



Wisconsin
County Code
Administrators

Fall 2017 Legislative Report

Updated: October 24, 2017

Appointments & Announcements

- **Disaster Declaration:** 10/9/2017 Governor Scott Walker today announced a Federal Emergency Management Agency (FEMA) major disaster declaration for 11 counties impacted by flooding in western Wisconsin in July. The counties included in the declaration are Buffalo, Crawford, Grant, Iowa, Jackson, La Crosse, Lafayette, Monroe, Richland, Trempealeau and Vernon Counties.
- **ASSEMBLY DEMOCRATS ELECT NEW LEADERSHIP** The Assembly Democratic Caucus met to elect Gordon Hintz as the new Assembly Minority Leader. Hintz will take the position effective October 1.
- **Governor Walker has released a list of 99 final veto decisions for the 2017-19 state budget.** According to Walker's release, "The vetoes improve the general fund balance by \$16.5 million in current biennium and by an estimated \$71 million in the 2019-21 biennium. " Walker said the majority of vetoes are "technical corrections, eliminate nonfiscal policy items, or remove items that should be considered through separate legislation."
- **Religious Waiver for POWTS Systems:** Rep. Kathleen Bernier, the author of the 2015 "religious waiver" language and wanted me to know she is frustrated at the DSPS interpretation. She met with DSPS and the Governor's legal stall to impress upon them that it was never intended for the waiver to apply to POWTS. POWTS were not even discussed at that time and the drafting included the involvement of two LRB attorneys, Larry Konopacki of Leg Counsel, and DSPS. Unfortunately, DSPS is refusing to change its interpretation and it doesn't sound like the Governor's Office is going to do anything about it. Therefore, Rep. Bernier is working with Larry Konopacki to draft a "clean up" bill that clearly excludes POWTS from the religious waiver opportunity...retroactive to 2015. She also is asking for our cooperation in working with the landowners whose POWTS waivers will become null and void. Her request is that we do all we can to work with these people with the understanding that the wrongdoing is that of DSPS and not the landowner. She is hoping there will not be punitive action against these landowners, providing they are willing to concede the need to comply with POWTS codes.

Co-Sponsored Memos

[LRB-4418 Memo Highway Sign Removal](#) (Feyen, Daniel) The removal of nonconforming outdoor advertising signs along highways. *Deadline: Wednesday, October 18*

[LRB-4429 Memo Highway Sign Removal](#) (Vorpapel, Tyler) The removal of nonconforming outdoor advertising signs along highways. *Deadline: Wednesday, October 18*

[LRB-4487 Memo Outdoor Ad Signs](#) (Feyen, Daniel) Outdoor advertising signs that do not conform to local ordinances and that are affected by certain transportation-related projects. *Deadline: Wednesday, October 18*

[LRB-4488 Memo Outdoor Ad Signs](#) (Vorpapel, Tyler) Outdoor advertising signs that do not conform to local ordinances and that are affected by certain transportation-related projects. *Deadline: Wednesday, October 18*

Appeals Court Decisions

- ([Stuart White v. City of Watertown](#), *Jefferson County Circuit Court, District IV Court of Appeals*) This case centers on Chapter 90 laws which regulates partition fences on farming and grazing lands. Chapter 90 gives specifications, and requires adjoining landowners to share costs and provides dispute-resolution procedures for landowners. Chapter 90 is clear when qualifying land is in a town, the town is responsible for administering and enforcing Chapter 90 with respect to fencing. Chapter 90 is unclear on whether cities and villages are responsible for administering and enforcing the chapter when qualifying lands are within their boundaries. Stuart White owns land in the City of Watertown which the Whites use as a farm, including for livestock. The cost and maintenance of a partition fence between the Whites and the neighboring residential properties is in dispute, so the Whites asked the City to assume Chapter 90 duties to resolve the dispute, which the City refused to assume. The Whites filed this case with the circuit court asking the circuit court to declare Chapter 90 provides that the City must assume Chapter 90 duties. The City sought dismissal of the complaint saying Chapter 90 only applies to towns, not cities. The

circuit court concluded that Chapter 90 is ambiguous, and agreed with the Whites that Chapter 90 reasonably reads as applying to cities the same as towns. The City appealed. The appeals court affirmed the circuit court that Chapter 90 is ambiguous, and looking at legislative history that qualifying land in a city or village requires the city or village to administer and enforce Chapter 90 the same as a town would.

