



**WAPA Legislative Update
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Please remember that we will continue to post these legislative updates and other related information on the WAPA website's *Law and Legislation* page for members to access and continue to personally track the bills that they are interested in following more closely.

2007-2009 State Biennial Budget News

**Joint Committee on Finance Executive Action on May 10th:
Non Point Program Funding**

On May 10th, the Joint Finance Committee adopted (13-3) the following recommendations for the non point program (Department of Natural Resources budget item): (a) provide an additional \$7,000,000 in general obligation bonding revenue for the DATCP soil and water resource management program; (b) provide an additional \$5,000,000 bonding revenue for DNR cost-share grants for rural landowners (primarily for priority watersheds); (c) provide an additional \$5,500,000 bonding revenue for the DNR targeted runoff management (TRM) grant program; and (d) provide \$4,700,000 bonding revenue for the DNR urban non point source water pollution abatement and storm water management program and the municipal flood control and riparian restoration program.

The next Joint Committee on Finance Executive Session will be held on Tuesday, May 22, 2007, at 10:00 a.m. on the 2007-09 biennial budget. The meeting will be held in Room 412 East, State Capitol. The Executive Session will be held on the budgets of the following agencies:

Workforce Development

[Commerce -- Economic Development](#)

- [211](#) Wisconsin Development Fund -- Increased Funding
- [212](#) Wisconsin Venture Center
- [213](#) Economic Development Promotion
- [214](#) Restructure Wisconsin Development Fund
- [215](#) Gaming Economic Development and Diversification Grants and Loans--Repayments
Appropriation

[Commerce -- Housing, Buildings, and Environmental Regulation](#)

- [221](#) Repeal Requirement to Provide Education Regarding Construction Standards
- [222](#) Transfer from the Petroleum Inspection Fund to the General Fund and PECFA Awards
- [223](#) PECFA Payments for Abandoned Tank Removal
- [224](#) PECFA Alternative Reimbursement Method

- [225](#) Aviation Fuel Petroleum Inspection Fee Refund Reestimate
- [226](#) Housing Programs Reestimate
- [227](#) Fire Dues Distribution

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

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

For more information on the activities of the Joint Committee on Finance, see:

<http://www.legis.state.wi.us/lfb/jfc.html>

2007 - 2008 Wisconsin Legislative Session Bill Tracking

There is one significant legislative proposal regarding impact fees and subdivision regulations to report on since the April 2007 update. In addition, I have included status updates for previously reported bills only if their status has changed since the April update. If you have been following other legislative bills addressed in previous updates, please go to the WAPA website's *Law and Legislation* page for links and updates or go to the Wisconsin Legislature's website at:

<http://www.legis.state.wi.us>.

NEW LEGISLATIVE PROPOSALS

[AB 341](#) – Making Changes to Impact Fees and Subdivision Law

AB 341 is intended to address several concerns expressed about the changes that were made last session by 2005 Wisconsin Act 203, as well as making several other changes to subdivision and impact fee law, as follows:

- Restores the ability of municipalities to accept a fee in lieu of park land dedication and improvements, *provided that the fee bears a rational and proportionate relationship to the need for the improvement.*
- Prohibits a municipality from increasing development related "pass through" fees for engineering and legal services above the amount that it pays for the service.
- Extends the time period during which impact fees must be used from *seven years to ten years*, and allows for a three year extension, *provided that detailed, written findings are submitted to justify the extension.*
- Clarifies the dates by which fees collected prior to Act 203 must be used.
- Changes the time at which impact fees must be paid to either a time mutually agreed to by the parties, *or no later than the earliest of* (a) five years after final approval of the development, (b) issuance of a building permit, or (c) issuance of an occupancy permit.
- Provides that the dedication of lands in a subdivision plat for storm water facilities must be accepted when at least 80 percent of the lots in the subdivision have been sold and the storm water facilities are certified to be properly functioning.

Status: *Introduced on May 16, 2007. Public hearing scheduled for Tuesday, May 22 at 1:00 p.m. in Capitol room 300 Northeast in the Assembly Committee on Urban and Local Affairs.*

ASSEMBLY BILLS

None

NEW SENATE BILLS

None

UPDATES TO PREVIOUSLY REPORTED ASSEMBLY BILLS

[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: *Assembly amendment [1](#) offered by Representative Owens on 5/2/07. Assembly substitute amendment [1](#) offered by Representative Owens on 5/7/07. Public hearing held in Committee on Rural Affairs on 5/8/07.*

[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 by the Committee on Environment and Natural Resources on 5/1/07. Executive action taken and concurrence recommended by committee (Ayes 5, Noes 0) on 5/3/07. Enrolled in the Senate on 5/15/07.*

[AB 93](#) - This bill provides that, before the Department of Natural Resources (DNR) may award a grant under the Knowles-Nelson Stewardship program for the acquisition of development rights, it must notify the Joint Committee on Finance (JCF). If the co-chairpersons of JCF do not notify DNR within a specified date that JCF has scheduled a meeting to review the proposal, DNR may award the grant. If the co-chairpersons notify DNR within that specified date that JCF has scheduled a meeting to review the proposal, then DNR may award the grant only upon approval of JCF.

Status: *Public hearing held in Committee on Property Rights on 5/2/07.*

[AB 170](#) - Current law requires a municipality, including a county, city, village, town, or school district, to publish a legal notice in a newspaper with paid circulation that is likely to give notice in the area or to the person affected. Generally, this means a newspaper that has at least two years of publication experience in the municipality and a paid circulation of at least 50 percent of its total

circulation. This bill allows a municipality the additional option of posting the notice on the Internet site of the municipality.

Status: *Fiscal estimate received on 4/24/07. No fiscal impact expected for local governments.*

AB 181 - Under current law, an architect, a landscape architect, a professional engineer, a designer of engineering systems, or a land surveyor may practice if he or she has a credential from the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Land Surveyors (Examining Board). The credential is renewed every other year. This bill allows the Examining Board to establish continuing education requirements that a person must satisfy in order to renew his or her credential.

Status: *A public hearing was held in the Committee on Labor and Industry on 5/2/07.*

UPDATES TO PREVIOUSLY REPORTED SENATE BILLS

SB 134 - This bill was developed and is recommended by the joint legislative council's special committee on municipal annexation. The special committee was directed to review conflicts that arise under current annexation law and practice and the consequences of those conflicts, including costs to taxpayers and other affected parties, to determine if there is consensus on means to reduce annexation disputes and encourage more boundary cooperation between towns and cities or villages.

The bill addresses 1) the determination of common municipal (city, village, and town) boundaries by agreement; and 2) the use of alternative dispute resolution (ADR) in annexation and other boundary disputes.

Status: *Fiscal Estimates received 4/23/07 and 4/25/07 with indeterminate state and local fiscal effects. Public hearing held in Committee on Labor, Elections and Urban Affairs on 5/15/07.*

SB 135 - This bill was developed and is recommended by the joint legislative council's special committee on municipal annexation. The special committee was directed to review conflicts that arise under current annexation law and practice and the consequences of those conflicts, including costs to taxpayers and other affected parties, to determine if there is consensus on means to reduce annexation disputes and encourage more boundary cooperation between towns and cities or villages. Expands DOA advisory review beyond populous counties.

Status: *Fiscal Estimate received 4/25/07. Would increase state and local staff workloads and local costs. Public hearing held in Committee on Labor, Elections and Urban Affairs on 5/15/07.*

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.

For other legislative links and resources, please see the list available on the WAPA website.