

2017-18 Legislative Session Summary

The City of Milwaukee's Intergovernmental Relations Division (IRD) recently concluded its efforts for the 2017-18 State of Wisconsin Legislative Session. Below are some statistics regarding the City's legislative efforts.

- The Legislature introduced 1,950 bills in the 2017-18, 1,068 in the Assembly and 882 in the Senate.
- IRD reviewed all 1,950 of those bills and the City registered to lobby on 212 of them (approximately 10.8%), including 133 Assembly Bills and 105 Senate bills. All but 43 bills had companions, meaning that 186 were identical in the Assembly and Senate.
- Of the 1,948 that were introduced, the Governor signed 367 into law and partially vetoed 4, including 2017 WI Act 59, the State Budget.

Items the City Supported

IRD was authorized to register in support of 171 bills.

Thirteen bills and 23 budget items were enacted that address the 138 items supported in the City's legislative package that was adopted on November 22, 2016, including:

- ❖ Act 59 (State Budget)
 - Increased funding for General Transportation Aid and Local Road improvement Program
 - Partially preserves the personal property tax and protect residential taxpayers from any shift in the tax burden
 - Minimize the impact of the I94 East-West corridor on city neighborhoods and tax base
 - Maintained funding for Transform Milwaukee and Transitional Jobs Programs, additional funding of \$1M to expand program to four additional rural counties.
 - Provides funding to support enhancement of mental health services for girls at Copper Lake School; provides \$500K annually for the child psychiatry consultation program, to increase total funding for the program to \$1M annually;

and, provides an increase in funding under the Medical Assistance Program by \$610K in 2018-19 for reimbursement for clinical consultations for a student up to age 21.

- Expand the Fast Forward program by providing an additional \$5M in funding to DWD workforce training grants and add additional eligible projects or programs: registered apprenticeship; teacher training, internships, worker training partnerships. Provides additional \$1M annually to expand the Windows-to-Work and vocational training program so that offender have skills necessary for employment upon reentry into society. Provides DWD an additional \$1M to expand the mobile classroom program and provide job skill training for inmates at correctional facilities who are preparing for reentry into the workforce. Also, creates a five-year offender reentry demonstration project using a trauma-informed approach and targeted to formerly incarcerated males who are noncustodial parents over age 18 and returning to certain Milwaukee neighborhoods.
- Requires DWD to provide a grant of \$200K in 2018 from workforce training grants appropriation, to Milwaukee Development Corporation (MDC) for the purpose of supporting the Building Occupational Skills for Success (BOSS) Program. MDC must provide equal matching funds. Also, provides \$100K annually for a grant to Boys and Girls Clubs in Milwaukee, Oshkosh, and Appleton to support the “Be Great: Graduate” program to improve social, academic, and employment skills of TANF-eligible youths.
- Provides \$450K appropriation for Peer-Run Respite Center for Veterans in the Milwaukee area.
- Creates a new appropriation of \$100K annually to support grants to programs that provide services for runaway and homeless youth.
- Provides \$75K annually for employment grants to municipalities that administer a homeless employment pilot program, with priority on using the grant and matching funds for the purpose of paying the wages of homeless individual participating in the grant program.
- Renames the “transitional housing” program the “housing grants” program to allow other housing programs, including rapid rehousing and Housing First program, to be eligible for maximum federal funding.
- Provides \$2M (from Volkswagen Settlement) to support the demolition, deconstruction, and rehabilitation of foreclosed and blighted properties in the City of Milwaukee.

- Eliminates the requirement that local assessors include the value of tax exempt city-owned parcels in a TID for calculating the base value.
 - Expands services for victims of sex trafficking by providing a total funding of \$3M annually.
 - Increases foster care and kinship care rates by 2.5% annually in each calendar year. Basic foster care and kinship care rate would increase from the current rate of \$232 to \$238 in 2018 and \$244 in 2019.
 - Newslines for the Blind: Cost to continue increases of \$16,900 in FY18 and \$35K in FY19 are provided to MPL to maintain current levels of service, for a total of \$2.919M in FY18 and \$2.937M in FY19.
 - Library Service Contracts: Two of the four providers with whom DPI has service contracts are in the City of Milwaukee, including the Milwaukee Public Library and the Wisconsin Talking Book and Braille Library (WTBBL). MPL is projected to receive \$61,343 in FY18 and \$62,877 in FY19. The WTBBL is projected to receive \$916,300 each FY.
 - Student Mental Health: Provides \$7.5M over the biennium to address student mental health issues through three new programs requested by DPI.
 - Maintains funding for BadgerLink
 - Preserves Universal Service Fund for Statewide Library Service funding in 2017-18 biennial budget.
 - Universal Service Fund for Statewide Library Service funding: preserved in 2017-18 biennial budget.
 - Milwaukee Succeeds: Provides \$1M over two years for support of a “Wisconsin Reading Corps” for tutoring children.
 - Maintains funding at \$175K annually for ShotSpotter.
- ❖ Act 137 – Allows water utility rate revenue to pay for the replacement of lead service lines
 - ❖ Act 286 – Permits the immobilization or removal, impoundment, and disposal of motor vehicles for multiple nonmoving traffic violations.