Bills – Assembly & Senate

Introduced Bills: Assembly – 567

Senate – 479

Bill: [Assembly Bill 42](#) ([Companion Senate Bill 15](#)) **Enacted into Law**

Description: Relating to: various changes regarding administrative rules and rule-making procedures and making an appropriation.

Impact: This bill

1. Requires scope statements for proposed administrative rules to be reviewed by the Department of Administration for a determination of an agency's authority to promulgate a rule;
2. Requires agencies to hold preliminary public hearings and comment periods on scope statements for rules if directed to do so by the Joint Committee for Review of Administrative Rules (JCRAR);
3. Requires the passage of a bill in order for an agency to promulgate a rule that would result in implementation and compliance costs of \$10 million over any two-year period, subject to certain exceptions; and
4. Allows either a co-chairperson of JCRAR or JCRAR as a whole, at certain steps in the rule-making process, to request the preparation of an independent economic impact analysis for a proposed rule

Bill Status:

- 1/26/2017 Sen. Introduced by Senators
- 1/26/2017 Sen. Read first time and referred to Committee on Government Operations, Technology and Consumer Protection
- 6/14/2017 Asm. Read a third time and concurred in, Ayes 62, Noes 34
- 6/14/2017 Asm. Ordered immediately messaged
- 6/15/2017 Sen. Received from Assembly concurred in
- 8/3/2017 Sen. Presented to the Governor on 8-3-2017
- 8/9/2017 Sen. Report approved by the Governor on 8-9-2017. [2017 Wisconsin Act 57](#)
- 8/9/2017 Sen. Published 8-10-2017

WCCA Position: No Position was taken

Bill: [Assembly Bill 45](#) ([Companion Senate Bill 14](#))

Description: Relating to: state procurement of products and services from businesses located in this state and setting a goal for local government to purchase a certain percentage of products and services from businesses located in this state.

Impact: Municipalities would have to look to local businesses for products instead of just bid process.

Bill Status:

- 1/31/2017 Asm. Introduced by Representatives
- 1/31/2017 Asm. Read first time and referred to Committee on Government Accountability and Oversight
- 2/27/2017 Asm. Fiscal estimate received
- 3/7/2017 Asm. Refused to withdraw from the committee on Government Accountability and Oversight, Ayes 34, Noes 64
- 1/26/2017 Sen. Introduced by Senators
- 1/26/2017 Sen. Read first time and referred to Committee on Government Operations, Technology and Consumer Protection
- 2/23/2017 Sen. Fiscal estimate received

WCCA Position: Local Government issue, non-zoning/regulatory bill

Bill: [Assembly Bill 050 \(Companion Senate Bill 22\)](#)

Description: This bill establishes standards and a process for designating areas in this state as groundwater management areas. The standards vary depending on whether an area has a confined aquifer or an unconfined aquifer. An aquifer is a water-bearing geologic formation. A confined aquifer has above it a layer (of rock, for example) through which water does not pass easily. An unconfined aquifer does not have such a layer above it.

Current law provides for a Groundwater Coordinating Council, consisting of the secretaries of natural resources, safety and professional services, agriculture, trade and consumer protection, health services, and transportation, and the president of the University of Wisconsin System, or their designees; the state geologist; and a person to represent the governor. This bill requires the GCC to appoint a subcommittee on groundwater area review (council subcommittee), consisting of individuals with technical expertise in the area of groundwater science and management.

Impact:

1. Eliminates the environmental review requirement relating to springs and instead requires DNR to conduct an environmental review of an application for approval of a high capacity well that may have a significant adverse impact on waters of the state.
2. Provides that an approval issued after the effective date of the bill may not remain in effect for more than ten years. An approval issued prior to the effective date of the bill remains in effect for a longer period depending on how long before the effective date of the bill it was issued.
3. DNR develops a groundwater management plan for a groundwater management area, DNR may not approve a high capacity well in the groundwater management area unless the high capacity well is consistent with the groundwater management plan. (Marathon County is not listed within the initial management area but surrounding counties are involved.)

