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LUTHERAN  
OFFICE  
FOR PUBLIC  
POLICY  
*in Wisconsin*



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### **August Action**

Congress will be in recess during the month of August. While our U.S. Senators and Representatives are back in district, please consider connecting

with them. Our D.C. Office just released this [August Recess Guide](#) and will be holding a 30-minute check-in with opportunities to interact with policymakers in your locality and on current priority issue updates on Jul 22 at noon (CDT): [REGISTER today!](#)

## **Examples of what to advocate for in August**

### **Extending the Child Tax Credit**

The American Rescue Plan Act expanded the Child Tax Credit for tax year 2021. This will cut child poverty by 30% to 50%, a historic decrease. Today, 1/3 of all children who will receive this benefit currently do not receive the credit because they don't earn enough to qualify. So 23 million more children will receive this benefit that haven't received it before.

By extending this credit beyond 2021, we could create a program that diminishes hunger among children the way Social Security has done for adults.

Child Tax Credit advocacy is needed on two levels:

1. Tell your U.S. Senators and Representative to support an extension of the child tax credit.
2. Make information on the child tax credit for 2021 known. Check out this Power Point: [PPT first seminar CSSP 2021](#)

### **Expanding Medicaid**

Tell your U.S. Senators and Representative to support providing federal health insurance to low income residents in Wisconsin and other states that have not expanded Medicaid. Read more [here](#). Stay tuned for more information.



## **Supreme Court Decisions**

### **Good News about Groundwater from the Wisconsin Supreme Court!**

Wisconsin Supreme Court issues two decisions protecting groundwater On July 8, 2021, the Wisconsin Supreme Court issued two long-awaited decisions that confirm the authority of the Wisconsin Department of Natural Resources (DNR) to protect groundwater. The companion cases, both brought by Clean Wisconsin, Inc. (2021 WI 71 and 2021 WI 72), establish that DNR's regulatory

authority over high capacity wells and large permitted farms is sufficiently explicit to allow it to protect groundwater and other environmental resources.

In the high capacity well case, DNR approved 8 wells based on an opinion from the former Attorney General, despite information that the wells would cause adverse environmental effects. Clean Wisconsin challenged the approvals and prevailed in Circuit Court. At the Supreme Court, both Clean Wisconsin and DNR argued that DNR had authority to review environmental impacts of the wells. Several business associations and the legislature (retaining outside counsel) argued that DNR's authority was limited by a law passed in 2011 (Wis. Stat. § 227.10(2m)) and that DNR was not "explicitly" required or permitted to examine the environmental impacts of the wells. The Supreme Court rejected this argument, finding that the statute does not alter the conclusion the Court reached in *Lake Beulah Management District v. DNR*, 2011 WI 54, which was that DNR's authority to consider the environmental effects of proposed high capacity wells is explicitly permitted by statute. Thus, the Court affirmed *Lake Beulah* and found that DNR's broad authority to consider the environmental effects of all high capacity wells is consistent with § 227.10(2m).

The other case concerned whether DNR has explicit authority to include conditions in a permit issued to a large farm or Concentrated Animal Feeding Operation (CAFO), in order to protect groundwater. Kinnard Farms required a new permit to expand its dairy farm. Five nearby residents (represented by Clean Wisconsin) sought review, concerned that the proposed expansion would exacerbate current groundwater contamination in the area. As in the first case, Clean Wisconsin and DNR were aligned at the Supreme Court. The farm, joined by business associations and the legislature, opposed DNR's authority. The Court found that DNR had authority to include an animal unit maximum and an offsite groundwater monitoring condition, despite the counter-argument that under § 227.10(2m), DNR does not have such explicit authority. These cases are important because the Court ruled in favor of DNR's broad regulatory authority to protect groundwater and other environmental resources, despite the argument that the legislature limited DNR's environmental protection authority. Thank you, to LOPPW volunteers who assist with discerning Supreme Court decisions.

Thank you to LOPPW volunteers for sharing their information and their insights about Supreme Court decisions!

**Challenging News about Voters' Rights from the U.S. Supreme Court, written by Rev. Mary Kay Baum, J.D.**

On July 1, 2021 the majority of the Supreme Court ruled Arizona could continue to throw out thousands of absentee ballots that were delivered to the wrong precinct, when Arizona more frequently changed precinct assignments in areas with large minority populations. Also the court upheld the restriction that only immediate family or guardians could pick up and deliver absentee ballots. The Navajo Nation filed as "friend of the court" to end these restrictions on so many living long distances from polling places and without residential mail service or transportation.

Justice Kagan dissented: "The Voting Rights Act of 1965...still has much to do... when too many states ... are restricting access to voting in ways that will predictably deprive members of minority groups of equal access to the ballot box...that law, of all laws, should not be diminished by this court."



### Raise the Age

Hunger Advocacy Fellow Kyle Minden was in the news! Read and/or hear this excellent interview: [Report Prompts New Calls for WI to 'Raise the Age' for Criminal Responsibility](#) from Public News Services

**Report from Kyle:** LOPPW has continued to work and collaborate with Raise the Age – Wisconsin, a statewide coalition dedicated to raising the age of juvenile court jurisdiction and bring 17-year-olds back to the juvenile justice system. We were disappointed to find that raise the age provisions and funding were removed from the Wisconsin state budget after being included in the Governor's budget. Fortunately, LOPPW and coalition partners have been meeting with legislators from across the state over the past three months, and we see great interest in some sort of juvenile justice policy from both parties. As juvenile justice advocates, we are continuing to advocate on the benefits of bringing 17-year-olds back to the juvenile justice, and we hope that Raise the Age policy will be introduced this fall or early next session. In the meantime, LOPPW and our coalition partners are focusing on raising awareness and educating Wisconsinites about the importance and benefits of bringing 17-year-olds back to the juvenile justice system. To get involved or learn more, visit us at [www.raisetheagewi.org](http://www.raisetheagewi.org) or by following us on Facebook at Raise the Age – Wisconsin.

**Taking a Faithful Stance for Equity on July 19 at 6:30 pm:** Register [here](#) for this webinar organized by WISDOM, the Wisconsin Council of Churches, and Wisconsin Faith Voices for Justice.

**ELCA ADVOCACY SUMMER SCHOOL: What Is Faith-Based Advocacy?** The 30-minute virtual session begins on **Wed. Aug. 11 at 2 p.m. EDT (1 p.m. Central)** – and you're invited to be part of the question & answer session for 15 minutes following the presentation.

**REGISTRATION:** <https://bit.ly/1C-ELCAAdvocacySummerSchool>