

WISCONSIN STATE
LEGISLATURE
COMMITTEE HEARING
RECORDS

2003-04

(session year)

Assembly

(Assembly, Senate or Joint)

**Committee on
Housing
(AC-Ho)**

File Naming Example:

Record of Comm. Proceedings ... RCP

- 05hr_AC-Ed_RCP_pt01a
- 05hr_AC-Ed_RCP_pt01b
- 05hr_AC-Ed_RCP_pt02

Published Documents

➤ Committee Hearings ... CH (Public Hearing Announcements)

➤ **

➤ Committee Reports ... CR

➤ **

➤ Executive Sessions ... ES

➤ **

➤ Record of Comm. Proceedings ... RCP

➤ **

*Information Collected For Or
Against Proposal*

➤ Appointments ... Appt

➤ **

➤ Clearinghouse Rules ... CRule

**

➤ Hearing Records ... HR (bills and resolutions)

➤ **03hr_ab0872_AC-Ho_pt01**

➤ Miscellaneous ... Misc

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**Rock County, Wisconsin
County Administrator's Office
51 South Main Street
Janesville, Wisconsin 53545
608/757-5510**

February 25, 2004

Rep. Steve Wieckert
Chair, Assembly Housing Committee
Room 16W
P.O. Box 8953
Madison, WI 53708-8953

RE: AB 872

Dear Rep. Wieckert:

Thank you for the opportunity to submit written comments pertaining to AB 872 to the Assembly Housing Committee on behalf of Rock County. In summary, the Rock County Board is in support of this piece of enabling legislation. In particular, we believe this legislation will allow Rock County, as well as other counties to administer housing loan programs.

You are all aware of the fact that counties are creatures of the state. Thus, counties are only allowed to do those things that are expressly authorized by State Statute. Wisconsin Counties are eligible under Federal and State Law to apply for and receive a variety of housing grants to improve the housing stock for low-and-moderate income families. The problem is we recently came to the conclusion based on AG Opinion 39-75 that Rock County does not have the legal authority to administer certain Federal housing grant programs.

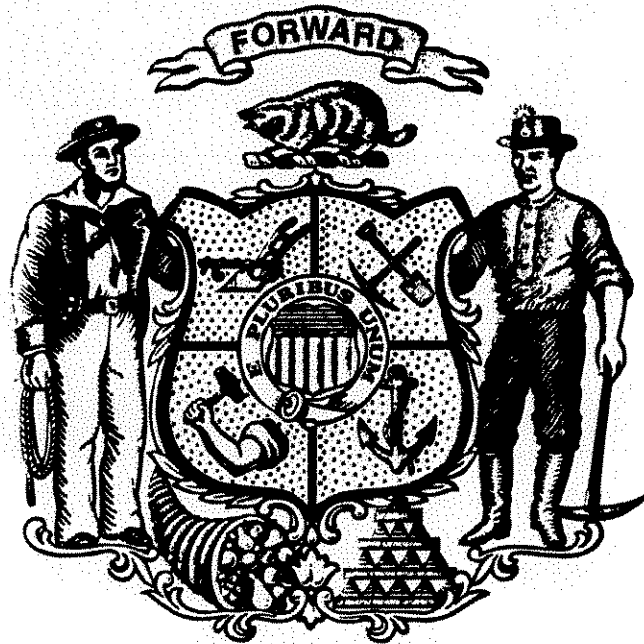
One way around this problem would be to create a County Housing Authority to administer the housing grant programs. However, that is a costly, time consuming process that would create another level of local governance with broad statutory powers to borrow and spend money. We believe that the better alternative is for the Legislature to pass enabling legislation that authorizes Wisconsin Counties to administer housing loan programs.

Sincerely,



Philip H. Boutwell
Assistant to the County Administrator

cc: Assembly Housing Committee
Rock County Legislative Delegation
Wisconsin Counties Association



**Rock County
Planning and Development Agency
51 South Main - Court House
Janesville, WI 53545**

February 26, 2004

Representative Steven Wieckert, Chair
Assembly Housing Committee
Room 16W
P.O. Box 8953
Madison, WI 537808-8953

RE: AB 872 - Proposed Enabling Legislation for County Housing Programs

Dear Representative Wieckert and Members of the Assembly Housing Committee,

Thank you for holding a hearing on AB 872 and for the opportunity to submit information about the need for AB 872.

I am the Director of the Rock County Planning, Economic and Community Development Agency. Our Agency is responsible for preparing Rock County's Comprehensive Plan and helping to implement the Comprehensive Plan in the public and private sectors through: Ordinance Administration and Enforcement, Economic Development, Public Infrastructure Improvements, Land Records Program (GIS), Housing and Community Development Programs.