Bill Status:

- 2/6/2017 Asm. Read first time and referred to Committee on Environment and Forestry
- 2/23/2017 Asm. Fiscal estimate received

WCCA Position: Changes proposed to Department of Natural Resources process of regulating High Capacity wells and developing groundwater management plans.

Bill: [Assembly Bill 63](#)

Description: Relating to: exempting utility activities in a highway right-of-way from wetland permitting requirements.

Impact: This bill exempts from wetland permitting requirements a discharge of material into a wetland that is incidental to installation or maintenance of utility infrastructure in a highway right-of-way if the affected portion of the wetland will be restored to the condition that existed immediately before the discharge was commenced.

Bill Status:

- 2/8/2017 Asm. Introduced by Representatives
- 2/8/2017 Asm. Read first time and referred to Committee on Energy and Utilities
- 2/22/2017 Asm. Fiscal estimate received
- 6/9/2017 Asm. Fiscal estimate received

WCCA Position: This is a Army Corp. and local highway authority to maintain transportation systems.

Bill: [Assembly Bill 64 \(Companion Senate Bill 30\)](#) **Enacted into Law**

Description: **Executive Budget** (Joint Finance) State finances and appropriations, constituting the executive budget act of the 2017 legislature.

Impact:

1. **Local Regulations of Quarry Operations** – Was approved into the Budget, [Governor line vetoed this section.](#)
2. **Limits on residential dwelling rental prohibited.** - A political subdivision may not enact or enforce an ordinance that prohibits the rental of a residential dwelling for 7 consecutive days or longer.
3. If a residential dwelling is rented for periods of more than 6 but fewer than 29 consecutive days, a political subdivision may limit the total number of days within any consecutive 365-day period that the dwelling may be rented to no fewer than 180 days. The political subdivision may not specify the period of time during which the residential dwelling may be rented, but the political subdivision may require that the maximum number of allowable rental days within a 365-day period must run consecutively.
4. **Wisconsin Fund** - \$840,000.00
5. SECTION 584r. 30.12 (1g) (jm) of the statutes is created to read: 30.12 (1g) (jm) Riprap in an amount not to exceed 200 linear feet that is placed in a river or inland lake, or in an amount not to exceed 300 linear feet that is placed in a Great Lakes water body, and to which all of the following apply:
 - 1) The riprap is clean fieldstone or quarry stone with a diameter of no less than 6 inches and no greater than 48 inches.
 - 2) The toe of the riprap does not extend more than 8 feet waterward of the ordinary high-water mark.
 - 3) The final riprap slope is not steeper than one foot horizontal to 1.25 feet vertical.
 - 4) The riprap does not reach an elevation higher than 36 inches above the ordinary high-water mark or above the storm-wave height, as calculated using a method established by the department by rule, whichever is higher.
 - 5) No fill material or soil is placed in a wetland and, aside from riprap and, under subd. 7, gravel, no fill material or soil is placed below the ordinary high-water mark of any navigable waterway.
 - 6) The riprap follows the natural contour of the shoreline.
 - 7) Filter fabric or clean-washed gravel is used as a filter layer under the riprap.

Bill Status:

- 9/11/2017 Asm. Report passage as amended recommended by Joint Committee on Finance, Ayes 12, Noes 4
- 9/13/2017 Asm. Read a third time and passed, Ayes 57, Noes 39, Paired 2
- 9/13/2017 Asm. Ordered immediately messaged

- 9/13/2017 Sen. Report passage as amended recommended by Joint Committee on Finance, Ayes 12, Noes 4
- 9/13/2017 Sen. Report passage as amended recommended by Joint Committee on Finance, Ayes 12, Noes 4
- 9/15/2017 Sen. Ordered immediately messaged
- 9/18/2017 Asm. Received from Senate concurred in
- 9/19/2017 Asm. Report correctly enrolled on 9-19-2017
- 9/20/2017 Asm. Presented to the Governor on 9-20-2017
- 9/21/2017 Asm. Report approved by the Governor with partial veto on 9-21-2017. [2017 Wisconsin Act 59](#)
- 9/21/2017 Asm. Published 9-22-2017

WCCA Position: Expressed concern on several issues while working with WCA to have those concerns heard.

