

COUNTY OF MILWAUKEE
Inter-Office Communication

Date: January 17, 2021

To: Marcelia Nicholson, Chairwoman, Milwaukee County Board of Supervisors
Joseph Czarnezki, Chairman, Committee on Intergovernmental Relations

From: Emily Petersen, Government Affairs Liaison, County Board of Supervisors

Subject: File No. 22-17 – January Report

Background

Pursuant to File No. 22-17, this report is submitted as an informational report regarding legislative updates. The purpose of this report is to provide an update related to local, state, and federal policy developments, as well as an overview on the current state legislative session.

2021-2022 Legislative Session

The 2021-2022 Legislative Session is beginning to wrap up. Reports from the Speaker’s Office indicate that the current legislative session will end in early March. The Legislature will reconvene in January 2023, post-election. In an [interview](#) with WisPolitics, Speaker Vos detailed priorities for the remainder of session and said they will focus on bringing forward legislation that deals with public safety, law enforcement, and education. Closer to the end of session, it is anticipated that they may take up legislation related to [elections](#) in accordance with findings from the Gableman investigation.

Late last year, Assembly Democratic Leader Hintz and Assistant Assembly Democratic Leader Hesselbein both stepped down from their respective leadership roles. Elections for those positions were held on December 20, 2021. The caucus elected Representative Greta Neubauer from Racine to serve as Assembly Democratic Leader and Representative Kalan Haywood from Milwaukee as Assistant Assembly Democratic Leader. They will serve out the remainder of the vacated terms. The caucus also has open leadership seats for Secretary and Sergeant at Arms. Elections for those positions occurred on January 19, 2022. Representative Kristina Shelton was elected Secretary and Representative Lee Snodgrass was elected Sergeant at Arms. Leadership elections will again take place after the January 2023 inauguration. With individuals announcing they aren’t running for reelection in both caucuses, leadership is likely to look different in both chambers next session.

Through the remainder of the session, Assembly Democratic Leader Neubauer [stated](#) that priorities include strengthening public health, pandemic management and recovery, and education especially with the increased prevalence of the Omicron variant. Although the session is nearly over, Neubauer also stated that the caucus would continue to prioritize working across the aisle to bring forth bipartisan legislation and finding common ground whenever possible.

There are three remaining floor periods for this session: January 18 through January 27, February 15 through February 24, and March 8 through March 10.

State Legislation

In July 2021, the Milwaukee County Board of Supervisors (County Board) adopted File No. [21-557](#) in support of the State of Wisconsin decriminalizing the possession of fentanyl test strips. Bipartisan legislation in accordance with these provisions was introduced at the State, [Senate Bill 600](#) and [Assembly Bill 619](#), in October 2021. Both bills have received public hearings. The legislation effectively decriminalizes fentanyl testing strips by excluding them from the definition of “drug paraphernalia.” Milwaukee County is registered in support of the legislation. An executive session for Assembly Bill 619 is tentatively scheduled for January 25, 2022.

The County Board also adopted File No. [21-462](#) requesting the State end qualified immunity and supporting [Senate Bill 295](#) and [Assembly Bill 186](#). Although both bills have been introduced, neither have received hearings at the time of this report but will continue to be monitored.

Also relevant to Milwaukee County is the recently introduced [Senate Bill 807](#), which creates a property tax exemption for the Milwaukee Regional Medical Center (MRMC). Under current law, portions of the MRMC that are owned or leased by certain nonprofit hospitals or colleges and universities are already tax exempt. If adopted, this bill would make all property owned or leased by any nonprofit organization located on or adjacent to the MRMC tax exempt. Municipal partners have expressed concerns regarding the effect this bill would have on local and county taxpayers, if enacted, and the League of Wisconsin Municipalities is registered in opposition. Staff is evaluating impacts of the bill and Milwaukee County is [registered](#) on the legislation during this fact-finding process. There has been no hearing scheduled yet.

The County Board has also enacted legislation in support of a local option sales tax and a reduction of reliance on property taxes, most recently through File No. [21-547](#), but also through File Nos. [19-831](#), [19-161](#), and [18-751](#). There has been no legislation introduced this session in support of that effort, but Milwaukee County continues to lobby on this topic and seek out solutions that address our need to obtain financial security, address deferred maintenance, and improve our public services. We will continue to focus on this effort throughout the limited time in the remainder of the session and during the recess period before the new session begins.

Federal Legislation

On January 6, 2022, the United States Treasury released the Final Rule for the American Rescue Plan Act (ARPA) Fiscal Recovery Fund. The National Counties Association has provided an [overview](#) of the guidance. The Final Rule allows for more expansive uses of spending in the fiscal recovery category and attempts to remove some administrative burdens of managing funds. The guidance also clarified what categories of expenses are still not eligible uses of recovery funds. Some key takeaways include:

- Counties can use up to \$10 million of ARPA Recovery Funds to provide government services without needing to use the Treasury revenue loss formula.
- Clarifies what is and is not an eligible capital expense.
- Establishes guidance on premium pay and who is eligible.

- Allows funds to be used for modernization of cybersecurity.
- Broadens eligible fund uses for water and sewer projects and broadband infrastructure projects.

The final rule is effective beginning April 1, 2022, but counties can begin following the guidance prior to that date.

Counties continue to await further guidance on the Infrastructure Investment and Jobs Act that was signed into law in November 2021. Appropriations proceeding from that bill are governed by a Continuing Resolution through February 18, 2022. It is anticipated that Milwaukee County will know more about competitive grant opportunities, funding formulas, and other opportunities made available through the law after that date.

cc: Kelly Bablitch, Chief of Staff, Milwaukee County Board of Supervisors
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