy Terronez and Nick Osborne, Assistants to the County Administrator; Dave O'Connell, Human Resources Director; Judge James Welker.

**Others Present:** Supervisor David Innis.

**Approval of Agenda.** Supervisor Arnold moved approval of the agenda as presented, second by Supervisor Yankee. ADOPTED.

**Citizen Participation, Communications and Announcements.** None.

**Bills/Encumbrances.**

County Board	\$ 69.74
Corporation Counsel	125.00
Human Resources	311.26
Employee Related	51.18

Supervisor Brill moved approval of the above Bills and Encumbrances for the County Board Staff Committee, second by Supervisor Kraft. ADOPTED.

**Pre-Approved Encumbrances.**

Human Resources	\$ 463.53
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Supervisor Jensen moved approval of the above Pre-Approved Encumbrance for the County Board Staff Committee, second by Supervisor Collins. ADOPTED.

**Resolutions.**

**Recommending Passage of 2011 Assembly Bill 54, Committee on Children and Families, to Amend Wis. Stats. 767 Relating to Equalizing Physical Placement to the Highest Degree**

**“NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly assembled this \_\_\_\_\_ day of \_\_\_\_\_, 2011, does hereby

go on record in support of passage of Assembly Bill 54, "To Equalize Physical Placement to the Highest Degree."

Supervisor Collins moved to put this resolution on the table for discussion, second by Supervisor Bussie.

Supervisor Innis said the purpose of this bill is to fix a problem in the current law to help with custody and visitation disputes. He said he feels this Bill would help "level the playing field" between mothers and fathers. Supervisor Innis read the following excerpt from his Executive Summary; *"Assembly Bill 54 still leaves most of the power in the hands of judges to decide placement and visitation. However, it asks judges to "presume that a placement schedule that equalizes to the highest degree the amount of time the child may spend with each parent is to the child's best interest." The presumptions may be rebutted by "clear and convincing evidence." This will reduce the temptation of the parties to make false accusations of abuse. It will help to "level the playing field" in family court so that dads, moms and children can all be winners."* He added that the standard of evidence is not the best at this time.

Chair Podzilni said he has a few concerns and asked if the present system was broke and, if so, would this fix it.

Judge Welker said there has been a tremendous shift in family law. He added that he personally wrote the present law. He said the present law states "The court is required to set a placement schedule that allows the child to have regularly occurring, meaningful periods of physical placement with each parent that maximizes the amount of time the child may spend with each parent, taking into consideration geographic separation and accommodations for different households." He added that the Supreme Court looked at the word "maximize" to see what it means and came up with it doesn't mean anything, that if they mean equal placement then say it.

Judge Welker said there is a large group against this bill as well as over half of the judges against it as well. There are also women's groups, bureaucrats, and child support legislators opposed to this bill.

Judge Welker said he has very grave reservations on the County Board weighing in on this as it is a social issue and does not feel this is action for the County Board to take.

Supervisor Collins agreed with Judge Welker that the County Board should not be weighing in on this.

Supervisor Bussie said this resolution gave her the feeling that the Judges are not doing their jobs. She added that the Judges she has seen have been doing a good job and does not want this taken out of their hands.

Judge Welker said if you want a better job done by judges elect better judges.

Supervisor Arnold said she had questions why Child Support was not here and why County Board would be passing legislation. She added that she had a set of twins who would spend one week with mom and the next week with dad and they never knew where anything was.

Supervisor Peer agreed that he had seen the same type of thing.

Supervisor Kraft asked what the current status of the bill is. Supervisor Innis said it is in the Committee for Children and Families and is currently deadlocked.

Supervisor Kraft said she agrees with the comment made by Judge Welker that County Board should not be making legislative changes.

Supervisor Kraft moved to table this resolution indefinitely, second by Supervisor Collins. ADOPTED.

**Adjournment.** Moved by Supervisor Arnold to adjourn at 4:30 P.M., second by Supervisor Peer. ADOPTED.

Respectfully submitted,

Marilyn Bondehagen  
Confidential Administrative Assistant

**NOT OFFICIAL UNTIL APPROVED BY COMMITTEE.**