



OFFICE OF THE COUNTY EXECUTIVE

Thomas Nelson, County Executive
410 S. WALNUT ST. APPLETON, WISCONSIN 54911
TELEPHONE 920.832.1684 FAX 920.832.1534
Thomas.Nelson@outagamie.org

Attorney General Josh Kaul
c/o Charlie Gibson
Administrator, Division of Legal Services
Wisconsin Department of Justice
GibsonCJ@DOJ.STATE.WI.US

Dear AG Kaul:

I respectfully request that the Attorney General issue an opinion on the applicability of Wisconsin Legislature v. Palm on local health officer's ability to issue local orders to combat the COVID-19 pandemic.

Under Section 252.03 of the Wisconsin Statutes, local health officers have broad, longstanding powers to issue orders necessary to combat communicable diseases like COVID-19. Due the Wisconsin Supreme Court striking down the State's Safer at Home Order, a number of counties used the authority under Section 252.03 to issue orders to protect their residents from this deadly virus. However, the majority opinion in the *Palm* case has created massive confusion throughout the state.

While I believe that the decision does not impact local health officers' authority, a prompt opinion from the Attorney General would resolve this matter and help protect the lives of Wisconsinites.

Sincerely,

Tom Nelson