

LEGISLATIVE HEARING CALENDAR

Positions to be taken by the City of Milwaukee on the following bills will be discussed by the

COMMITTEE ON JUDICIARY-LEGISLATION

THURSDAY, FEBRUARY 14, 2008 AT 9:00 AM

Room 301-B City Hall

- AB-706 Specifically authorizing local governmental units to issue debt related to the brownfields revolving loan program.
- AB-728 Withholding utility security system plans from public inspection.
- LRB-3885/2 Assistant district attorney positions and making an appropriation.
- SB-403 The property tax exemption for low-income housing.
(Previously Held)

Updates may be provided for informational purposes only on bills already acted on by the committee.

2007 ASSEMBLY BILL 706

January 18, 2008 - Introduced by Representatives GUNDERSON, HAHN, A. OTT, KAUFERT, HINTZ, ALBERS, STASKUNAS, PETROWSKI and BALLWEG, cosponsored by Senators ROESSLER, COWLES, OLSEN and SCHULTZ. Referred to Committee on Natural Resources.

1 **AN ACT** *to renumber and amend* 67.12 (1) (b); *to amend* 67.12 (12) (a); and *to*
2 *create* 67.12 (1) (b) 2. of the statutes; **relating to:** specifically authorizing local
3 governmental units to issue debt related to the brownfields revolving loan
4 program.

Analysis by the Legislative Reference Bureau

Current law authorizes the Department of Natural Resources (DNR) to enter into an agreement with the federal Environmental Protection Agency (EPA) to establish and administer a brownfields revolving loan program under which DNR makes loans or grants for the cleanup of brownfields. Brownfields are sites the redevelopment or reuse of which may be complicated by the presence or potential presence of environmental contamination.

Currently, DNR is authorized to administer funds received from the EPA on behalf of, and at the request of, another governmental entity. Local governments apply for and receive these DNR-administered funds either as a loan or as a grant, the proceeds of which are used for the cleanup of brownfields. Local governments also have general authority to issue municipal obligations in anticipation of receiving federal or state aids, which must be repaid in approximately 18 months.

This bill grants specific authority to local units of government, including cities, villages, towns, counties, metropolitan sewerage districts, and town sanitary districts, to issue municipal obligations in anticipation of receiving proceeds from brownfields revolving loan program loans or grants. Such obligations must be repaid within 10 years or, if refinanced, within 20 years. The bill also specifies that local

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units of government may issue promissory notes, which must be repaid within 20 years, for public purposes related to the brownfields revolving loan program.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 67.12 (1) (b) of the statutes is renumbered 67.12 (1) (b) 1. and
2 amended to read:

3 67.12 (1) (b) 1. Any municipality may issue municipal obligations in
4 anticipation of receiving proceeds from clean water fund loans or grants for which
5 the municipality has received a notice of financial assistance commitment under s.
6 281.58 (15), from bonds or notes the municipality has authorized or has covenanted
7 to issue under this chapter or from grants that are committed to the municipality.
8 Any municipal obligation issued under this paragraph subdivision may be refunded
9 one or more times. Such obligation and any refundings thereof shall be repaid within
10 5 years after the original date of the original obligation.

11 **SECTION 2.** 67.12 (1) (b) 2. of the statutes is created to read:

12 67.12 (1) (b) 2. Any municipality may issue municipal obligations in
13 anticipation of receiving proceeds from brownfields revolving loan program loans or
14 grants under the program described in s. 292.72 if the municipality has received
15 written notification from the department of natural resources that the department
16 intends to distribute such proceeds to the municipality. The obligation shall be
17 repaid within 10 years after the original date of the obligation, except that the
18 obligation may be refunded one or more times. Any refundings shall be repaid within
19 20 years after the original date of the original obligation.

20 **SECTION 3.** 67.12 (12) (a) of the statutes is amended to read:

2007 ASSEMBLY BILL 728

January 24, 2008 – Introduced by Representatives MONTGOMERY, PETERSEN, SOLETSKI, BALLWEG, BIES, TOWNSEND, PETROWSKI, MURSAU and A. OTT, cosponsored by Senators HANSEN, SCHULTZ and ROESSLER. Referred to Committee on Homeland Security and State Preparedness.

- 1 AN ACT *to create* 19.36 (14) of the statutes; **relating to:** withholding utility
2 security system plans from public inspection.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, a state or local governmental entity is required to permit a requester to inspect records created or kept by the entity. This bill creates another exception for any record containing a utility security system plan.

The bill defines “security system plan” as a plan for the physical or electronic security of facilities, telecommunications systems, or information technology systems owned or operated by a utility. “Security system plan” is also defined to include any information or other communication related to such a plan, or any threat assessment, vulnerability or capability assessment, or threat response plan or any emergency evacuation plan. The bill defines “utility” as any person that generates, transmits, or distributes electricity, transports or distributes natural gas, operates a public water system, or provides telecommunications or sewer service.