Bill: [Assembly Bill 70](#) ([Companion Senate Bill 42](#))

Description: Government Meeting Publication - Publication of proceedings of meetings held by certain government bodies.

Impact:

This bill authorizes city councils and the boards of villages, counties, school districts, and technical college districts to satisfy their legal obligation to publish the proceedings of regular and special meetings by posting a copy of the proceedings in a public place and electronically placing a copy of the proceedings on the Internet site maintained by the respective governmental unit

Bill Status:

- 2/13/2017 Asm. Introduced by Representatives
- 2/13/2017 Asm. Read first time and referred to Committee on Local Government
- 3/8/2017 Asm. Public hearing held
- 3/13/2017 Asm. [Assembly Amendment 1](#) offered

- 2/15/2017 Sen. Introduced by Senators
- 2/15/2017 Sen. Read first time and referred to Committee on Economic Development, Commerce and Local Government

- 3/13/2017 Sen. [Senate Amendment 1](#) offered
- 3/14/2017 Sen. Public hearing held

WCCA Position: Local Government issue, non-zoning/regulatory bill

Bill: [Assembly Bill 76 \(Companion Senate Bill 41\)](#)

Description: Relating to: lead testing and disclosures for certain rental properties.

Impact: This bill requires that a landlord conduct a test for lead for each water supply or plumbing system serving a premises prior to entering into a rental agreement with a prospective tenant for that premises

Bill Status:

- 2/20/2017 Asm. Introduced by Representatives
- 2/20/2017 Asm. Read first time and referred to Committee on Housing and Real Estate
- 2/22/2017 Asm. Representative Stuck added as a coauthor
- 2/15/2017 Sen. Introduced by Senators
- 2/15/2017 Sen. Read first time and referred to Committee on Insurance, Housing and Trade
- 2/17/2017 Sen. Representative Pope added as a cosponsor
- 2/23/2017 Sen. Representative Stuck added as a cosponsor

WCCA Position: Uniform Dwelling code regulations

Bill: [Assembly Bill 78 \(Companion Senate Bill 48\)](#)

Description: Relating to: lead service line replacements.

Impact: This bill provides that it is not unjust, unreasonable, insufficient, unfairly discriminatory, or preferential or otherwise unreasonable or unlawful for a water public utility to provide financial assistance to a customer solely for replacing service lines containing lead if the financial assistance is allowed by local ordinance.

Bill Status:

- 2/21/2017 Asm. Introduced by Representatives
- 2/21/2017 Asm. Read first time and referred to Committee on Energy and Utilities
- 3/6/2017 Asm. Fiscal estimate received
- 4/12/2017 Asm. [Assembly Substitute Amendment 1](#) offered by Representative Thiesfeldt
- 4/18/2017 Asm. Public hearing held
- 5/31/2017 Asm. [Assembly Amendment 1](#) to Assembly Substitute Amendment 1 offered by Representative Petersen
- 5/31/2017 Asm. [Assembly Amendment 2](#) to Assembly Substitute Amendment 1 offered by Representative Petersen
- 6/8/2017 Asm. [Assembly Amendment 3](#) to Assembly Substitute Amendment 1 offered by Representative Thiesfeldt
- 6/13/2017 Asm. [Assembly Amendment 4](#) to Assembly Substitute Amendment 1 offered by Representative Thiesfeldt
- 6/13/2017 Asm. Executive action taken
- 6/20/2017 Asm. Report Assembly Amendment 4 to Assembly Substitute Amendment 1 adoption recommended by Committee on Energy and Utilities, Ayes 8, Noes 7
- 6/20/2017 Asm. Report Assembly Substitute Amendment 1 adoption recommended by Committee on Energy and Utilities, Ayes 10, Noes 5
- 6/20/2017 Asm. Report passage as amended recommended by Committee on Energy and Utilities, Ayes 12, Noes 3
- 6/20/2017 Asm. Referred to committee on Rules
- 2/20/2017 Sen. Introduced by Senators
- 2/20/2017 Sen. Read first time and referred to Committee on Natural Resources and Energy
- 3/8/2017 Sen. Public hearing held
- 3/8/2017 Sen. Senator Wirch added as a coauthor
- 3/9/2017 Sen. Representative Berceau added as a cosponsor

