



WAAO LEGISLATIVE SUCCESSES & PROPOSALS

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AGENDA

- Welcome
- Overview of Legislative Process
- AB-610 Case Study
- Potential Legislative Topics 2022 – 2023
- Q & A

OVERVIEW: LEGISLATIVE PROCESS

Organization

- The Wisconsin Legislature is a bicameral (2-house) body consisting of a 33 member senate and a 99 member assembly. Each senate district is comprised of 3 assembly districts.
- Senators serve 4 year terms and representatives to the assembly serve 2 year terms
- The 16 senators who represent even numbered districts are elected in the fall of presidential election years. The 17 from odd numbered districts are elected in gubernatorial elections years.
- A new legislature is sworn into office in January of each odd numbered year to meet for a 2 year period, referred to as a “biennium”

OVERVIEW: LEGISLATIVE PROCESS CONTINUED

Role of Committees

- Standing committees are workhorses of the Wisconsin Legislature
- Each committee considers bills that are within its jurisdiction
- Standing committees are established by the rules of each house and may only be changed by resolution. The senate president or assembly speaker are responsible for referring newly introduced bills or resolutions to the appropriate standing committees, but each committee may hold hearing on other matters within its subject jurisdiction.
- There are 22 Senate Committees and 47 Assembly Committees. The most likely to intersect with assessment are the Senate Committee on Housing, Commerce, and Trade and the Assembly Committee on Housing and Real Estate.

OVERVIEW: LEGISLATIVE PROCESS CONTINUED

Bills – Purpose and Process

- The purpose of a bill is to propose a change to the state's existing laws. It may create a new law or amend an old law.
- By law, all bills introduced into the Legislature must be drafted by the Legislative Reference Bureau (LRB)
- A bill may be introduced by a legislator, a legislative committee, or the Legislative Council
- Any changes to a bill while it is under consideration are made by amendments. There are 2 types of amendments: (1) a simple amendment that affects only part of the bill, usually by adding or deleting language or (2) a substitute amendment which is designed to entirely replace the original bill.

OVERVIEW: LEGISLATIVE PROCESS CONTINUED

Fiscal Estimate

- Since 1955, Wisconsin has required that any bill that increases or decreases state revenues must receive a fiscal estimate. The Wisconsin Legislature was the first in the nation to require this type of fiscal analysis.
- Today, the practice is followed in the majority of states. The fiscal estimate requirement was extended to bills affecting the fiscal liability or revenue of counties, cities, villages or towns in 1971, and bills modifying court surcharges in 2003.
- The decision that a bill requires a fiscal estimate is made initially by the LRB drafting attorney after completing the bill draft. The author who has requested the bill may seek fiscal estimate prior to introduction.
- If a fiscal estimate is sought, the Department of Administration is responsible for securing it from the appropriate state agency. Such agency would be one to receive an appropriation, collect revenue, or administer a program created by the bill or has substantial knowledge about the bill's impact.

OVERVIEW: LEGISLATIVE PROCESS CONTINUED

Bill Format

- The contents of a bill must be organized in a specific format to ready it for introduction
- The first part of the bill is considered its title. The title sentence begins with the words “AN ACT to”, followed by a list of the statutory provisions treated by the proposal, and concludes with the phrase “relating to” and an explanation of the general subject matter of the bill.
- Beginning with bills drafted for the 1967 Legislature, the LRB has prepared an analysis of each bill that explains both substance and effect in plain language. The analysis is printed in the bill following the title.
- The analysis is followed by an enacting clause, which must read, “The people of the state of Wisconsin, represented in the senate and assembly, do enact as follows:”.

OVERVIEW: LEGISLATIVE PROCESS CONTINUED

Committee Referral and Action

- The bill jacket and its contents are submitted to the office of the chief clerk of the bill author's legislative house. The clerk assigns the bill number and records the introduction for the house journal and bulletin.
- If the legislature is meeting, bills are read by relating clause and typically referred to committee. Committees perform a gatekeeping function for the legislature.

OVERVIEW: LEGISLATIVE PROCESS CONTINUED

Public Hearings

- Typically, a bill that is under serious consideration will be given a public hearing by the standing committee to which it was referred. Hearings are a tool legislators can use to gather information, determine what groups or special interests support or oppose the bill, and explore what changes are required to make the bill more effective.
- While it is common practice to introduce a bill in one house and have cosponsors from the other house simultaneously introduce an identical bill in their chamber, it is not possible to enact legislation using parallel bills in the Wisconsin Legislature. One specific bill must be approved by both houses.

OVERVIEW: LEGISLATIVE PROCESS CONTINUED

Public Hearings

- The committee chairperson is not required to schedule a hearing on every bill referred
- Politics plays a role in whether a bill receives a public hearing. A bill that has little special interest or general public support (minimal chance of passing) may not be heard.
- Bills introduced solely by members of the minority party are less likely to be considered
- Legislative committee meetings, including public hearings, must comply with the Wisconsin open meetings law that provides notice be given at least 24 hours prior to the meeting of the governmental body
- Hearings/meetings are open to the general public. Persons who wish to testify are given an opportunity to present a statement or inform the committee about some aspect of the bill without taking a stand on it by appearing “for information only”. Parties who do not wish to speak may register their opinion of the bill by signing a hearing slip that states whether they favor or oppose the measure.

OVERVIEW: LEGISLATIVE PROCESS CONTINUED

Executive Sessions and Reporting a Bill

- Once the public hearing ends, the committee may continue its work in an “executive session” or postpone the session to a later time. The committee chairperson decides if an executive session will be scheduled.
- The purpose of the session is to allow discussion and decisions by the committee members themselves. In Wisconsin, an executive session is open to the public but no testimony is taken.
- The committee may take a variety of actions on a bill in executive session: recommend for passage as introduced, recommend the bill in the form of a substitute amendment, or revise with a simple amendment.
- Committees do not have to report a bill. The chairperson decides whether to schedule a vote and report a bill. He or she may simply allow the bill to “die in committee” without any final action being taken. Those not scheduled “fail to pass”.

OVERVIEW: LEGISLATIVE PROCESS CONTINUED

Action by Governor

- The Governor has 6 days, not including Sundays, to approve or veto bills passed by the legislature
- If the governor fails to act on the bill within that limit, the bill becomes law without the governor's signature. The governor's office has not declined to act on a bill in many decades.
- Bills vetoed entirely or those bills that are partially vetoed are returned with the governor's written objections for first consideration in the house of origin
- The constitution requires a two-thirds roll call vote of the members present and constituting a quorum of each house to override the governor's veto

AB 610

- The bill was introduced on Oct. 8, 2021 with a number of other bills with the ostensible goal of increasing housing across the state.
- Review the analysis provided on page 1 of the packet. Plain language impact?
- Review amendments and discuss strategy and impact?
- What happened in between to prompt the amendments? (refer to page 5 of packet)

AB 610 CONTINUED

Resistance Efforts

- Identify impacted agencies and groups: League, Towns Association, WAAO, and local individual jurisdictions across the state
 - This is coalition building work. Determine which other groups might have a similar response to the bill, even if for other reasons. This is closely related to evaluating outcomes not necessarily the weeds of the actual proposed law. (refer to pages 8 and 9 in packet)
- Critical to simply illustrate fiscal impact to property owners and each entity (refer to final page of packet)
- Testimony at public hearings
- Meeting with local legislators and providing impact statements with consistent language
- Media contact

POTENTIAL LEGISLATIVE TOPICS 2022 - 2023

- **What is impactful to your work?**
- **What role should we play... advocate or reactor?**
- **Suggestion: closing the LLC loophole in partnership with other agencies**