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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Job Creation, Economic Development and Consumer Affairs (SC-JCEDCA)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Senate

Record of Committee Proceedings

Committee on Job Creation, Economic Development and Consumer Affairs

Senate Bill 404

Relating to: creating an individual income tax credit for personal property taxes paid on certain mobile homes and on certain attachments to recreational mobile homes.

By Senators Olsen, Roessler, Harsdorf and Lassa; cosponsored by Representatives Towns, Gunderson, Van Roy, Hines, Ainsworth, Petrowski, Kerkman, Wood, Musser, Freese, Townsend, Bies, Ballweg, Vos, Hundertmark and Molepske.

October 25, 2005 Referred to Committee on Job Creation, Economic Development and Consumer Affairs.

March 1, 2006 **PUBLIC HEARING HELD**

Present: (4) Senators Kanavas, Zien, Lassa and Decker.

Absent: (1) Senator Reynolds.

Appearances For

- Debi Towns, Madison — Representative, Wisconsin State Assembly
- Jim Kersten, Janesville — Hidden Valley RV Resort
- Eric Anderson, Portage — WACO
- Kathi Kilgore — WI Assn of Campground Owners

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Luther Olsen, Madison — Senator, State Senate

Registrations Against

- None.

March 1, 2006 **EXECUTIVE SESSION HELD**

Present: (4) Senators Kanavas, Zien, Lassa and Decker.

Absent: (1) Senator Reynolds.

Moved by Senator Zien, seconded by Senator Decker that **Senate Substitute Amendment 1** be recommended for adoption.

Ayes: (4) Senators Kanavas, Zien, Lassa and Decker.

Noes: (0) None.

Absent: (1) Senator Reynolds.

ADOPTION OF SENATE SUBSTITUTE AMENDMENT 1 RECOMMENDED,
Ayes 4, Noes 0

Moved by Senator Decker, seconded by Senator Zien that **Senate Bill 404** be recommended for passage.

Ayes: (4) Senators Kanavas, Zien, Lassa and Decker.

Noes: (0) None.

Absent: (1) Senator Reynolds.

PASSAGE RECOMMENDED, Ayes 4, Noes 0

James Michel
Committee Clerk

SENATE BILL 404 (LRB -3855)

An Act to amend 71.05 (6) (a) 15. and 71.08 (1) (intro.); and to create 71.07 (5e) and 71.10 (4) (gxx) of the statutes; relating to: creating an individual income tax credit for personal property taxes paid on certain mobile homes and on certain attachments to recreational mobile homes.

2005

10-25. S. Introduced by Senators **Olsen, Roessler, Harsdorf** and **Lassa**; cosponsored by Representatives **Towns, Gunderson, Van Roy, Hines, Ainsworth, Petrowski, Kerkman, Wood, Musser, Freese, Townsend, Bies, Ballweg, Vos, Hundertmark** and **Molepske**.

10-25. S. Read first time and referred to committee on Job Creation, Economic Development and Consumer Affairs 403

11-07. S. Fiscal estimate received.

12-09. S. Senate amendment 1 offered by Senator Olsen (**LRB a1798**) 497

2006

01-20. S. Senate substitute amendment 1 offered by Senator Olsen (**LRB s0470**) 546

03-01. S. Public hearing held.

03-01. S. Executive action taken.

03-04. S. Report adoption of Senate Substitute Amendment 1 recommended by committee on Job Creation, Economic Development and Consumer Affairs, Ayes 4, Noes 0 684

03-04. S. Report passage recommended by committee on Job Creation, Economic Development and Consumer Affairs, Ayes 4, Noes 0 684

03-04. S. Available for scheduling.

03-06. S. Placed on calendar 3-7-2006 by committee on Senate Organization.

03-07. S. Senator Wirch added as a coauthor 695

03-07. S. Read a second time 698

03-07. S. Referred to joint committee on Finance 698

03-07. S. Withdrawn from joint committee on Finance and taken up 698

03-07. S. Senate substitute amendment 1 **adopted** 698

03-07. S. Ordered to a third reading 698

03-07. S. Rules suspended 698

03-07. S. Read a third time and **passed**, Ayes 32, Noes 1 698

03-07. S. Ordered immediately messaged 698

03-07. A. Received from Senate 924

03-07. A. Read 924

03-07. A. Rules suspended and taken up 924

03-07. A. Read a second time 924

03-07. A. Ordered to a third reading 924

03-07. A. Rules suspended 924

03-07. A. Read a third time and **concurred in**, Ayes 93, Noes 1 924

03-07. A. Ordered immediately messaged 925

03-08. S. Received from Assembly concurred in 720

03-15. S. Report correctly enrolled on 3-15-2006 747

04-06. S. Presented to the Governor on 4-6-2006 764

04-10. S. Report **approved** by the Governor on 4-10-2006. 2005 Wisconsin Act 298 765