- ❖ Act 208 – authorizing counties to conduct foreclosure sales using an Internet-based auction.
- ❖ Act 339 – related to eligible bidders at foreclosures sales, eligible purchasers of foreclosed property, and providing a penalty.
- ❖ Act 316 – tax-exempting property of housing authorities

Eighteen additional bills that were enacted were supported through separate Judiciary and Legislation Committee action:

- ❖ Act 51 – changing the requirement that certain city and village officials must execute and file an official bond.
- ❖ Act 78 – investment of surplus money by local units of government.
- ❖ Act 175 – alerts for missing veterans who have a service-related health condition.
- ❖ Act 211 – Forfeiture of property seized in relation to a crime.
- ❖ Act 174 – Defines underage sexual activity as a crime and provides a criminal penalty.
- ❖ Act 131 – Defines patronizing a prostitute as a crime and provides a criminal penalty.
- ❖ Act 322 – Relating to the operation and regulation of unmanned aircraft and providing a penalty. (We were initially supportive pending an amendment to protect critical infrastructure from private drones. That amendment did not become part of the bill so our position was changed to Other.)
- ❖ Act 311 – Creates the crime of intentionally taking by the use of force, or by the threat of the use of force, a vehicle without the consent of the owner. This bill also increases to a Class F felony the penalty classification for a repeat offense of taking and driving a vehicle without the consent of the owner.
- ❖ Act 309 – Amends the types of crimes subject to a mandatory minimum sentence.
- ❖ Act 310 – Establishes a mandatory minimum incarceration period following illegal possession of a firearm.
- ❖ Act 308 – Defines a time limit on a restrictive custody sanction under the Serious Juvenile Offender Program.

- ❖ Act 114 – Establishes a route in Milwaukee County for the transportation of “high-wide loads.”
- ❖ Act 75 – Gives priority to chronically homeless individuals and families on the waiting list that the authority, or a public housing agency that contracts with the authority, maintains for vouchers under the federal Housing Choice Voucher Program.
- ❖ Act 74 – Creates an Interagency Council on Homelessness.
- ❖ Act 175 – Requires DOJ to allow law enforcement agencies to use its crime alert network to disseminate to broadcasters and outdoor advertiser reports of missing veterans at risk.
- ❖ Act 280 – Increases the limit on tax credits that may be certified under the historic rehabilitation tax credit.
- ❖ Act 31 – Establishes a mental health training support program under which the department provides training on the screening, brief intervention, and referral to treatment program, an evidence-based strategy related to addressing mental health issues in schools, to school district staff and instructional staff of charter schools.
- ❖ Act 84 – Designates and marks the Richard A. Grobschmidt Memorial Bridge.
- ❖ Budget Motion – Labor and Industry Review Commission.

Six additional bills were enacted that improve or preserve situations addressed in the legislative package:

- ❖ Act 353 – Clarifies the information required to be included in class 2 and class 3 legal notices.
- ❖ Act 317 – Reinstates part of the rental re-inspection program.
- ❖ Act 145 – Criminalizes the act of straw purchasing (knowingly purchasing a weapon on behalf of a prohibited possessor) and the act of serving as a human holster (knowingly physically furnishing a weapon on behalf of a prohibited possessor).
- ❖ Act 172 – Requires DOT to permanently revoke the operating privilege of persons with convictions for homicide by intoxicated use of a motor vehicle and homicide by negligent operation of a motor vehicle, plus operating while intoxicated total four or more.

- ❖ Act 185 - Requires the state to close the Lincoln Hills School and Copper Lake School by July 1, 2021; requires the Department of Corrections to establish new Type 1 juvenile correctional facilities; and authorizes counties to establish secured residential care centers for children and youth. Upon establishment of the secured residential care centers for children and youth, the bill transfers the supervision of a juvenile under a correctional placement to the county department of human services or social services of the county in which the juvenile was adjudicated delinquent. The bill creates a council to study juvenile corrections issues and a grant program under which counties may apply for state funding of 95 percent of the cost of establishing or constructing secured residential care centers for children and youth. The bill also expands the authorized uses of youth aids for program costs in juvenile detention facilities and secured residential care centers for children and youth.
- ❖ Act 184 – Requires the return of sexually violent offenders (Chapter 980 offenders) to their county of initial residence. For counties with a size of 750,000 people or more, Chapter 980 offenders must be placed within the municipality of initial residence.
- ❖ Act 66 – creates processes for EMS programs and practitioners to obtain approval from the Department of Health Services to provide community emergency medical services.