The bill allows a state or local governmental entity to withhold public access to any record containing a security system plan, or a portion of such a plan, if the state or local governmental entity determines that a facility or system that is the subject of the plan is so vital to the state that the incapacity or destruction of the facility or

2007 BILL

1 AN ACT relating to: assistant district attorney positions and making an
2 appropriation.

Analysis by the Legislative Reference Bureau

This bill appropriates general purpose revenue for 21.3 assistant district attorney positions that are currently funded with federal money.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. Fiscal changes.

4 (1) ASSISTANT DISTRICT ATTORNEY POSITIONS. In the schedule under section 20.005
5 (3) of the statutes for the appropriation to the department of administration under
6 section 20.475 (1) (d) of the statutes, as affected by the acts of 2007, the dollar amount
7 is increased by \$881,600 for fiscal year 2008–09 to increase the authorized FTE
8 positions for the department by 21.3 GPR assistant district attorney positions to be
9 allocated to the following counties effective on the following dates:

BILL

- 1 (a) Brown County, 0.30 FTE position on July 1, 2008 .
- 2 (b) Chippewa County, 0.25 FTE position on July 1, 2008.
- 3 (c) Dane County, 0.75 FTE position on July 1, 2008.
- 4 (d) Dane County, 1.0 FTE position on January 1, 2009.
- 5 (e) Milwaukee County, 2.0 FTE positions on July 1, 2008.
- 6 (f) Milwaukee County, 14.0 FTE positions on January 1, 2009.
- 7 (g) Outagamie County, 1.0 FTE position on July 1, 2008.
- 8 (h) St. Croix County, 1.0 FTE position on July 1, 2008.
- 9 (i) Waukesha County, 1.0 FTE position on July 1, 2008.

10

(END)

2007 SENATE BILL 403

January 18, 2008 – Introduced by Senators TAYLOR, COGGS, PLALE, BRESKE and DECKER, cosponsored by Representatives GOTTLIEB, GRIGSBY, ALBERS, DAVIS, FIELDS, HAHN, HONADEL, MONTGOMERY, STONE, TOWNSEND, TURNER, YOUNG, VAN ROY and RHOADES. Referred to Committee on Judiciary, Corrections, and Housing.

1 AN ACT *to amend* 70.11 (intro.) and 70.11 (4); and *to create* 70.11 (4a) of the
2 statutes; **relating to:** the property tax exemption for low-income housing.

Analysis by the Legislative Reference Bureau

Under current law, property owned by churches or religious or benevolent associations, including benevolent nursing homes and retirement homes for the aged, is exempt from the property tax. Under this bill, property owned by churches or religious or benevolent associations and used as low-income housing is exempt from the property tax. Under the bill, low-income housing is any residential housing unit within a low-income housing project occupied by a low-income or very low-income person, as determined pursuant to the income limits published by the U.S. Department of Housing and Urban Development, or that is vacant and only available to such persons.

Under current law, if property that is exempt from property taxes is leased, the property retains its tax exemption if the property owner uses all of the leasehold income for maintenance of the leased property or construction debt retirement of the leased property, or both, and, except for residential property, if the lessee would be eligible for the exemption if the lessee owned the property.

Under the bill, leasing property that is low-income housing does not make the property taxable if the property owner uses all of the leasehold income for certain expenditures directly related to the low-income housing project to which the property belongs, except that the property owner may, generally, use up to 10 percent of the leasehold income for certain expenditures, or any amount for debt service, directly related to any other low-income housing project under the owner's control

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that is located in this state. Eligible expenditures include maintenance, capital replacements, insurance premiums, project management, debt retirement, moneys reserved for project-related purposes, general and administrative expenses, social services and other resident services, utilities, financing costs, any other expenditure related to preserving and managing the project, and any other similar expenditure.

Because this bill relates to an exemption from state or local taxes, it may be referred to the Joint Survey Committee on Tax Exemptions for a report to be printed as an appendix to the bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 70.11 (intro.) of the statutes is amended to read:

2 **70.11 Property exempted from taxation.** (intro.) The property described
3 in this section is exempted from general property taxes if the property is exempt
4 under sub. (1), (2), (18), (21), (27) or (30); if it was exempt for the previous year and
5 its use, occupancy or ownership did not change in a way that makes it taxable; if the
6 property was taxable for the previous year, the use, occupancy or ownership of the
7 property changed in a way that makes it exempt and its owner, on or before March 1,
8 files with the assessor of the taxation district where the property is located a form
9 that the department of revenue prescribes or if the property did not exist in the
10 previous year and its owner, on or before March 1, files with the assessor of the
11 taxation district where the property is located a form that the department of revenue
12 prescribes. ~~Leasing~~ Except as provided in sub. (4a) (e), leasing a part of the property
13 described in this section does not render it taxable if the lessor uses all of the
14 leasehold income for maintenance of the leased property or construction debt
15 retirement of the leased property, or both, and, except for residential housing, if the
16 lessee would be exempt from taxation under this chapter if it owned the property.
17 Any lessor who claims that leased property is exempt from taxation under this