- 3/15/2017 Sen. Fiscal estimate received
- 3/28/2017 Sen. [Senate Substitute Amendment 1](#) offered by Senator Cowles
- 3/29/2017 Sen. Executive action taken
- 3/29/2017 Sen. Report adoption of Senate Substitute Amendment 1 recommended by Committee on Natural Resources and Energy, Ayes 5, Noes 0
- 3/29/2017 Sen. Report passage as amended recommended by Committee on Natural Resources and Energy, Ayes 5, Noes 0
- 6/8/2017 Sen. [Senate Amendment 1](#) to Senate Substitute Amendment 1 offered by Senator Cowles

WCCA Position: Uniform Dwelling code regulations

Bill: [Assembly Bill 105 \(Companion Senate Bill 76\)](#) **Enacted into Law**

Description: This bill provides that no additional approval is needed for the owner of an approved high capacity well to

1. Repair or maintain the well,
2. Construct a replacement high capacity well, if the replacement well's purpose is to prevent contamination or if the replacement well will be substantially the same depth as the existing well and either within a 75-foot radius of the existing well or farther from the nearest groundwater protection area than the existing well,
3. Reconstruct the well to substantially the same depth and specifications as the existing well, or
4. Transfer the approval at the same time as the owner transfers the land on which the well is located. No additional fee is required for any of these actions, but the owner of the well must notify DNR of any replacement, reconstruction, or transfer.

Impact:

Impact should be minimal to the Counties due to this bill relinquishing approval authority from the DNR in certain cases for replacement and repair of high capacity wells.

Bill Status:

- 3/1/2017 Asm. Introduced by Representatives
- 3/1/2017 Asm. Read first time and referred to Committee on Agriculture
- 3/15/2017 Asm. Public hearing held
- 4/5/2017 Asm. [Assembly Amendment 1](#) offered by Representative Krug
- 2/21/2017 Sen. Introduced by Senators
- 2/21/2017 Sen. Read first time and referred to Committee on Labor and Regulatory Reform
- 5/2/2017 Asm. Read a third time and concurred in, Ayes 62, Noes 35, Paired 2
- 5/2/2017 Asm. Representative E. Brooks added as a cosponsor
- 5/2/2017 Asm. Ordered immediately messaged
- 5/3/2017 Sen. Received from Assembly concurred in
- 5/11/2017 Sen. Report correctly enrolled
- 5/11/2017 Sen. LRB correction
- 5/11/2017 Sen. LRB correction (Senate Amendment 4)
- 5/31/2017 Sen. Presented to the Governor on 5-31-2017
- 6/1/2017 Sen. Report approved by the Governor on 6-1-2017. [2017 Wisconsin Act 10](#)
- 6/1/2017 Sen. Published 6-2-2017

WCCA Position: Affects Department of Natural Resources authority and permitting

Bill: [Assembly Bill 106 \(Companion Senate Bill 80\)](#)

Description: Relating to: requiring approval by a municipal governing body before construction of highway roundabouts.

Impact: Under this bill, no roundabout may be constructed as part of a highway project unless the authority in charge of the highway project obtains approval for the roundabout from the governing body of the municipality where the proposed roundabout would be located.

Bill Status:

- 3/1/2017 Asm. Introduced by Representatives
- 3/1/2017 Asm. Read first time and referred to Committee on Transportation
- 3/29/2017 Asm. Fiscal estimate received

- 3/2/2017 Sen. Introduced by Senators
- 3/2/2017 Sen. Read first time and referred to Committee on Transportation and Veterans Affairs
- 3/30/2017 Sen. Fiscal estimate received

WCCA Position: Non zoning bill, Transportation and Planning Departments for local communities

Bill: [Assembly Bill 109](#)

Description: This bill makes a number of technical changes to the law authorizing towns located in a county with a population of at least 485,000 to withdraw from county zoning. The bill makes the following changes:

1. Changes some of the timing requirements related to when a town must notify a county of the town's intention to withdraw from county zoning.
2. No longer requires a town to send copies of its official map to the county clerk.

