

# 2013-14 Legislative Session Wrap-up

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The City of Milwaukee's Intergovernmental Relations Division (IRD) recently concluded its efforts for the 2013-14 Wisconsin Legislative Session. The following are some statistics regarding the City's legislative efforts.

- The Legislature introduced 1627 bills in the 2013-14 session, 928 in the Assembly and 699 in the Senate. In addition, 14 bills were introduced between the October, January and December Special Sessions.
- IRD reviewed all of those bills and the City of Milwaukee registered to lobby on 180 of them (roughly 11%), including 104 Assembly bills, 75 Senate bills and one Assembly Joint Resolution. We supported 96 of those bills and opposed 38.
- Of the bills that were introduced, the Governor signed 380 into law, vetoed one and partially vetoed three. This includes the 2013 WI Act 20, the State Budget.

## Items We Supported

- IRD was authorized to register in **support** of 95 bills and one Assembly Joint Resolution. **Twenty-three** of the bills were enacted.
- **Nine of the bills** and **two budget items** that were **enacted** were items from the City of Milwaukee legislative agenda, along with **three agency MOUs** (Memorandums of Understanding):
  - Act 20 (State Budget) - 12 year phase-in of school choice funding flaw correction.
  - Act 20 (State Budget) – Clarify that the design and selection of healthcare for public safety employees is a prohibited subject of bargaining.
  - Act 53 - Increases the maximum allowable Municipal Court Fees.
  - Act 76 – Allows landlords to terminate a lease if a crime is committed in or on rental property and allows parking enforcers to have the same authority as traffic officers.
  - Act 147 - Allows a municipality to draw poll workers from the county as well as the municipality.
  - Act 263 - Provides funding for shot spotters.
  - Act 272 - Allows for successive Certified Survey Maps to create industrial and commercial parcels without minimum lot areas or time constraints.

- Act 298 - Allows 1st class cities to issue retail food establishment licenses at any time during the year and allow that such licenses shall be valid for one year.
  - Act 321 - Addresses the effects of interpersonal domestic violence that make restraining orders more effective, that remove guns from domestic violence perpetrators and that allow human trafficking victims to heal and rebuild their lives.
  - Act 360 - Clarifies that the SAFE Act licensing requirements for mortgage brokers do not apply to municipal and nonprofit entities.
  - Act 380 - Creates a property tax exemption for a nonprofit youth baseball association.
  - Department of Financial Institutions MOU – \$2 million dollars for demolition.
  - Department of Safety and Professional Services - Eliminate the requirement for a licensed design professional when a building exceeds 50,000 cubic feet, and to redefine the criteria for construction projects which require the use of a design professional.
  - Department of Safety and Professional Services - Allowing the city to issue variances to the uniform dwelling code and to provide annual inspections of petroleum tanks and elevators located within the City.
- An additional **five** items were **resolved through other means**:
    - Amending state statutes regarding alcohol beverage licensing appeals to circuit court – *Resolved by Supreme Court Decision.*
    - Authorizing 1st class cities to auction taxicab permits for payments exceeding the costs related to licensing – *Common Council acted to increase the number of taxi cab permits.*
    - Allowing school crossing guards to direct traffic at more than just school crossings – *Resolved administratively.*
    - Allowing a municipality to require any vehicle legally impounded or towed to be registered prior to release – *Resolved administratively.*
    - Providing state assistance for and/or to expand the eligibility for the DOT Harbor Assistance Program to include dock equipment and cranes as allowable purchases. (WFA Commission) - *Budget Amendment was defeated. DOT has clarified crane eligibility.*

- An additional **three** of the bills that were **enacted** were supported through **separate Judiciary and Legislation action**:
  - Act 222 - Relating to: changing the method for charging interest that may be charged on special assessments and creating an exception for local levy limits.
  - Act 224 - Relating to: elements of, and penalties and testing for, certain operating-while-intoxicated offenses and providing a penalty.
  - AB 727 - Relating to: a firearm prohibition for an individual subject to an individuals-at-risk injunction and disclosure of and access to information regarding individuals who are prohibited from possessing a firearm.
  
- An additional **three** of the bills that were **enacted improve situations** addressed in the **Legislative Package**:
  - *Act 155, The method of reporting election returns by municipalities* - Amend Wis. Stats. §4.07 and §4.09 to correct ward boundary discrepancies created by 2011 Wisconsin Act 43.
  - *Act 228, Objecting to property tax assessments* - Repeal Wis. Stat. §74.37 and possibly create a statewide Tax Tribunal for both exemption and valuation cases as an alternative to circuit court.
  - *Acts 325 and 326, Relating to: enforcement of parking violations involving spaces reserved for persons with disabilities and relating to: parking violations involving spaces reserved for persons with disabilities and providing a penalty* - Modify Wis. Stat. §346.50 (22) to revise disabled parking regulations and provisions.
  