One additional item(s) from the legislative package was resolved through other means:

- ❖ Executive Order #229 – Relating to the application for federal resources to target the state’s response to the opioid crisis.
- ❖ Executive Order #'s 273 and 274 – Create a Commission on Substance Abuse Treatment Delivery to study the “hub-and-spoke” opioid treatment model and implement new practices in state agencies.

Twenty-two additional items from the legislative package were introduced as bills or budget amendments but did not pass into law:

- ❖ AB 76/SB 41 – Requires that a landlord conduct a test for lead for each water supply or plumbing system serving a premises prior to entering into a rental agreement with a prospective tenant for that premises and disclose the results of the test for lead and whether any water supply or plumbing system serving the premises contains lead pipes or lead service lines.
- ❖ AB 298/SB 526 – testing for lead in drinking water in buildings used for child care and granting rule-making authority.

- ❖ AB 386/SB 291 – Determines what an assessor must consider to determine the value of property.
- ❖ AB 387/SB 292 – Requires property tax assessments be based on comparable sales and market segments.
- ❖ AB 637/SB 524 – Authorizes a municipality to allow its electors to vote before election day by using an electronic voting machine to cast an in-person absentee ballot.
- ❖ AB 726/SB 785 – Create state income tax credit for homeowners for costs related to lead service line replacement.
- ❖ AB 930/SB 762 – Details the preparation and response required by railroad corporations in the event of discharge of transported materials and making an appropriation.
- ❖ AB 949/SB 855 – Testing for lead in facilities serving certain children and requiring the exercise of rule-making authority.
- ❖ AB 950/SB 856 – Testing for lead in homes of certain children, providing an exemption from emergency rule procedures, and providing an exemption from rule-making procedures.
- ❖ AB 964/SB 785 – (Partial) Create a municipal fee and exempt the proceeds from the expenditure restraint and levy limits.
- ❖ Budget Motion – Secure continued assistance for lead service line replacement using the Safe Drinking Water Loan Fund.
- ❖ AB 235/SB 205 – Eliminates the requirement that a recipient of a transitional housing grant may not permit homeless persons to reside in housing facilities provided by the grant recipient for more than 24 months.
- ❖ AB 237/SB 206 – Creates grants for municipalities to connect homeless individuals with permanent housing.
- ❖ AB 507/SB 414 – allowing minors to operate temporary stands without a permit or license.

- ❖ AB 794/SB 660 – securing residential care centers for children and youth and granting rule-making authority.
- ❖ AB 950/SB 856 – testing for lead in homes of certain children, providing an exemption from emergency rule procedures.
- ❖ Budget Motion – Maintain SeniorCare cost-to-continue rather than reduce funding; repeal provisions of Act 55 related to work and training requirement and related 48-month time limit; FoodShare eligibility and employment training program.
- ❖ Budget Motion – Increase funding for county and municipal aid by 5% and tie the aid to inflation moving forward.
- ❖ Budget Motion – Provide funding to municipalities to help hire and retain firefighters, law enforcement, EMS and 911 dispatch
- ❖ Budget Motion – Fully restore historic cuts to K-12 schools and allocate an additional \$729M for direct classroom services while allocating an additional \$514M into the general aid formula.

Another item from the legislative package was drafted as a bill or budget amendment but was not introduced:

- ❖ LRB 3371 –requiring common council confirmation of the selection of a police chief in a 1st class city.

Other items that were not part of the Legislative Package but were supported though separate Judiciary and Legislation Committee action but did not become law:

- ❖ AB 90/SB 59 – Relating to: acts for which a juvenile may be placed in correctional placement or the Serious Juvenile Offender Program.
- ❖ AB 94/SB 54 – Relating to: recommendation to revoke parole, probation, and extended supervision if a person is charged with a crime.
- ❖ AB 91/SB 57 – Relating to: undesignated felonies.
- ❖ AB 93/SB 53 – Relating to: expungement of certain offenses committed before the age of 25 and making an appropriation.
- ❖ SB 346 – Relating to: training requirements for a license to carry a concealed weapon.

