

The 2017-2018 Session so Far

Municipal Legislative Update
Curt Witynski, Assistant Director
League of Wisconsin Municipalities
October 2017



Session Schedule




535
457
59
January



New Laws Affecting Local Governments

- Act 3 – Prohibiting municipalities from requiring project labor agreements in public construction contracts.
- Act 6 – Clarifying that communities participating in multi-jurisdiction health departments may agree to share cost of the program as they see fit.



New Laws Affecting Local Governments

Act 50 – Modifying how a mayor may notify council members that a special meeting has been called.

Act 51 – Makes the requirement that certain municipal officials execute a bond optional in communities that have obtained employee dishonesty insurance.



Good Things in State Budget Affecting Municipalities

GTA Funding increased for cities, villages and towns by \$27 million annually (8.5%).

LRIP funding increased by \$5 million annually (most of it going to cities and villages).



Good Things in State Budget Affecting Municipalities

Clarifies that water utility fire hydrant rental fees are not considered "fire protection" fees under levy limit law.



Good Things in State Budget Affecting Municipalities

- Levy limit referendum ballot question must include the purpose of the levy increase.
- New transit capital assistance program created.
- Clean water fund loan interest rates reduced.
- Length of loan repayment schedule for Clean Water Fund loans extended to 30 years.



Good Things in State Budget Affecting Municipalities

- Allows municipalities to impose room taxes on lodging marketplaces (e.g., Airbnb, VRBO) and owners of short-term rentals and requires lodging marketplaces to collect room tax from owners of short-term rentals and distribute to municipalities.
- No cuts to shared revenue, ERP, recycling grant, and payments for municipal services programs.



Bad Things in State Budget Affecting Municipalities

- State aid for tax exempt computers frozen after 2019.
- Eliminates an exception to the requirement that communities reduce their allowable levy by any decrease in debt service for debt issued before July 1, 2005.
- Prohibits use of condemnation for bike paths and pedestrian ways.



Bad Things in State Budget Affecting Municipalities

- Prohibits municipalities from banning home rentals of 7 days or more.
- Prohibits Milwaukee TIF districts from incurring expenses related to operating the Milwaukee street car.
- Prohibits Milwaukee BIDs from assessing the apartment components of mixed use buildings.



Bad Things in State Budget Affecting Municipalities

- Prohibits local governments from extending health and other employee benefits to domestic partners or anyone else other than the employee's spouse and dependent children.
- Caps the historic rehabilitation tax credit at \$500,000 per project



Bills the League Supports

SB 291/AB 387 -- Reversing *Walgreens v. Madison* (2008).





Bills the League Supports

SB 292/AB 386 – Dark Store Bill



Bills the League Supports

AB 229/SB 170 – Giving municipalities the ability to invest cash in time deposits (certificates of deposit) exceeding three years in duration.



Bills the League Supports

AB 78/SB 48, Allowing municipalities to create financial assistance programs to help homeowners finance cost of replacing lead water service laterals.



Bills League Opposes or has Concerns About

AB 348/SB 425 – Creating a uniform regulatory structure for allowing small cell wireless facilities in municipal rights-of-way and allowing municipalities to impose setback requirements on cell towers placed on single family residential lots or lots adjacent to single family lots.



Bills League Opposes or has Concerns About

AB 361 & AB 456/SB 374, Requiring a local vehicle registration fee (wheel tax) to be approved by referendum. Applies to existing fees.



Bills League Opposes or has Concerns About

AB 479/SB 387 -- Homeowners Bill of Rights -- Making Changes to takings law, conditional use permits, variances, and development of substandard lots.



Expected to be introduced soon...

- Further preempting municipal regulation of landlords.
- Making the Fair Dealership Law inapplicable to local governments.
- Pro-Development Legislation limiting municipal impact fees.



Questions and Comments