

Status of Key Proposals from City of Milwaukee 2009-10 Legislative Package

The Wisconsin State Legislature adjourned its 2009-2010 session as of April 22, 2010. Below is a summary of several key items from the City's 2009-10 Legislative Package that passed both legislative houses and have been signed into law or are awaiting the governor's signature. The Intergovernmental Relations Team will provide the Committee with a more comprehensive analysis of the overall legislative activity for the 2009-10 legislative session at the next scheduled meeting.

Wisconsin Act 18:

- Allows board of city service commissioners to certify any number of the top scoring candidates to fill a civil service vacancy. Previously the law specified that 3 candidates be certified (5 for management positions).
- Requires that all persons on the list with the same test score be included on the same certification

Proposal from Leg. Package: Allow City of Milwaukee, Board of City Service Commissioners to establish by rule for the number of test scores to be used in certifying candidates from eligible lists.

Wisconsin Act 47

- Changes from January 15 to September 30, the date when the debt amortization fund commission must make an annual report to the City of Milwaukee's Common Council. The information is typically not available until the middle of the year.
- Clarifies that the commission may use the fund to acquire city bonds, notes, and other securities. Previous statute did not specify city notes and other city securities.
- Specifies that as a means to cancel debt, the commission may use the fund to make interest and principal payments on general obligation bonds or notes, regardless of the maturity of the debt.

Proposal from Leg. Package: Update statutes related to the Public Debt Amortization Fund

Wisconsin Act 50

- Requires manufacturers of specified electronic devices sold in the state to recycle a targeted amount of such devices.
- The target is based on the manufacturer's sales of such devices in the state.
- The mandate is enforced through restrictions on sales and assessment of fees. A manufacturer can earn credits for recycling more than the target.
- Also establishes a ban on landfilling and incineration of certain electronic devices.

Proposal from Legislative Package: Support “e-waste” legislation mandating manufacturer responsibility for recycling of consumer electronics.

Wisconsin Act 66

- Allows a local governmental unit to adopt a resolution that allows the environmental remediation tax increments generated from one ERTID (donor) to be donated to pay for environmental remediation in another ERTID (recipient).
- The joint review board is still required to approve the resolution.

Proposal from Legislative Package: Resolution approved by Council to seek legislation allowing for an ERTID to donate tax increment to another ERTID.

Wisconsin Act 102

- Makes court-ordered operating privilege revocation for a fourth offense OAR, OWS, or OWD permissive rather than mandatory.

Proposal from legislative package: Support the Center for Driver’s License Recovery efforts to repeal mandatory suspension following a criminal drug conviction

Wisconsin Act 103

- Allows a court that suspends or revokes a person’s operating privilege to take possession of a person’s operator’s license, but the court is not required to do so

Proposal from legislative package: Support the Center for Driver’s License Recovery efforts regarding 4 critical policy measures regarding driving privileges, suspension, revocation

Wisconsin Act 147

- For a city of the first class, removes the restriction from neighborhood improvement district assessments for properties with fewer than 8 residential units.
- Only those properties which are exempt from general property tax would continue to be restricted from such an assessment.

Proposal from Legislative Package: Allow for the collection of neighborhood improvement district (NID) special assessments from residential properties containing less than eight residential dwelling units.

Wisconsin Act 188

- Creates requirements for mortgage brokers in dealing with residential mortgage loan applicants.
- Requires the broker to present loan options in objective unbiased manner, restricts the broker from benefitting from any undisclosed remunerations, either direct or indirect,

requires the broker to account to the borrower for any money or property received as the borrowers agent.

Proposal from Legislative Package: Reduce the impact from the foreclosure crisis.

Wisconsin Act 191

- Allows the board of a retirement system in a city of the first class to determine by rule the conditions under which a employee retirement account is presumed abandoned and to determine the manner in which such funds can be used to reduce employer funding obligations to the retirement system.
- Abandoned ERS funds no longer subject to the custody of the State.

Proposal from Legislative Package: Seek legislation to allow us to retain unclaimed funds in the Employees' Retirement System Trust, rather than pay them to the State.

Wisconsin Act 207

- Currently, for the library board of a public library established in a first class city, seven members constitute a quorum.
- Under this Act, a majority of the seats on the board that are currently filled constitutes a quorum.

Proposal from Legislative Package: Resolution approved by Council to seek a change to the quorum requirements for the library board.

Senate Bill 44(enrolled – ready for action by Governor)

- Requires mental health check as part of DOJ background check for handgun purchases.

Proposal from Legislative Package: Reduce illegal guns and improve public safety.

SB-383 (enrolled—ready for action by Governor)

- Rewrites the statutes pertaining to municipal court administration and procedure

Proposal from legislative package: Seek legislation that would allow for assignment of income to pay municipal court judgments

Senate Bill 524 (enrolled – ready for action by Governor)

- Allows for subpoenas and warrants requiring providers of electronic communications to provide customer information or disclose contents of wire or electronic communications.

Proposal from Legislative Package Revise search warrant statute to allow for electronic communication search warrants

Senate Bill 530(enrolled – ready for action by Governor)

- Limits payday loans to \$1,500 or 35% of monthly income, whichever is less.
- Auto titleloans would be limited to half the value of a vehicle.
- Creates a Database to track payday loans and provide data currently unavailable about the volume and amount of loans being lent
- Limits rollovers to only 1. Rollovers account for around 90% of all payday lending profits.
- Strengthens auto title provisions.

Proposal from Legislative Package: Better regulate the pay day loan and small consumer loan industry

Senate Bill 624(enrolled – ready for action by Governor)

- Expands the entities to which a political subdivision may make energy efficiency loans to include commercial and industrial premises located in the political subdivision
- Also authorizes a political subdivision to make similar loans for water efficiency improvements.

Proposal from Legislative Package: Support legislation to authorize the ME2 program.