Impact:

This impacts a very small number of counties. This bill had originated from Dane County.

Bill Status:

- 3/1/2017 Asm. Introduced by Representatives Ripp, Jagler, Kleefisch, Jacque, Kerkman, Nygren and Tittl;
- cosponsored by Senators Olsen and Nass
- 3/1/2017 Asm. Read first time and referred to Committee on Local Government
- 3/8/2017 Asm. Public hearing held
- 3/16/2017 Asm. [Assembly Amendment 1](#) offered by Representative Allen
- 3/20/2017 Asm. [Assembly Amendment 2](#) offered by Representative Ripp
- 3/20/2017 Asm. [Assembly Amendment 3](#) offered by Representative Ripp
- 3/20/2017 Asm. [Assembly Amendment 4](#) offered by Representative Ripp
- 3/22/2017 Asm. Fiscal estimate received
- 3/27/2017 Asm. [Assembly Amendment 5](#) offered by Representative Subeck
- 3/27/2017 Asm. [Assembly Amendment 6](#) offered by Representative Subeck
- 3/27/2017 Asm. [Assembly Amendment 7](#) offered by Representative Subeck
- 3/27/2017 Asm. Representative Skowronski added as a coauthor
- 3/28/2017 Asm. Executive action taken
- 3/29/2017 Asm. Report Assembly Amendment 2 adoption recommended by Committee on Local Government, Ayes 6, Noes 3
- 3/29/2017 Asm. Report Assembly Amendment 3 adoption recommended by Committee on Local Government, Ayes 9, Noes 0
- 3/29/2017 Asm. Report Assembly Amendment 4 adoption recommended by Committee on Local Government, Ayes 6, Noes 3
- 3/29/2017 Asm. Report passage as amended recommended by Committee on Local Government, Ayes 6, Noes 3
- 3/29/2017 Asm. Referred to committee on Rules
- 3/30/2017 Asm. Placed on calendar 4-4-2017 by Committee on Rules
- 4/4/2017 Asm. Read a second time
- 4/4/2017 Asm. Assembly Amendment 2 adopted
- 4/4/2017 Asm. Assembly Amendment 3 adopted
- 4/4/2017 Asm. Assembly Amendment 4 adopted
- 4/4/2017 Asm. Assembly Amendment 8 offered by Representatives Subeck, Sargent, Pope, Berceau, Hebl, Hesselbein and C. Taylor
- 4/4/2017 Asm. Assembly Amendment 8 laid on table, Ayes 61, Noes 36
- 4/4/2017 Asm. Ordered to a third reading
- 4/4/2017 Asm. Refused to suspend rules, Ayes 63, Noes 34
- 4/6/2017 Asm. Read a third time and passed, Ayes 57, Noes 34, Paired 6
- 4/6/2017 Asm. Ordered immediately messaged 4/6/2017 Sen. Received from Assembly

WCCA Position: No Action Taken

Bill: [Assembly Bill 119](#)

Description: Relating to: method of notification when a legal notice is provided electronically

Impacts: The bill. For qualifying municipalities that elect to provide legal notice by posting a notice in one public place and placing the notice on the municipality's internet site, the bill requires the municipality to include an easily identifiable link to its notices on the municipality's website homepage.

Bill Status:

- 3/2/2017 Asm. Introduced by Joint Legislative Council
- 3/2/2017 Asm. Read first time and referred to Committee on Judiciary
- 9/21/2017 Asm. Public hearing held
- 10/12/2017 Asm. Executive action taken

WCCA Position: Not a zoning issue: Local governments overall publication of legal notices.

Bill: [Assembly Bill 120](#)

Description: Relating to: information required to be included in class 2 and class 3 legal notices.

Impacts: The bill allows a municipality the option to publish a summary, instead of publishing any full-text content that may be required under current law, for the second and third insertions that are required for publication of Class 2 and 3 notices, if the summarized notice also indicates that the full-text content may be viewed at the following sources:

1. The newspaper in which the initial insertion of the Class 2 or 3 notice was published.
2. The municipal website.
3. The Wisconsin Newspapers Association legal notices website.
4. A physical location maintained by the municipality. The authority to summarize the content of a notice under the bill does not apply to a legal notice required to be published by a municipality by order of a court.

