



**WAPA Legislative Update  
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**The 2007 Legislative Session Opens &  
Governor Doyle Unveils his 2007-2009 Budget Proposal**

A reconfigured Wisconsin Legislature has begun a new session and the 2007-2009 Biennial Budget process is under way. I will be tracking bills and other legislative developments of potential interest to WAPA members and passing along the information to members via these regular email updates. We also will be posting these updates and other related information on the WAPA website's Law and Legislation page for members to access and personally track bills that they are interested in following more closely.

**2007-2009 State Biennial Budget News**

The Executive budget was released to the public on February 13th. I will be following the state budget as it moves from the Governor's desk through the Joint Finance Committee and other legislative channels and will keep you informed of future budget action via these updates and the WAPA website. Here is a synopsis of items included in the Governor's budget proposal that I thought might be of interest to WAPA members (budget sections listed in parentheses):

*[NOTE: Feedback from WAPA members to Brian Ohm regarding which of these items are of particular interest to members would be useful for purposes of focusing future legislative updates].*

**● Comprehensive Planning Grants Funding and Land Information Grants (Administration)**

The appropriation for the funding of the comprehensive planning grants program administered by the Wisconsin Department of Administration remains the same at \$2 million annually in the Executive budget. The funding for the Land Information Grants program also remained at the same level of \$801,600 annually.

**Background**

Right now, over 800 (of the state's 1,923) units of local government around Wisconsin are working on their comprehensive plans with the assistance of these grants. Each year, the Department of Administration is able to fund only a fraction of the planning grant applications submitted by communities around the state in order to leverage local funding for the comprehensive planning process. For instance, in the 2006 grant cycle the Department of Administration received 34 grant applications representing 316 communities around the state for a total of \$5.8 million. With its current budget of \$2 million annually, the Department was able to fund 9 of the 34 applications, which means that 239 of the applying communities received no assistance with their planning last year. For the 2007 grant application cycle, the state DOA has received applications representing 305 units of government and asking for a total of \$4.8 million.

- **Funding for County Land and Water Resource Management Plans and Nonpoint Source Water Pollution Controls (Agriculture, Trade and Consumer Protection)**

The Governor's budget recommends providing \$7 million in new GPR-supported general obligation bonds for grants to counties for implementation of land and water resource management plans, including cost-share grants to landowners. The budget also recommends providing \$12 million over the biennium for cost-share grants to farmers to develop nutrient management plans and other nonpoint source water pollution control practices. It further recommends providing \$75,000 in FY08 and \$40,000 in FY09 to establish and operate a manure management advisory system to provide information to assist farmers and manure applicators in identifying the least risky fields and times to apply manure.

- **Farmland Preservation Program Changes (Agriculture, Trade and Consumer Protection)**

The Governor's budget recommends allowing the Department of Agriculture, Trade and Consumer Protection, rather than the Land and Water Conservation Board, to certify county farmland preservation plans and zoning ordinances, and allowing county self-certification. The Governor also recommends restructuring payback requirements when land is rezoned out of a preservation area by eliminating the requirement that the landowner repay farmland preservation tax credits received and instead require the landowner to pay a \$100 per acre conversion fee to counties to support preservation planning and monitoring activities.

- **Beloit Development Opportunity Zone (Commerce)**

The Governor's budget recommends extending the Beloit Gateway Project development opportunity zone for 24 months and increasing the amount of available tax credits by \$2 million.

- **Inspection Rights of Redevelopment Authorities (Commerce)**

The Governor's budget recommends expanding the power of a redevelopment authority to inspect a blighted property located in a city or village, but not necessarily in a blighted project area, to assist in its efforts to eliminate and prevent deteriorated areas and properties through redevelopment.

- **Authorizing the Milwaukee Metropolitan Sewerage Design-Build Process (Environmental Improvement Program)**

The Governor's budget recommends authorizing the Milwaukee Metropolitan Sewerage District to use the design-build construction process for the purpose of constructing a deep tunnel pump station.

- **Reinstatement of the Office of the Public Intervenor (Justice)**

The Governor's budget proposal reinstates the Office of the Public Intervenor.

## **Background**

The State of Wisconsin initiated the Office of Public Intervenor in 1967 under Republican Governor Warren Knowles to protect public rights in the state's natural resources. Under intense pressure from lobbyists representing clients that had been cited by the Public Intervenor for violating the public trust, Governor Tommy Thompson signed legislation in 1995 that abolished the office. The Public Intervenor Office gives ordinary citizens a place to call for technical and legal advice, and referrals, when they face complicated environmental problems or can't get results from government agencies. Historically, the Public Intervenor assisted hundreds of Wisconsin citizens every year with their environmental concerns by advising them on the use of existing local and state law to preserve their public rights and protect their families and property.

- **Stewardship Program Reauthorization (Natural Resources)**

Governor Doyle's budget recommends reauthorizing the Stewardship Fund at \$105 million per year from 2011 through 2020. Governor Doyle's proposed budget increases funding by 75 percent from \$60 million annually.

