

# 2015-16 Legislative Session Wrap-up

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The City of Milwaukee's Intergovernmental Relations Division (IRD) recently concluded its efforts for the 2015-16 State of Wisconsin Legislative Session. The following are some statistics regarding the City's legislative efforts.

- The Legislature introduced 1,800 bills in the 2015-16 session, 1,005 in the Assembly and 795 in the Senate.
- IRD reviewed all 1,800 of those bills and the City of Milwaukee registered to lobby on 136 of them (roughly 7.5%), including 74 Assembly bills and 62 Senate bills. All but 20 bills had companions, meaning that 58 of the bills were identical in the Assembly and Senate.
- Of the 1,800 bills that were introduced, the Governor signed 392 into law and vetoed or partially vetoed six. This includes 2015 WI Act 55, the State Budget.

## Items We Supported

- IRD was authorized to register in **support of 74 bills**.
- **12 bills and 4 budget items** were **enacted** that addressed **18 items supported** in the City's legislative package that was adopted in November of 2014:
  - Act 55 (State Budget) – limits the provision of mental injury duty disability benefits to those resulting from a situation of greater dimensions than the day-to-day mental stresses that similarly situated employees experience as part of employment.
  - Act 55 (State Budget) - creates a system of representation by the City Attorney that avoids legal conflicts between the City and MPS.
  - Act 55 (State Budget) – increases the number of authorized Enterprise Zones from 20 to 30.
  - Act 55 (State Budget) – limits the use of a junk bill of sale in auto salvage transactions.
  - Act 60 (Arena Bill) – secured state support for the Milwaukee Bucks Arena.
  - Act 60 (Arena Bill) – authorizes cities of the first class to establish a timeframe for the payment and/or adjudication of parking citations in Municipal Court.
  - Act 60 (Arena Bill) – requires new owners of real estate to record the property with the Register of Deeds within 10 days.

- Act 126 –relating to a sales and use tax exemption for building materials that become a part of a facility for a local unit of government.
  - Act 255 – eliminates the requirement that local assessors include the value of tax exempt city-owned parcels in a TID for calculating the base value.
  - Acts 265-268 – expands the HOPE heroin package.
  - Act 275 – authorizes a first class city to adopt a new complaint-driven procedure to suspend, revoke, or refuse to renew a cigarette and tobacco products retailer license.
  - Act 317 – allows charge backs of refunded or rescinded property taxes from other taxing bodies under all circumstances.
  - Act 321 – requires the Department of Revenue to provide municipalities with a preliminary determination of equalized value annually by August 1<sup>st</sup>.
  - Act 351 – granting victims of certain crimes the right to be accompanied by a victim advocate.
  - Act 392 – restores financial assistance to recycling programs by \$3 million, or \$300k for Milwaukee.
- **5 additional bills** that were **enacted** were supported through **separate Judiciary and Legislation action**:
    - Act 46 – requires certain persons to hold certificates of food protection practices in order to operate school lunchrooms.
    - Act 51 – provides directional signage for the Basilica of St. Josaphat.
    - Act 169 - authorizes libraries to notify collection agencies and law enforcement agencies of delinquent accounts.
    - Act 219 – prohibits adverse possession against the state or a political subdivision.
    - Act 233 – relating to the treatment of an animal that is taken into custody as an unclaimed animal, or when it is believed to have been used in a crime against animals.
- **3 additional bills** were **enacted that improve or preserve situations** addressed in the legislative package:
    - Act 79 – regarding publication of certain legal notices on an Internet site maintained by a municipality.
    - Act 55 (State Budget) – removed enumeration of the I-94 East West project.
    - Act 141 – secured an amendment that preserved the ability of MPD investigations to be completed before evidence was returned.

- **1 additional item** from the legislative package was **resolved through other means**:
  - Establish reasonable towing and storage charges and set the form and manner of properly posted. *Resolved through DOT Administrative Rule, the City's Metal Salvage Taskforce, and the City's newly enacted towing regulations.*
  
- **15 additional items** from the legislative package were **introduced** as bills or budget amendments but **did not pass into law**:
  - AB 12 – increasing the state minimum wage.
  - SB 30/AB 36 - increasing the regulation of novelty lighters.
  - AB 85 – restoring indexing provisions to the homestead tax credit.
  - AB 247/SB 159– requiring a criminal background check on all gun sales.
  - SB 209 (Arena Bill) – establishing a presumption in municipal court that a parking ticket is presumptive evidence of the facts therein.
  - AB 260/SB 172 – creating racial impact statements for bills that create a new crime or modify the penalty for an existing crime.
  - AB 274/SB 199 – banning habitual offenders and violent misdemeanants from possessing a firearm and obtaining a concealed carry permit, and making unlawful possession a felony.
  - AB 350 – increasing state payments for municipal services.
  - AB 484/SB 356 – providing additional funding for the Transform Milwaukee job program and the Transitional Jobs program.
  - SB 621 – creating a product stewardship law under the DNR where multiple product classes can be considered for designation under producer-funded stewardship programs.
  - SB 625 - allowing a municipality to designate additional satellite in-person absentee voting locations during each election.
  - AB 879/SB 675 - prohibiting consideration of the conviction record of an applicant for employment before the applicant has been selected for an interview.
  - AB 895 – requirement to report a lost or stolen firearm.
  - AB 945 – reducing the penalty of a repeat offense of the possession of marijuana from a felony to a misdemeanor.
  - AB 948 – prohibiting felons from possessing ammunition and providing a criminal penalty.

