

## WCCA Legislative Report: Annual Meeting 2010

### WCCA Assembly Bills

Proposal	Description	Status	WCCA Position	Position Explanation
<a href="#">AB_25</a>	<b>Subdivision Plans – Schools</b> (Schneider) Requires school board approval of subdivision plans. Would view for bus safety, potential increase in transportation costs.	02-05-09. A. Read first time and referred to committee on Urban and Local Affairs 02-11-09. A. <a href="#">Fiscal estimate received</a> . (Indeterminate)	<b>Opposed</b>	<b>Another level of bureaucracy; Hold-up on approval process</b>
<a href="#">AB-114</a>	<b>Relating to:</b> Regulates open burning of solid waste, illegal storage or disposal of waste tires, and providing a penalty. DNR issuing authority. <b>A. Amendment 1:</b> Allows Town Chairpersons, DNR Conservation Wardens, & Forest Rangers issue citations. May arrest with or without warrant but must be caught in the act.	03-04-09. A. Read first time and referred to committee on Natural Resources 03-11-09. A. Public hearing held 03-16-09. A. Assembly amendment <u>1</u> offered by Representative Molepske Jr. Amendment adopted 8 – 5; Passage as amended 9 – 5. 03-18-09. A. Executive actions taken. 03-19-09. A. Report Assembly Amendment <u>1</u> adoption recommended by committee on Natural Resources, Ayes 9, Noes 5 03-19-09. A. Report passage as amended recommended by committee on Natural Resources, Ayes 9, Noes 5 03-19-09. A. Referred to committee on Rules 03-20-09. A. <a href="#">Fiscal estimate received</a> . 10-02-09. A. LRB correction	<b>Neutral</b>	<b>Not a related issue for WCCA</b>
<a href="#">AB-243</a>	<b>Relating to:</b> Delaying the implementation date of the comprehensive planning statute for certain local governmental units.	04-30-09. A. Read first time and referred to committee on Urban and Local Affairs 05-27-09. A. <a href="#">Fiscal estimate received</a> 11/17/09. A. Public Hearing held	<b>Opposed</b>	<b>Counties have had ample time to prepare; not fair to ones who complied</b>
<a href="#">AB260</a>	<b>Relating to:</b> Extraterritorial plat approval. Prohibits a city’s extraterritorial zoning plat approval based on use of land if not cooperative effort between the city and town.	05-08-09. A. Read first time and referred to committee on Renewable Energy and Rural Affairs 09-23-09. A. Public hearing held. 10-22-09. A. Executive action taken. 11-16-09. A. Report passage recommended by committee on Renewable Energy and Rural Affairs, Ayes 14, Noes 0 11-16-09. A. Referred to committee on Rules 02-17-10. A. Placed on calendar 2-23-2010 by committee on Rules. 02-23-10. A. Read a second time 02-23-10. A. Assembly amendment <u>1</u> offered by Representatives Berceau and Molepske Jr. 02-23-10. A. Assembly amendment <u>1</u> laid on table, <a href="#">Ayes 56, Noes 39</a> 02-23-10. A. Assembly amendment <u>2</u> offered by Representatives Berceau and Molepske Jr.	<b>Neutral</b>	<b>More of a planning issue. See SB117. Not directly related to WCCA.</b>