### **Background**

Established in 1989 in honor of former Governors Warren Knowles and Gaylord Nelson, the Stewardship program has helped protect more than 475,000 acres of high-quality recreation and environmentally-sensitive land in Wisconsin. These lands are available to the public for hunting, hiking, fishing, camping, wildlife viewing and other outdoor activities in 71 of the 72 counties of Wisconsin.

- **Managed Forest Law Public Access Grant Program (Natural Resources)**

The Governor's budget recommends establishing a public access grant program funded at \$1.8 million over the biennium by closed acreage fees under the Managed Forest Law program. A new Managed Forest Land Board will award grants to local units of government, the department and nonprofit conservation organizations for the purpose of acquiring easements or purchasing land for public access to offset the impact of closed acreage under the Managed Forest Law program.

- **Nonpoint Source Pollution Abatement for Counties and Municipalities (Natural Resources)**

The Governor's budget recommends providing \$18 million in new GPR-supported general obligation bonds for grants to counties and municipalities for installation of nonpoint source pollution abatement practices. The bonding will be issued for cost-share grants under the priority watershed program (\$5 million to meet existing agreements); targeted runoff management program (\$7 million); and urban nonpoint, municipal flood control and riparian restoration program (\$6 million). The Governor further recommends authorizing the department to provide a cost-sharing grant to a county that applies on behalf of a landowner or operator of an animal feeding operation who has received a notice of discharge.

- **Tax Incremental Financing Extension (Shared Revenue and Tax Relief)**

The Governor's budget recommends allowing first class cities to extend a tax incremental financing district by 12 months after all costs have been paid, on the condition that up to 75 percent of the increments earned during the 12-month extension are used to support affordable housing in the city and the remainder is used to improve the quality of the city's existing housing stock.

- **Rail Assistance (Transportation)**

The Governor's budget recommends the following changes to maintain and improve Wisconsin's rail infrastructure and service: (a) provide \$1,289,500 in FY08 and \$1,483,300 in FY09 to fully fund Amtrak passenger rail service and add a new car to the Hiawatha line to increase capacity; (b) authorize an additional \$32 million of GPR-supported general obligation bonding authority for passenger rail capital improvements; (c) expand the potential uses for bonding authority for passenger rail capital improvements; (d) increase bonding authority for the Freight Rail Preservation Program by \$22 million; and (e) provide \$1,000,000 in FY08 for engineering for the Metra commuter rail service in Southeastern Wisconsin.

- **Funding a Safe Routes to School Program (Transportation)**

The Governor's budget recommends providing \$8.6 million over the biennium to administer the Safe Routes to School program, which provides grants to local governments for projects to enhance bicycling and walking routes to school for children in kindergarten to eighth grade.

● **Funding for Surface Transportation Grant Program (Transportation)**

The Governor's budget recommends providing \$3.4 million in 2009 for surface transportation grants. These grants generally are awarded to local units of government for projects such as bicycle and pedestrian paths.

**For more information on the 2007-2009 biennial budget documents, see:**

<http://www.doa.state.wi.us/debf/execbudget.asp>

**2007 - 2008 Wisconsin Legislative Session Bill Tracking**

The following are bills that have been introduced since the beginning of the 2007-2008 session in which WAPA district representatives have indicated an interest. Again feedback from WAPA members to Brian Ohm regarding these or other items of particular interest to members would be useful for purposes of focusing future legislative updates.

**ASSEMBLY BILLS**

**[AB 19](#)** - Tax Incremental Finance District in Village of Edgar - This bill specifies that if the village of Edgar clerk had submitted to the Department of Revenue on or before December 31, 2006, the required forms and an application for a TID that was created, or attempted to have been created, on January 1, 2005, based on action taken by the village in October 2004, even though the forms and application were originally due on December 31, 2005, DOR must proceed as if the forms had been timely filed not later than December 31, 2005, except that DOR may not certify a value increment before 2007.

**Status:** Passed Assembly unanimously on 2/1/07. Public Hearing held in Senate Committee on Economic Development, Job Creation, Family Prosperity and Housing on 2/14/07.

**[AB 21](#)** - This bill makes numerous changes to laws governing mobile homes, manufactured homes, and the mobile and manufactured housing industry.

**Status:** Public hearing held in Assembly Committee on Housing on 2/15/07.

**[AB 25 \(SB 7\)](#)** - Under current law, rules of the road apply upon highways, with certain exceptions. This bill applies all of the rules of the road to private roads that are located within mobile home parks.

**Status:** Introduced and referred to Assembly Committee on Transportation on 1/24/07.

**[AB 33](#)** - Under current law, a person who owns land that has been assessed, for property tax purposes, as agricultural land and who converts the land's use so that the land may not be assessed as agricultural land must pay a penalty to the county in which the land is located. The county pays 50 percent of the amount of the penalty to the taxation district in which the land is located. Under this bill, the county must pay the taxation district's share of the penalty to the taxation district no later than August 20 of each year.