- Another **twelve** items from the **Legislative Package or Judiciary and Legislation action** were **introduced** as bills or budget amendments **but did not pass into law**:
  - Creating a provision for charging requesters for a record custodian's actual and direct costs of redacting, or separating, portions of records that are not subject to public disclosure from portions that are subject to disclosure.
  - Requesting authority for the City and financial institutions to enter properties in foreclosure which meet criteria of abandonment, in order to stabilize and preserve the properties.
  - Creating a system of representation by the City Attorney that avoids legal conflicts between the City of Milwaukee and Milwaukee Public Schools.
  - Allowing a municipality to designate additional satellite in-person absentee voting locations during each election.

- Providing for a victim's right to be accompanied by an advocate during all stages of the criminal justice process.
  - Making the straw purchasing of a firearm a felony (2009 AB 373).
  - Requiring that private gun sales be subject to criminal background checks performed by a federally licensed dealer.
  - Creating parity between public and private schools in the reporting of criminal conduct.
  - Clarifying the value of licenses and permits appertaining to real property.
  - Relating to the duty disability benefit program under the Wisconsin Retirement System, prohibited subjects of collective bargaining under the Municipal Employment Relations Act and the State Employment Labor Relations Act, and requiring the Legislative Audit Bureau to conduct a program evaluation audit of certain disability and survivor benefit programs of public employee retirement systems in this state.
  - Funding to prevent the spread of the Emerald Ash Borer.
  - Increased funding for Shared Revenue.
- Another **fifteen** items were **drafted** as bills **but were not introduced**:
    - Requiring the certification or licensure of all appraisers.
    - Requiring income and expense information to be submitted to the Board of Assessors, consistent with the requirement for Boards of Review.
    - Requiring new owners of real estate to record with the Register of Deeds within 10 business days.
    - Removing the ability of 1st class cities to sell land for non-payment of taxes since the City has not done this since 1947.
    - Allowing for multijurisdictional Business Improvement Districts.
    - Keeping property being marketed for redevelopment purposes out of a Tax Incremental District's base value.
    - Deleting or changing outmoded and illegal references in the language of the Statute to City Civil Service.
    - Allowing members of the fire and police departments who are regularly appointed under §62.50 to participate in transfer and promotional examinations for positions under control of the City Service Commission if they are otherwise qualified.
    - Exempting from public utility regulation persons who generate electricity or heat and amend §196.374(2)(a)2.f. to allow participation in renewable energy programs.

- Authorizing City of the first class to establish a time frame (180 days) to pay and/or adjudicate a parking citation.
- Authorizing cities to tow and/or boot any vehicle with 3 or more unpaid parking citations.
- Banning habitual criminals from obtaining concealed carry permits.
- Making the possession of a concealed firearm by those currently prohibited under Wisconsin law a felony.
- Making the second and subsequent instances of possession of a concealed firearm without a permit a felony.
- Allowing for the use of Red Light Cameras for the purpose of speed, red light running and accident reduction at certain qualifying intersections.

### **Items We Opposed**

- IRD was authorized to oppose **38 bills** that were introduced. **Six** of those bills were **enacted**. One was an item we opposed in our legislative agenda.
  - Act 76 - Miscellaneous provisions related to rental and vehicle towing practices and eviction proceedings, prohibitions on enacting ordinances that place certain limitations or requirements on landlords, providing an exemption from emergency rule procedures, granting rule-making authority.
  - Act 146 - Limiting the times for voting by absentee ballots in person.
  - Act 159 - Absentee voting at residential care facilities.
  - Act 177 - Certification of Election Observers.
  - Act 270 - Ordinances, variances, and rules relating to the constructing or altering of, or adding to, public buildings and buildings that are places of employment, the creation of a building code council, and inspections of public buildings and buildings that are places of employment, and granting rule-making authority.
  - Act 346 - Sales and property tax exemptions for property used by commercial radio and television stations.
- We opposed **34 bills or budget provisions that did not become law**. Some highlights of the bills/provisions we defeated include:
  - AB 23/SB 48 – Funding postretirement health care benefits of local government employees.
  - AB 247 – Limitations on requiring and requesting vaccination against influenza.
  - AB 417/SB 318– Authorizing the city of Milwaukee to sell eligible school facilities to eligible purchasers.

- AB 493 – Exemption of certain electors from the requirement to present proof of identification when voting in an election and use of veterans identification cards as proof of identification.
  - AB 779 – Eliminating the Police and Fire Protection Fee and requiring statewide funding for a 911 emergency telecommunications system.
  - Provision that would have eliminated the debt levy adjustment to levy limits (\$4 million impact). (Act 20, State Budget)
- We also opposed **one bill draft** that we **prevented from being introduced**:
    - LRB-3532, Limiting the use of License Plate Readers.
- We opposed **multiple items in the State Budget, 2013 WI Act 20, that did become law**:
    - Provision prohibiting residency as a condition of employment.
    - Provision requiring the city to pay for utility relocation costs resulting from the Streetcar.
    - Provision negatively modifying the property tax treatment of billboards.
    - Provision eliminating the requirement that the State Crime Lab be located in Milwaukee.
    - Provisions reducing local control over municipal fees, cellphone tower siting, and storm water management standards.
    - Provision eliminating our \$222,500 annual Community Policing Grant.