WCCA Legislative Report as of February 26, 2010

		<p>02-23-10. A. Point of order that Assembly amendment <a href="#">2</a> not germane well                  02-23-10. A. Ordered to a third reading                  02-23-10. A. Rules suspended                  02-23-10. A. Read a third time and passed                  02-23-10. A. Representative Hilgenberg added as a coauthor                  02-23-10. A. Ordered immediately messaged                  02-24-10. S. Received from Assembly.</p>		
<p><a href="#">AB271</a></p>	<p><b>Relating to:</b> Professional land surveyors, the practice of professional land surveying, surveying land abutting navigable waters, and granting rule-making authority.</p>	<p>05-19-09. A. Read first time and referred to committee on Consumer Protection                  05-28-09. A. <a href="#">Fiscal estimate received.</a>                  07-01-09. A. Public hearing held.                  08-26-09. A. Senator Schultz withdrawn as a cosponsor                  10-19-09. A. Assembly substitute amendment <a href="#">1</a> offered by Representative Clark                  10-21-09. A. Executive action taken.                  10-21-09. A. Report Assembly Substitute Amendment <a href="#">1</a> adoption; recommended by committee on Consumer Protection, Ayes 9, Noes 0                  10-21-09. A. Report passage as amended recommended by committee on Consumer Protection, Ayes 8, Noes 1                  10-21-09. A. Referred to committee on Rules                  10-21-09. A. Placed on calendar 10-27-2009 by committee on Rules.                  10-27-09. A. LRB correction (Assembly substitute amendment <a href="#">1</a>)                  10-27-09. A. Read a second time                  10-27-09. A. Assembly amendment <a href="#">1</a> to Assembly substitute amendment 1 offered by Representative Clark                  10-27-09. A. Assembly amendment <a href="#">1</a> to Assembly amendment 1 to Assembly substitute amendment 1 offered by Representative Clark                  10-27-09. A. Assembly amendment <a href="#">1</a> to Assembly amendment 1 to Assembly substitute amendment 1 <b>adopted</b>                  10-27-09. A. Assembly amendment <a href="#">1</a> to Assembly substitute amendment 1 <b>adopted</b>                  10-27-09. A. Assembly substitute amendment <a href="#">1</a> <b>adopted</b>                  10-27-09. A. Ordered to a third reading                  10-27-09. A. Rules suspended to return to amendable stage                  10-27-09. A. Assembly amendment <a href="#">2</a> to Assembly substitute amendment 1 offered by Representative Clark                  10-27-09. A. Assembly amendment <a href="#">2</a> to Assembly substitute amendment 1 <b>adopted</b>                  10-27-09. A. Assembly substitute amendment <a href="#">1</a> <b>adopted</b>                  10-27-09. A. Ordered to a third reading                  10-27-09. A. Rules suspended                  10-27-09. A. Read a third time and passed                  10-27-09. A. Representative Hilgenberg added as a coauthor                  10-27-09. A. Ordered immediately messaged                  10-28-09. S. Received from Assembly                  10-29-09. S. Read first time and referred to committee on Economic Development                  01-07-10 S. Public hearing held.</p>	<p><b>Opposed-                  Changed to                  Neutral                  based off                  amendment                  exempting                  GIS depts.</b></p>	<p><b>Amendment provided to                  exempt GIS Departments.</b></p>
<p><a href="#">AB349</a></p>	<p><b>Relating to:</b> Limiting the searchability of a governmental</p>	<p>07-24-09. A. Read first time and referred to committee on Urban and Local Affairs                  08-13-09. A. <a href="#">Fiscal estimate received.</a></p>	<p><b>Neutral</b></p>	<p><b>Does not affect WCCA</b></p>

