



## OFFICE OF THE CORPORATION COUNSEL

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August 3, 2010

J.B. VanHollen  
1. Wisconsin Department of Justice  
PO Box 7857  
Madison WI 53707-7857

Re: Request for Attorney General's  
Opinion Regarding the Ability of  
Eliminating County Paid Health  
Insurance for County Board  
Supervisors During Their Current  
Term  
[Corporation Counsel Opinion #O-  
10-19]

Dear Attorney General VanHollen:

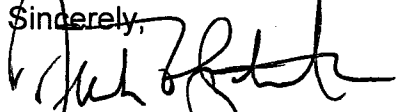
With respect to the above issue, our office rendered the attached opinion for the reasons stated therein. Our conclusion was that there was nothing in either the State Statutes or State Constitution or State case law that would preclude a mid-term elimination of this benefit. Our local self-organized county ordinance did preclude such a mid-term change but not the state law. We understand that in most cases your office will not render an opinion on a local ordinance and one is not sought here. Rather, the question presented

for your opinion deals with whether state law precludes such action. Briefly, this is a question as to the validity of a decrease voted upon by the Board itself and for Board members. This is not a question of the Board taking any action on the compensation [i.e., salary and benefits] of any other elected official but rather its own benefits.

The second question is: assuming that state law does preclude even a decrease, does a modest mid-term increase in premium contribution qualify as such a decrease?

Your comments and opinion regarding the attached research would be appreciated.

Sincerely,



Frank Volpintesta  
Corporation Counsel

enc.;

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