**Status:** Introduced and referred to Assembly Committee on Rural Affairs on 1/24/07.

**[AB 36](#)** - Current law requires the Department of Natural Resources (DNR) to administer a program under which counties, cities, villages, towns, and nonprofit organizations receive grants of up to 50 percent of the

cost for certain projects relating to tree management such as development of ordinances and tree inventories. Under this bill, in addition to the grants under existing law, DNR may award grants to any of these entities, plus Indian tribes, for the costs of saving, removing, or replacing trees damaged in a catastrophic storm event in an urban area for which the governor has declared a state of emergency. This type of grant does not require that the recipient contribute to the costs of saving, removing, or replacing the trees.

**Status:** Public hearing held on 2/6/07 in Assembly Committee on Homeland Security and State Preparedness.

**AB 55** - Under current law, a newspaper must meet certain qualifications to be eligible to receive compensation for publishing legal notices. Under this bill, newspapers that have been in existence for at least two years and are published and delivered, without requiring a subscription fee, to 80 percent of the households and businesses in the newspaper's coverage area are also eligible to receive compensation for publishing legal notices for cities, villages, and towns. Also, these free newspapers are not required to publish news.

**Status:** Introduced and referred to Assembly Committee on State Affairs on 2/1/07.

## SENATE BILLS

**SB 7 (AB 21)** - This bill makes numerous changes to laws governing mobile homes, manufactured homes, and the mobile and manufactured housing industry.

**Status:** Public hearing held on 2/14/07 in Senate Committee on Economic Development, Job Creation, Family Prosperity and Housing.

**SB 15** - Under current law, the secretary of natural resources is nominated by the governor, and with the advice and consent of the senate appointed, to serve at the pleasure of the governor. Under this bill, the Natural Resources Board appoints the secretary of natural resources. The change takes effect on January 3, 2011, which is inauguration day for most state constitutional officers.

**Status:** Referred to Senate Committee on Environment and Natural Resources on 1/24/07.

**SB 17** - Creation of charter towns and expanding TIF authority for towns

**Status:** Introduced and referred to Senate Committee on Commerce, Utilities and Rail on 1/26/07. Fiscal estimate received on 2/8/07.

**SB 29** - Current law imposes a fee of \$3 per ton on solid waste, other than certain kinds of high-volume industrial waste, disposed of at a landfill or other waste disposal facility. This type of fee is often called a tipping fee. The recycling fee is deposited into the recycling fund. This bill increases the recycling fee to \$10 per ton on April 1, 2008. The bill also increases funding by \$48,000,000 in fiscal year 2008-09 for the program that provides financial assistance to local governmental units that operate recycling programs.

**Status:** Introduced and referred to Senate Committee on Environment and Natural Resources on 2/7/07.

**SB 36** - Under current law, if a town meeting authorizes a town board to do so, the town board may exercise powers relating to villages and conferred on village boards by statute, except those powers that conflict with statutes relating to towns and town boards. This bill authorizes a town board that is authorized to exercise village powers to adopt a resolution, which is subject to ratification in a referendum that the town board must call, declaring that it is a "charter town." The bill allows the town board of a charter town to create a TIF district to the same extent as a city or village; it allows a charter town board to exercise certain zoning powers and exempts the town from being subject to certain city and village extraterritorial powers. This bill does not allow charter towns to annex territory or to engage in extraterritorial zoning or plat approval.

**Status:** Introduced and referred to Senate Committee on Commerce, Utilities and Rail on 2/12/07.

### **OTHER LEGISLATIVE ITEMS NOT YET INTRODUCED**

These are items that are being proposed by legislators but that have not been introduced as bills yet. I will continue to track and inform WAPA members about them if they move forward.

#### **Assembly Joint Resolution LRB 0640/2**

Sponsored by Representative Sheryl Albers

Amending the WI Constitution to create a property tax classification for development rights, limit percentage of property tax assessment increases, prohibiting property tax increases without voter approval

#### **Assembly LRB 0605/1 (Same as 2005 AB 388)**

Sponsored by Representative Steve Wieckert

Establishing a state waterfront development program

#### **Assembly LRB 0690/01**

Sponsored by Representative Sheryl Albers

Amending the comprehensive planning law to require local governmental units to add drainage districts as a jurisdiction under the intergovernmental cooperation element of the comprehensive planning law

**If you see a bill of interest to you, sign up for the [Wisconsin Legislative Notification Service](#) that allows anyone to track legislative activities on proposals, committees, authors and subjects.**

**Legislative Links and Resources:** The following links to resources are available on the WAPA website, as well:

[Assembly Committee Members](#)

[Assembly Members Contact Info](#)

[Assembly Members List \(.pdf\)](#)

[Joint Finance Committee Members](#)

[Legislative Reference Bureau Profile of 2007 Wisconsin Legislature \(.pdf\)](#)

[Legislative Session Schedule](#)

[Senate Committee Members](#)

[Senate Members and Contact List \(.pdf\)](#)

[Wheeler Report](#)

[Wisconsin Blue Book Online](#)