WCCA Legislative Report as of February 26, 2010

	Internet listing of property taxes assessed. Would not allow public to be able to search by name.	08-25-09. A. Public hearing held		
<a href="#">AB372</a>	<b>Relating to:</b> This bill allows DNR to regulate disposal of solid waste from a household even if disposed on the property where it is generated.	08-12-09. A. Read first time and referred to committee on Natural Resources 11-18-09. A. Public hearing held. 01-13-10. A. Executive action taken. 01-14-10. A. Report passage recommended by committee on Natural Resources, Ayes 13, Noes 0 01-14-10. A. Referred to committee on Rules 01-20-10. A. Placed on calendar 1-26-2010 by committee on Rules. 01-26-10. A. Read a second time 01-26-10. A. Ordered to a third reading 01-26-10. A. Rules suspended 01-26-10. A. Read a third time and passed, <a href="#">Ayes 52, Noes 46</a> 01-26-10. A. Ordered immediately messaged 01-26-10. S. Received from Assembly. 01-29-10. S. Read first time and referred to committee on Environment	<b>Neutral</b>	<b>Does not affect WCCA</b>
<a href="#">ASSEMBLY BILL 546</a>	<b>Relating to:</b> Requiring governmental bodies of certain political subdivisions to post meeting notices and minutes on their Web sites.	11-03-09. A. Read first time and referred to committee on Urban and Local Affairs 01-20-10. A. Public hearing held. 02-10-10. A. Assembly substitute amendment <u>1</u> offered by Representative Roys 02-24-10. A. Executive action taken.	<b>Neutral</b>	<b>Many Already do this</b>
<a href="#">ASSEMBLY BILL 618</a>	<b>Relating to:</b> Regulating certain tree stands used for hunting.	12-17-10. A. Read first time and referred to committee on Fish and Wildlife 01-20-10. A. Public hearing held.	<b>New</b>	
<a href="#">AB-647.</a>	<b>Relating to:</b> Miscellaneous modifications to the condominium laws.	01-06-10. A. Read first time and referred to committee on Housing. 02-01-10. A. LRB correction 02-05-10. A. LRB correction	<b>Neutral</b>	<b>Does not infringe zoning authority to approve condominium plat</b>
<a href="#">AB 670</a>	<b>Relating to:</b> Requiring sellers of residential real property to disclose whether the property is subject to a shoreland zoning mitigation plan.	01-22-10 A. Read first time and referred to committee on Natural Resources. 01-27-10. A. Public hearing held. 01-27-10. A. Executive action taken. 01-27-10. A. Assembly amendment <u>1</u> offered by committee on Natural Resources. 02-05-10. A. Report Assembly Amendment <u>1</u> adoption recommended by committee on Natural Resources, Ayes 15, Noes 0 02-05-10 A. Report passage as amended recommended by committee on Natural Resources, Ayes 15, Noes 0 02-05-10 A. Referred to committee on Rules 02-10-10. A. Placed on calendar 2-16-2010 by committee on Rules. 02-16-10. A. Read a second time 02-16-10. A. Assembly amendment <u>1</u> <b>adopted</b> 02-16-10. A. Ordered to a third reading 02-16-10. A. Rules suspended	<b>No opinion</b>	

WCCA Legislative Report as of February 26, 2010

		02-16-10. A. Read a third time and passed 02-16-10. A. Ordered immediately messaged 02-17-10. S. Received from Assembly 02-18-10. S. Read first time and referred to committee on Environment		
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## WCCA Senate Bills

Proposal	Description	Current Status	WCCA Position	Position Explanation
<a href="#">SB-117</a>	<b>Relating to:</b> Extraterritorial plat approval. Prohibits a city's extraterritorial zoning plat approval based on use of land if not cooperative effort between the city and town.	03-17-09. S. Read first time and referred to committee on Rural Issues, Biofuels, and Information Technology 09-23-09. S. Public hearing held.		See companion bill
<a href="#">SB-119</a>	<b>Relating to:</b> Regulates open burning of solid waste, illegal storage or disposal of waste tires, and providing a penalty. DNR issuing authority.	03-17-09. S. Read first time and referred to committee on Environment 03-30-09. S. <a href="#">Fiscal estimate received</a> . 10-06-09. S. Public hearing held. 01-20-10. S. Executive action taken. 01-25-10. S. Report passage recommended by committee on Environment, Ayes 4, Noes 0 01-25-10. S. Available for scheduling.		See companion bill
<a href="#">SB-139</a>	<b>Relating to:</b> DNR environmental regulation of mining and notice to transferees of interests in mining sites.	03-31-09. S. Read first time and referred to committee on Transportation, Tourism, Forestry, and Natural Resources 04-20-09. S. <a href="#">Fiscal estimate received</a> . 01-14-10. S. Public hearing held.	Neutral	Does not affect enforcement capabilities
<a href="#">SB173</a>	<b>Relating to:</b> The removal of nonconforming outdoor advertising signs.	04-23-09. S. Read first time and referred to committee on Transportation, Tourism, Forestry, and Natural Resources 05-14-09. S. <a href="#">Fiscal estimate received</a> . 05-21-09. S. Public hearing held. 09-17-09. S. Executive action taken. 09-21-09. S. Report passage recommended by committee on Transportation, Tourism, Forestry, and Natural Resources, Ayes 7, Noes 0 09-21-09. S. Available for scheduling. 10-13-09. S. Referred to joint committee on Finance by committee on Senate Organization, pursuant to Senate Rule 41	None	DOT issue
<a href="#">SB194</a>	<b>Relating to:</b> Professional land surveyors, the practice of professional land surveying, surveying land abutting	05-07-09. S. Read first time and referred to committee on Economic Development 05-08-09. S. LRB correction 05-26-09. S. <a href="#">Fiscal estimate received</a> .	Opposed-Switched to	See companion bill