- ❖ AB 186/SB 344 – Relating to: prosecuting a person under the age of 18 with committing an act of prostitution.
- ❖ SB 540 – Relating to: authorizing pulsing stop lamps on vehicles.
- ❖ AB 945/SB 784 – licensure of dental therapists and granting rule-making authority.
- ❖ AB 603/SB 513 – Relating to: impersonation of another on social media and providing criminal penalties.
- ❖ AB 351/SB 279 – Relating to: body cameras on law enforcement officers.
- ❖ AB 764/SB 683 – Relating to: the purchase of pseudoephedrine products and providing a criminal penalty.
- ❖ AJR 93/SJR 95 – Relating to: eligibility and conditions for release prior to conviction of persons accused of certain crimes and considerations for imposing bail (this would require a constitutional amendment).

Items We Opposed

IRD was authorized to oppose 25 bills that were introduced. Six of those bills were enacted.

- ❖ Act 67 – Makes various changes to local government zoning authority, navigable water permits, inverse condemnation proceedings, and the right to display the flag of the United States.
- ❖ Act 65 – limiting the authority of a city to create new occupational licenses or fees.
- ❖ Act 68 – Makes various changes relating to land use, impact fees, the electrical wiring code, highway weight limitations, and housing impact reports.
- ❖ Act 317 – Creates various provisions affecting rental housing, landlord tenant law and city ordinances related to property inspections.
- ❖ Act 243 – Makes various changes to local regulation of property development.
- ❖ Act 327 – Preempts local governments from enacting or enforcing ordinances related to collective bargaining.

We opposed 33 bills that did not become law. Some highlights of the bills/provisions we defeated include:

- ❖ AB 361/SB 625 – Requires a local referendum to impose a wheel tax.
- ❖ AB 348/SB 425 – Limits the authority of the state and political subdivisions to regulate wireless facilities and authorizing political subdivisions to impose setback requirements for certain mobile service support structures.
- ❖ AB 918/SB 759 - Eliminates the authority of local governments to regulate and license operators of taxicabs and taxicab businesses and instead requires that taxicab companies and taxicab dispatch services be licensed by the state.
- ❖ AB 923/SB 777 - Increases the authority of a county executive from a populous county and other counties and reducing the authority of a county board, budgeting procedures for populous counties, certain other counties, and cities, villages, and towns, and the method for establishing the compensation of county supervisors and county elective officers.
- ❖ AB 978/SB 800 – Prohibits a political subdivision from designating a property as a historic landmark without the consent of the owner and prohibits a political subdivision from establishing a historic district unless the political subdivision receives the consent of the owners of one-half of the land in area within the proposed district or the owners of one-half of the real property in assessed value within the proposed district.
- ❖ AB 606/SB 512 – Creates new requirements for the makeup of the commission, changes the disciplinary appeal standards.
- ❖ AB 127 – Prohibits local ordinances, resolutions, and policies that prohibit immigration status inquiries and reports to, and cooperation with, other units of government about the presence of illegal aliens, authorizing a resident of this state to commence an enforcement action, and providing a reduction in shared revenue payments.
- ❖ LRB-4551 – Lowers the legal drinking age under certain circumstances.
- ❖ State Budget proposal to limit the Historic Rehabilitation Tax Credit to annual awards of \$10 million. Joint Finance amendment limited the amount of credits to no more than \$5M for rehab projects on the same parcel. Governor vetoed provision modifying maximum credits to \$500K rather than \$5M.
- ❖ AB 211 – Allows a property owner to refuse entry into his or her home for assessment purposes and conditions for appearing before the board of review.

- ❖ AB 434/SB 564 – Makes changes to the conditions of liability for worker's compensation benefits for a law enforcement officer, a fire fighter, or a member of emergency services personnel (public safety employee) who are diagnosed with post-traumatic stress disorder.

We opposed several items in the State Budget, 2017 WI Act 59 that did become law, including:

- ❖ Provision decreasing funding for the Homestead Tax Credit by \$1M in 2017-18 and \$500K in 2018-19.
- ❖ Provision specifying that if a first class city specially assesses a mixed-use property located in a business improvement district (BID), that is real property and is partly tax-exempt or residential, or both, the special assessment may be imposed only on the percentage of the real property that is not tax-exempt or residential.
- ❖ Provision decreasing Earned Income Tax Credits funding by \$3.8M in 2017-18 and increase of \$1.1M in 2018-19 over base level funding.
- ❖ Personal Property Tax Exemption
- ❖ State aid for tax exempt computers, cash registers, and fax machines
- ❖ Prohibition of using certain revenues for the streetcar
- ❖ Domestic partner benefits
- ❖ Property tax exemption for Marquette University