As you know Counties are creatures of the State, and only have the authority to provide public services that are expressly provided in the Wisconsin State Statutes. Rock County has recently encountered some "gray areas" in State Housing and Community Development Enabling Legislation and we need your help to clarify these issues.

Wisconsin Counties are eligible under Federal and State Law to apply for and receive a variety of Federal and State Housing and Community Grant Funds to help improve living conditions for low-and-moderate income families.

However, only Milwaukee County has specific authority to administer these grants contracts under s. 59.79(1) Housing facilities. This is calibrated by Attorney General Opinion OAG 39-75, 64 Op. Att'y Gen 106 (1975) which indicates "A county can not use county funds and county employees to improve, reconstruct or repair homes of private citizens"..... **AB 872 would clarify this issue.**

During the late 1970's and early 1980's the State of Wisconsin started entering into contracts with the U.S. Department of Housing and Urban Development and the State Legislature established what is now Section 560.04 of the Wisconsin Statutes.

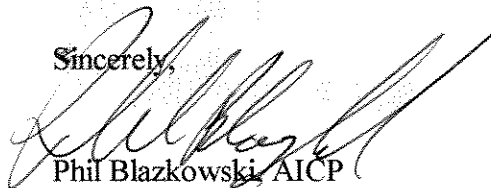
Under **s. 560.04** the Wisconsin Department of Commerce is authorized to administer the Federal Housing and Community Development Grant Program and contract with counties as "agents" to administer local programs. However, it is not clearly stated that counties have the legislative authority to administer the loan and grant contracts to private citizens for improving, reconstructing, or repairing their homes. **AB 872 would clarify this issue.**

Rock County is the sponsor of the Department of Housing and Urban Development's HOME Consortium Application, which includes the Cities of Beloit and Janesville and is used to improve housing conditions for low-and-moderate income families. Rock County and other Wisconsin consortium counties may be covered under the Department of Commerce's Home Program as an "Agent" but this is not clearly indicated in either Chapter 59 (County enabling legislation) or Chapter 66 (General Municipal Law). **AB 872 would clarify this issue.**

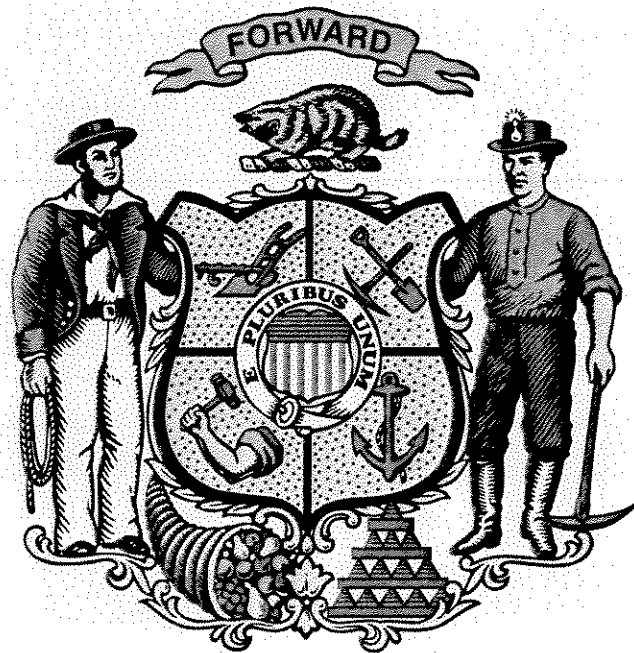
Counties can establish a County Housing Authority, which would be a separate body politic and corporate. Housing Authorities were popular during the 1960's and 1970's and still provide a variety of housing programs to low-and-moderate income families in Wisconsin. However, housing authorities are not eligible to apply for a number of Federal and State Housing and Community Development Grants - but counties are eligible. If county contracts with a housing authority to provide the administration of a housing grant the county have received, the county is still liable for repayment of any mis-used funds to the appropriate State of Federal Agency. County Boards like to control their liabilities. **AB 872 would clarify this issue.**

Thank you again for your consideration of these issues and please support the passage of AB 872.

Sincerely,



Phil Blazkowski, AICP
Director of Planning, Economic
And Community Development



PROS TO AB 872

It makes it easier for the counties to accept grants from the federal government

Uses no general tax revenues except for incidental administrative costs

Counties do not need to create a housing authority

Does not increase property taxes

Helps address county's housing short falls

Allows counties to rehabilitate substandard housing

Less government

CONS