WCCA Legislative Report as of February 26, 2010

	navigable waters, and granting rule-making authority.	06-01-09. S. <a href="#">Fiscal estimate received</a> . 08-25-09. S. Senator Schultz withdrawn as a coauthor	<b>neutral</b>	
<a href="#">SB267</a>	<b>Relating to:</b> The definition of plumbing and classifying plumbers to do certain work. Could also install systems, which reclaim used water or collect stormwater.	08-14-09. S. Read first time and referred to committee on Commerce, Utilities, Energy, and Rail 09-04-09. S. <a href="#">Fiscal estimate received</a> . 09-17-09. S. Public hearing held 01-12-10. S. Executive action taken. 01-13-10. S. Report introduction and adoption of Senate Amendment <u>1</u> recommended by committee on Commerce, Utilities, Energy, and Rail, Ayes 7, Noes 0 01-13-10. S. Report passage as amended recommended by committee on Commerce, Utilities, Energy, and Rail, Ayes 7, Noes 0 01-13-10. S. Available for scheduling. 01-19-10. S. Placed on calendar 1-21-2009 by committee on Senate Organization. 01-21-10. S. Read a second time 01-21-10. S. Senate amendment <u>1</u> <b>adopted</b> 01-21-10. S. Ordered to a third reading 01-21-10. S. Rules suspended 01-21-10. S. Read a third time and passed 01-21-10. S. Ordered immediately messaged 01-25-10. A. Received from Senate 01-26-10. A. Read first time and referred to committee on Rules	<b>Neutral</b>	<b>No direct impact</b>
<a href="#">SENATE BILL 268</a>	<b>Relating to:</b> The location of facilities in which rendering, animal food processing, or grease processing is conducted.	08-21-09. S. Read first time and referred to committee on Agriculture and Higher Education 01-07-10. S. Public hearing held in Comm. on Ag & Higher Education 01-13-10. S. Executive action taken. 01-13-10. S. Report introduction and adoption of Senate Amendment <u>1</u> recommended by committee on Agriculture and Higher Education, Ayes 5, Noes 0 01-13-10. S. Report passage as amended recommended by committee on Agriculture and Higher Education, Ayes 5, Noes 0 01-13-10. S. Available for scheduling. 02-10-10. S. Placed on calendar 2-16-2010 pursuant to Senate Rule 18(1) 02-16-10. S. Read a second time 02-16-10. S. Senate amendment <u>1</u> <b>adopted</b> 02-16-10. S. Ordered to a third reading 02-16-10. S. Rules suspended 02-16-10. S. Read a third time and passed 02-16-10. S. Ordered immediately messaged 02-18-10. A. Received from Senate 02-24-10. A. Read first time and referred to committee on Agriculture	<b>Neutral</b>	<b>Does not affect zoning</b>
<a href="#">SB301</a>	<b>Relating to:</b> The application of shoreland zoning ordinances to certain unincorporated areas. Exempts areas	09-23-09. S. Read first time and referred to committee on Transportation, Tourism, Forestry, and Natural Resources 01-14-10. S. Public hearing held.	<b>Opposed-Letter sent</b>	<b>“Unregulated islands”, Area not defined; Unequal enforcement of residences</b>