- Another **10 items** from the legislative package were **drafted** as bills or budget amendments but were **not introduced**:
  - LRB 1320 –creating a procedure by which Business Improvement Districts may amend their boundaries.
  - LRB 3617 – clarifying the taxability of triple-net leased properties.
  - LRB 4858 – creating authority in Wis. Stat 349 to enable municipalities to designate bike parking and other customized parking areas on the street.
  - LRB 4427 – including 6 technical items from our legislative package:
    - Creating a statute of limitations on refunds of remissions of property taxes.
    - Removing the ability of 1<sup>st</sup> class cities to sell land for non-payment of taxes since the City has not done this since 1947.
    - Deleting or changing outmoded and illegal references in the language of the city civil service statute.
    - Increasing HACM’s threshold for bids from \$25,000 to \$100,000 to be consistent with US HUD procurement regulations.
    - Including any public housing unit subsidized by US HUD as exempt from taxation, consistent with federal law.
    - Increasing the Port’s contract limits to match those of DPW and general city procurement.
  - LRB XXXX – requiring community notification and the formation of community advisory committees for adult family homes. *Waiting on draft.*

### **Items We Opposed**

- IRD was authorized to oppose **39 bills** that were introduced. **12 of those bills** were **enacted**.
  - Act 16 – regulation of transportation network companies.
  - Act 22 – eliminates the waiting period for handgun purchases.
  - Act 23 – allowing off-duty and former law enforcement officers to go armed with firearms near school grounds.
  - Act 65 – limiting the authority of a city to create new occupational licenses or fees.
  - Act 122 – exemption from lead inspection requirements for sampling or testing during certain lead-safe renovations.
  - Act 176 – various provisions affecting landlord tenant law and city ordinances related to property inspections.
  - Act 261 – eliminating special registration deputies and the counting of late arriving absentee ballots.

- Act 302 – prohibiting local regulation of certain containers that are designed to be reused (i.e. plastic bags).
  - Act 339 – alcohol beverage violations involving underage persons issued to bartenders rather than the licensed premises.
  - Act 374 – regulating the production and use of photo identification cards by local units of government.
  - Act 376 – relating to the redemption period and procedures regarding an abandoned property in a foreclosure action.
  - Act 391 – enhancing private property rights.
- We opposed **28 bills** that **did not become law**. Some highlights of the bills/provisions we defeated include:
    - State Budget proposal to limit the Historic Rehabilitation Tax Credit to annual awards of \$10 million. *Secured Joint Finance amendment.*
    - State Budget language that would have prohibited counties from incurring costs or forfeiting revenue related to streetcar construction. *Secured partial veto.*
    - State Budget language to require a high deductible health insurance program that matched the state’s program. *Secured partial veto.*
    - AB 774/SB 624 – assessing certain items as real property for property tax purposes.
    - AB 269 – funding of post-employment retirement benefits.
    - SB 203 – changing the assessment method for business improvement districts.
    - AB 480/SB 363 - allowing firearms on public university campuses.
    - SB 369 – prohibiting local ordinances and policies that prohibit immigration status inquiries and reports to/cooperation with other units of government about the presence of illegal aliens.
    - AB 554/SB 432 – regarding out-of-state sewer and water affiliates of public utility holding companies and the sale or lease of municipal water or sewer public utilities to investor-owned public utilities.
    - AB 562 – restricting state expenditures on a rail fixed guideway transportation system in a first class city.
    - AB 583/SB 446 – restricting a local government’s ability to restrict a person from renting out the person’s residential dwelling.
- We also opposed **2 budget amendments** that we **prevented from being introduced**:
    - Amendment to eliminate the 12-year phase out of the school choice funding flaw.
    - Amendment to shift PSAP funding to counties only and require one PSAP per county.

- We opposed several items in the State Budget, 2015 WI Act 55, **that did become law**, such as:
  - Provision creating an opportunity schools and partnership program and requiring the City to implement a new system to sell underutilized school buildings to education operators.
  - A \$4 million cut to the recycling grant program.
  - Provision eliminating state funds for the community sensitive design program.