04-14. S. Published 4-20-2006 773

Vote Record
Committee on Job Creation, Economic Development and Consumer Affairs

Date: 3/1/2006

Moved by: Zien

Seconded by: Decker

AB _____ SB 404 Clearinghouse Rule _____
 AJR _____ SJR _____ Appointment _____
 AR _____ SR _____ Other _____

A/S Amdt _____
 A/S Amdt _____ to A/S Amdt _____
 A/S Sub Amdt 1
 A/S Amdt _____ to A/S Sub Amdt _____
 A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:

- Passage
 Adoption
 Confirmation
 Concurrence
 Indefinite Postponement
 Introduction
 Rejection
 Tabling
 Nonconcurrency

Committee Member

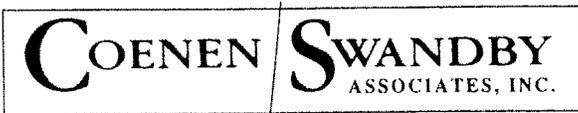
	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Ted Kanavas, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator David Zien	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Thomas Reynolds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Julie Lassa	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Russell Decker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: _____

Motion Carried

Motion Failed





GOVERNMENT RELATIONS & ASSOCIATION MANAGEMENT

March 1, 2006

MEMORANDUM

TO: Members of the Senate Committee on Job Creation, Economic Development & Consumer Affairs
Senator Ted Kanavas, Chairman

FROM: Kathi Kilgore, Lobbyist
Wisconsin Association of Campground Owners

RE: SB 404 – Preserving the Personal Property Tax Exemption for Recreational Mobile Homes

The Wisconsin Association of Campground Owners, representing over 200 campgrounds across the state, respectfully requests your support for Senate Bill 404 and a substitute amendment to make the bill identical to its companion bill, Assembly Bill 801.

Current law exempts recreational mobile homes from the personal property tax if the recreational mobile home is no larger than 400 square feet.

While most assessors across Wisconsin abide by the statutory exemption, there are a few assessors who are purposefully misinterpreting the letter of the law. These rogue assessors are assessing personal property tax on tax-exempt recreational mobile homes because temporary, aftermarket attachments or additions cause the recreational mobile home to exceed 400 square feet.

This misinterpretation of the law can mean hundreds or thousands of dollars to seasonal campers who keep a recreational mobile home in certain townships and could mean a loss of seasonal business to campground owners in those townships.

SB 404, as introduced, created an individual income tax credit for personal property taxes paid on certain recreational mobile homes.

The substitute amendment would remove the income tax credit language and replace it with language to clarify the existing personal property tax exemption for recreational mobile homes. The substitute amendment to SB 404:

- Defines a recreational mobile home as “a mobile home that is no larger than 400 square feet, or that is certified by the manufacturer as complying with the code promulgated by the American National Standards Institute as ANSI 119.5, and that is used primarily as temporary living quarters for recreational, camping, travel, or seasonal purposes.”
- Clarifies the personal property tax exemption for the recreational mobile home does not apply to any other addition, attachment, deck or patio EXCEPT for 50 square feet of steps and platform.

The members of WACO ask for your support of SB 404 and its substitute amendment to end the erosion of current law and urge you for a swift vote on the legislation. Thank you for your consideration.



Rep. Towns testimony on SB 404

Date ?

The purpose of SB 404 and its companion AB 801 is to bring clarity and consistency to current law regarding the taxation of recreational mobile homes. AB 801 has passed the Assembly Ways and Means Committee by a 12-0 margin, and the Joint Committee on Finance by 14-2.

Under current law, recreational mobile homes that are no larger than 400 sq ft are exempt from personal property taxes. Many manufacturers of mobile homes have designed models that conform to this industry standard. The primary use of these small mobile homes is travel or seasonal living quarters. These mobile homes are subject to sales tax at the time they are purchased.

Sometimes owners will attach after market improvements to their manufactured mobile home such as stoops, decks, awnings and other appurtenances. Current law does not exempt from the personal property tax any additions that cause the entire unit to exceed 400 sq ft.

Reflecting the intent of current law, it has been acceptable practice for most assessors in the State to consider the original 400 sq ft manufactured mobile home exempt from the personal property tax. Any additions, such as porches, awnings, decks or other appurtenances that cause the total sq footage to exceed 400, however, are not considered exempt and the owner is assessed a personal property tax on them.

More recent publishing of DOR guidelines, however, have allowed some assessors to take greater latitude with their interpretation of the law. These individuals have been assessing the entire mobile home, including not only the additions but the original manufactured 400 sq ft as well. Obviously, the municipalities that have contracted with these assessors have benefited from increased tax revenues but this was not the intended application of this law. This equates itself to 'tax creep.'

There is a friendly substitute amendment offered by Sen. Olsen that would allow SB 404 to mirror the already amended version of AB 801.

Basically, this amended bill allows an income tax credit in the dollar amount of the personal property tax paid on the original 400 sq ft of a recreational home, if the local assessor is choosing to include that sq footage in their assessment.