WCCA Legislative Report as of February 26, 2010

	used for business since 1990.	01-20-10. S. <a href="#">Fiscal estimate received</a> . 02-11-10. S. Executive action taken. 02-12-10. S. Report passage recommended by committee on Transportation, Tourism, Forestry, and Natural Resources, Ayes 7, Noes 0 02-12-10. S. Available for scheduling. 02-18-10. S. Placed on calendar 2-23-2010 pursuant to Senate Rule 18(1) 02-23-10. S. Read a second time. 02-23-10. S. Ordered to a third reading. 02-23-10. S. Rules suspended. 02-23-10. S. Read a third time and passed. 02-23-10. S. Ordered immediately messaged. 02-24-10. A. Received from Senate	<b>1/6/10</b>	<b>and businesses</b>
<a href="#">SB314</a>	<b>Relating to:</b> Traditional neighborhood development ordinances, mixed-use zoning, and the state housing strategy plan.	09-30-09. S. Read first time and referred to committee on Commerce, Utilities, Energy, and Rail	<b>Neutral</b>	<b>Refer to planners</b>
<a href="#">SB399</a>	<b>Relating to:</b> Authorizing two or more cities, villages, towns, or counties, or a combination of such political subdivisions, to create a commission to issue conduit revenue bonds and exercise eminent domain authority and exempting from taxation interest on such bonds.	11-18-09. S. Read first time and referred to joint survey committee on Tax Exemptions 12-10-09. S. <a href="#">Fiscal estimate received</a> . 12-14-09. S. <a href="#">Fiscal estimate received</a> 01-15-10. S. <a href="#">Fiscal estimate received</a> . 01-25-10. S. Withdrawn from joint survey committee on Tax Exemptions and rereferred to committee on Economic Development, pursuant to Senate Rule 46 (2)(c) 02-08-10. S. Senate amendment <u>1</u> offered by Senator Kreitlow 02-10-10. S. <a href="#">Fiscal estimate received</a> . 02-10-10. S. Public hearing held. 02-16-10. S. Senator Vinehout added as a coauthor 02-23-10. S. Senate amendment <u>2</u> offered by Senator Kreitlow.	<b>Neutral</b>	<b>No affect on WCCA</b>
<a href="#">SB-413</a>	<b>Relating to:</b> Receivership for abatement of residential nuisances. Allowing all cities, villages, and towns same rights to obtain receiver as 1 <sup>st</sup> and 2 <sup>nd</sup> class cities to abate nuisances.	12-02-09. S. Read first time and referred to committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing 12-15-09. S. Public hearing held. 01-07-10. S. Public hearing held. 01-12-10. S. Executive action taken. 01-13-10. S. Report passage recommended by committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing, Ayes 5, Noes 0 01-13-10. S. Available for scheduling. 01-19-10. S. Placed on calendar 1-21-2010 by committee on Senate Organization 01-21-10. S. Read a second time 01-21-10. S. Ordered to a third reading 01-21-10. S. Rules suspended 01-21-10. S. Read a third time and passed	<b>Neutral</b>	<b>No affect on WCCA</b>

WCCA Legislative Report as of February 26, 2010

		<p>01-21-10. S. Ordered immediately messaged          01-22-10. A. Received from Senate          01-22-10. A. Read first time and referred to calendar          01-26-10. A. Rules suspended to withdraw from calendar and take up          01-26-10. A. Read a second time          01-26-10. A. Ordered to a third reading          01-26-10. A. Rules suspended          01-26-10. A. Read a third time and concurred in          01-26-10. A. Ordered immediately messaged          01-26-10. S. Received from Assembly concurred in.          01-29-10. S. Report correctly enrolled on 1-29-2010          02-16-10. S. Presented to the Governor on 2-16-2010          02-18-10. S. Report approved by the Governor on 2-17-2010. 2009 Wisconsin <a href="#">Act 125</a>          02-22-10. S. Published 3-3-2010</p>		
<a href="#">SB424</a>	<p><b>Relating to:</b> Regulating certain sport shooting ranges. Allows owner/operator of range to repair, remodel, or reinforce any building on range for purpose of public safety or to ensure continued use of building.</p>	<p>12-15-09. S. Read first time and referred to committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing          01-07-10. S. Public hearing held in Comm. on Judiciary, Corrections...          01-12-10. S. Executive action taken.          01-13-10. S. <a href="#">Fiscal estimate received</a>.          01-13-10. S. Report introduction and adoption of Senate Substitute Amendment <a href="#">1</a> recommended by committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing, Ayes 5, Noes 0          01-13-10. S. Report passage as amended recommended by committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing, Ayes 5, Noes 0          01-13-10. S. Available for scheduling.          01-14-10. S. Placed on calendar 1-19-2010 by committee on Senate Organization          01-19-10. S. Read a second time.          01-19-10. S. Senate substitute amendment <a href="#">1</a> <b>adopted</b>.          01-19-10. S. Ordered to a third reading.          01-19-10. S. Rules suspended.          01-19-10. S. Read a third time and passed.          01-19-10. S. Ordered immediately messaged.          01-20-10. A. Received from Senate          01-25-10. A. Read first time and referred to committee on Fish and Wildlife          02-17-10. A. Public hearing held.</p>	<b>Opposed</b>	<p><b>Legislative attempt to bypass judicial decision. Should not be able to expand nonconforming buildings</b></p>
<a href="#">SB426</a>	<p><b>Relating to:</b> The format and fees for obtaining copies of public records.</p>	<p>12-15-09. S. Read first time and referred to committee on Ethics Reform and Government Operations          01-20-10. S. Public hearing held.          02-22-10 S. Senate amendment <a href="#">1</a> offered by Senator Kreitlow</p>	<b>Neutral</b>	<p><b>Does not affect WCCA</b></p>
<a href="#">SENATE</a>	<p><b>Relating to:</b> the placement of advertising signs in</p>	<p>01-12-10. S. Read first time and referred to committee on Transportation, Tourism, Forestry, and Natural Resources</p>	<b>Neutral</b>	<p><b>Does not affect WCCA</b></p>

