

5 **A RESOLUTION**  
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7 Authorizing and directing the Office of Government Affairs to request an opinion from  
8 the U.S. Commission on Civil Rights and the Wisconsin Advisory Committee to the U.S.  
9 Commission on Civil Rights to determine if the Wisconsin state shared revenue and  
10 2013 Wisconsin Act 14 violates Section 2 of the Voting Rights Act of 1965  
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13 WHEREAS, in 2013, the State of Wisconsin adopted the 2013 Wisconsin Act 14  
14 ("Act 14"), which altered the pay structure, term length, and pension options of the  
15 Milwaukee County Board of Supervisors, including limiting their authority to approve  
16 certain agreements; and  
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18 WHEREAS, Act 14 limits appropriations for the County Board, including salaries  
19 of County Board Supervisors and County Board employees, to 0.4 percent of the  
20 County tax levy, making Milwaukee County the only County in Wisconsin with a cap on  
21 spending for its legislative body; and  
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23 WHEREAS, Act 14 applies only to Counties with a population of more than  
24 750,000, of which Milwaukee County is the sole Wisconsin County to which this applies;  
25 and  
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27 WHEREAS, according to the Wisconsin Department of Health Services, Black  
28 residents comprise 6.1 percent of the state's total population, while Milwaukee County is  
29 home to 69.4 percent of Wisconsin's Black residents; and  
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31 WHEREAS, the City of Milwaukee makes up 63 percent of the County's total  
32 population, including 96 percent of the County's Black residents and 81 percent of the  
33 County's Latino population; and  
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35 WHEREAS, therefore, the Milwaukee County Board of Supervisors represents  
36 the majority of the people of color in the State of Wisconsin; and  
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38 WHEREAS, the state shared revenue system and current funding formulas  
39 disproportionately impact Milwaukee County's Black and Latino residents' access to  
40 adequate public services, including transportation and public safety; and  
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42 WHEREAS, Milwaukee County adopted File No. 22-296 requesting the United  
43 States Department of Justice examine the State of Wisconsin's shared revenue system

44 and funding formulas under the Civil Rights Act of 1964 and the 14th Amendment of the  
45 U.S. Constitution; and

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47 WHEREAS, the Civil Rights Act of 1964 and the 14th Amendment of the U.S.  
48 Constitution guarantee equal access to public accommodations, including public  
49 transportation, and require states to treat citizens equally regardless of their place of  
50 residence within the state; and

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52 WHEREAS, in File No. 21-76 the Milwaukee County Board of Supervisors  
53 directed the Office of Corporation Counsel to request an opinion from the State of  
54 Wisconsin Attorney General on the constitutionality of 2013 Wisconsin Act 14 in light of  
55 the Voting Rights Act of 1965, of which, the Attorney General denied citing a request for  
56 an opinion did not meet the criteria for review as they do not issue opinions concerning  
57 the applicability of federal statutes and regulations; and

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59 WHEREAS, in response, Milwaukee County adopted File No. 22-295 requesting  
60 the United States Department of Justice review the 2013 Wisconsin Act 14 to determine  
61 if it violates Section 2 of the Voting Rights Act of 1965; and

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63 WHEREAS, the U.S. Commission on Civil Rights is an independent, bipartisan,  
64 fact-finding federal agency that guides the development of national civil rights policy and  
65 enhances enforcement of federal civil rights laws; and

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67 WHEREAS, the Advisory Committee to the U.S. Commission on Civil Rights is  
68 mandated by Congress in every state to serve as the eyes and ears for the U.S.  
69 Commission on Civil Rights and provide guidance and support at the state level to the  
70 commission; and

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72 WHEREAS, for the sake of democracy and accountability, a request to review  
73 and investigate potential civil rights violations regarding state shared revenue and 2013  
74 Wisconsin Act 14 is warranted; and

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76 WHEREAS, the Committee on Judiciary, Law Enforcement and General  
77 Services, at its meeting of July 15, 2022, recommended adoption of File No. 22-752  
78 (vote 5-0); now, therefore,

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80 BE IT RESOLVED, the Office of Government Affairs is authorized and directed to  
81 request the U.S. Commission on Civil Rights and the Wisconsin Advisory Committee to  
82 the U.S. Commission on Civil Rights issue an opinion to determine if the Wisconsin  
83 state shared revenue and 2013 Wisconsin Act 14 violates Section 2 of the Voting Rights  
84 Act of 1965.  
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