Bill Status:

- 3/2/2017 Asm. Introduced by Joint Legislative Council
- 3/2/2017 Asm. Read first time and referred to Committee on Judiciary
- 9/21/2017 Asm. Public hearing held
- 9/28/2017 Asm. [Assembly Amendment 1](#) offered by Representative Spiros
- 10/12/2017 Asm. Executive action taken

WCCA Position: Not a zoning issue: Local governments overall publication of legal notices.

Bill: [Assembly Bill 123](#) ([Companion Senate Bill 49](#))

Description: Relating to: the information technology block grant program, the broadband expansion grant program, waiving certain fees and appraisals, and making appropriations.

Impact: This bill makes changes to the following: 1) a broadband grant program administered by the Public Service Commission; 2) the authority of the Department of Natural Resources and the Department of Transportation regarding certain fees relating to the construction of broadband infrastructure; and 3) the Technology for Educational Achievement program, known as TEACH, which is administered by the Department of Administration

Bill Status:

- 3/2/2017 Asm. Introduced by Representatives
- 3/21/2017 Asm. Public hearing held
- 4/17/2017 Asm. [Assembly Amendment 1](#) offered
- 4/17/2017 Asm. [Assembly Amendment 2](#) offered
- 4/20/2017 Asm. Referred to joint committee on Finance
- 4/24/2017 Asm. Executive action taken
- 5/2/2017 Asm. Read a second time
- 5/2/2017 Asm. [Assembly Amendment 1](#) adopted
- 5/2/2017 Asm. [Assembly Amendment 3](#) offered
- 5/2/2017 Asm. [Assembly Amendment 3](#) laid on table, Ayes 64, Noes 34

5/2/2017 Asm. [Assembly Amendment 4](#) offered
5/2/2017 Asm. [Assembly Amendment 4](#) laid on table, Ayes 64, Noes 34
5/2/2017 Asm. Ordered to a third reading
5/2/2017 Asm. Rules suspended
5/2/2017 Asm. Read a third time and passed, Ayes 98, Noes 0
5/2/2017 Asm. Ordered immediately messaged

2/20/2017 Sen. Introduced by Senators
2/20/2017 Sen. Read first time and referred to Committee on Revenue, Financial Institutions and Rural Issues
2/23/2017 Sen. Public hearing held
3/7/2017 Sen. [Senate Amendment 1](#) offered by Senator
3/7/2017 Sen. [Senate Amendment 2](#) offered by Senator
3/8/2017 Sen. [Senate Amendment 3](#) offered by Senator
3/9/2017 Sen. Report adoption of Senate Amendment 1 recommended by Committee on Revenue, Financial Institutions and Rural Issues, Ayes 5, Noes 0
3/9/2017 Sen. Report passage as amended recommended by Committee on Revenue, Financial Institutions and Rural Issues, Ayes 5, Noes 0
3/21/2017 Sen. Withdrawn from committee on Senate Organization and referred to joint committee on Finance pursuant to Senate Rule 46(2)(c)
3/27/2017 Sen. Executive action taken
3/28/2017 Sen. Report introduction of [Senate Amendment 4](#) by Joint Committee on Finance, Ayes 16, Noes 0
3/28/2017 Sen. Report introduction of [Senate Amendment 5](#) by Joint Committee on Finance, Ayes 16, Noes 0
3/28/2017 Sen. Report introduction of [Senate Amendment 6](#) by Joint Committee on Finance, Ayes 16, Noes 0
3/28/2017 Sen. Report introduction of [Senate Amendment 7](#) by Joint Committee on Finance, Ayes 16, Noes 0
3/28/2017 Sen. Report introduction of [Senate Amendment 8](#) by Joint Committee on Finance, Ayes 16, Noes 0
3/28/2017 Sen. Report adoption of [Senate Amendment 1](#) recommended by Joint Committee on Finance, Ayes 16, Noes 0
3/28/2017 Sen. Report passage as amended, with emergency statement attached, pursuant to s.16.47 (2), Wisconsin Statutes, recommended by Joint Committee on Finance, Ayes 16, Noes 0
3/28/2017 Sen. Available for scheduling
3/31/2017 Sen. Placed on calendar 4-4-2017 pursuant to Senate Rule 18(1)
4/4/2017 Sen. LRB correction (Senate Amendment 1)
4/4/2017 Sen. [Senate Amendment 9](#) offered by Senators
4/4/2017 Sen. [Senate Amendment 10](#) offered by Senators
4/4/2017 Sen. [Senate Amendment 11](#) offered by Senators
4/4/2017 Sen. [Senate Amendment 12](#) offered by Senators