WCCA Legislative Report as of February 26, 2010

<a href="#">BILL 457</a>	highway rights-of-way and providing a penalty.	02-04-10. S. Public hearing held. 02-09-10. S. Senate amendment <a href="#">1</a> offered by Senator Sullivan 02-11-10. S. Executive action taken. 02-12-10. S. Report adoption of Senate Amendment <a href="#">1</a> recommended by committee on Transportation, Tourism, Forestry, and Natural Resources, Ayes 7, Noes 0 02-12-10. S. Report passage as amended recommended by committee on Transportation, Tourism, Forestry, and Natural Resources, Ayes 5, Noes 2 02-12-10. S. Available for scheduling. 02-23-10. S. Placed on calendar 2-25-2010 pursuant to Senate Rule 18(1). 02-25-10. S. Read a second time. 02-25-10. S. Senate amendment <a href="#">1</a> <b>adopted</b> . 02-25-10. S. Ordered to a third reading. 02-25-10. S. Rules suspended. 02-25-10. S. Read a third time and passed. 02-25-10. S. Ordered immediately messaged.		
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**WCCA Senate Joint Resolutions**

Proposal	Description	Current Status	WCCA Position	Position Explanation

**WCCA Clearinghouse Rules**

Proposal	Description	Current Status	WCCA Position	Position Explanation
<a href="#">08-111</a>	<b>Relating to:</b> An order to amend NR 149.02 (1); and to create chapter NR 528, related to the management of accumulated sediment from storm water management structures.	To: Natural Resources Board Submitted by DNR Received by Legislative Council and report sent to Agency.. Public hearings: 2/11/09 & 2/12/09	<b>Neutral</b>	<b>Does not affect WCCA</b>

## Recent Court Decisions

Appeal #	Issue	Date / Court
<p><b>2009AP209</b></p> <p><a href="#">Evelyn Propp v. Sauk County Board of Adjustment</a></p>	<p>Propp began construction on a deck for her Lake Wisconsin house. The deck would run 40-feet along the house and extend 15 feet toward the lake. The only problem was ten feet (400 square feet of decking floor) of the extension would be within the 75-foot setback requirement of state law and county shoreland protection ordinances. After being cited for violating the setback requirements, Propp decided to reduce the decking floor by five feet, leaving her with 200 square feet within the setback, for which she applied for a special land use permit under state law and county ordinance. The change left the deck support system in place, but without decking on five feet. The county zoning department denied the permit, arguing the substructure encroached on the setback requirement.</p> <p>Ultimately, a Sauk County Circuit Court reversed the decision not to grant the permit and the county appealed. The Appeals Court affirmed the circuit court and rejected the county’s argument the flooring on the deck should include the area outside the setback requirement when figuring the total space. The Appeals Court ruled only the deck’s floor area within the setback area counted toward the total space and the support system that extends beyond the floorboards does not count.</p>	<p><b>January 7, 2010</b></p> <p>Court of Appeals District IV</p>