4/4/2017 Sen. Senate Amendment 13 offered by Senators
4/4/2017 Sen. Senate Amendment 14 offered by Senators
4/4/2017 Sen. Senate Amendment 15 offered by Senators
4/4/2017 Sen. Read a second time
4/4/2017 Sen. Senate Amendment 1 adopted
4/4/2017 Sen. [Senate Amendment 9](#) laid on table, Ayes 20, Noes 13
4/4/2017 Sen. [Senate Amendment 10](#) laid on table, Ayes 20, Noes 13
4/4/2017 Sen. [Senate Amendment 11](#) laid on table, Ayes 20, Noes 13
4/4/2017 Sen. [Senate Amendment 12](#) laid on table, Ayes 19, Noes 13
4/4/2017 Sen. [Senate Amendment 13](#) adopted, Ayes 33, Noes 0
4/4/2017 Sen. [Senate Amendment 14](#) laid on table, Ayes 20, Noes 13
4/4/2017 Sen. [Senate Amendment 15](#) laid on table, Ayes 20, Noes 13
4/4/2017 Sen. Ordered to a third reading
4/4/2017 Sen. Rules suspended
4/4/2017 Sen. Read a third time and passed, Ayes 33, Noes 0
4/4/2017 Sen. Ordered immediately messaged
4/4/2017 Asm. Received from Senate
5/8/2017 Asm. Fiscal estimate received

WCCA Position: Not under Zoning authority, Affects DNR and DOT rules and Regulations

Bill: [Assembly Bill 130](#)

Description: This bill authorizes a political subdivision to prohibit any person from placing a new mobile service support structure within, or within 750 feet of the boundary of, a residential zoning district that is the least dense of all such districts in the political subdivision. The bill also prohibits any person from placing such a structure within, or within 200 feet of the boundary of, the next two least dense residential zoning districts in the political subdivision

Impact:

Several years ago WI Legislators placed regulations within the State Budget bill restricting the regulation of approval and placement of Wireless Communication Towers. Counties were required to modify local ordinances to comply with these regulations. If approved this would restrict the location of towers and may limit locations in rural communities. This would push communication towers to utility services in to right of ways.

Bill Status:

3/8/2017 Asm. Introduced by Representatives
3/8/2017 Asm. Read first time and referred to Committee on Energy and Utilities
3/24/2017 Asm. Fiscal estimate received

WCCA Position: No Position taken, but requested clarification and clearer wording on the “residential zoning district that is the least dense of all such districts in the political subdivision” Working with WCA to have better clarity in the wording.

Bill: [Assembly Bill 145](#) ([Companion Senate Bill 94](#)) - **Enacted into Law**

Description: Relating to: notification of special meetings of the common council of a city.

Impact: Under this bill, the mayor may call a special meeting by notifying members in a manner likely to give each member notice of the meeting and providing the notice at least six hours before the meeting.

Bill Status:

- 3/10/2017 Asm. Introduced by Representatives
- 3/10/2017 Asm. Read first time and referred to Committee on Local Government
- 5/3/2017 Asm. Public hearing held
- 5/8/2017 Asm. Fiscal estimate received
- 5/17/2017 Asm. Executive action taken
- 5/19/2017 Asm. Report passage recommended by Committee on Local Government, Ayes 8, Noes 0
- 5/19/2017 Asm. Referred to committee on Rules

- 3/2/2017 Sen. Introduced by Senators
- 3/2/2017 Sen. Read first time and referred to Committee on Economic Development, Commerce and Local Government
- 4/12/2017 Sen. Public hearing held
- 8/1/2017 Sen. Presented to the Governor on 8-1-2017
- 8/2/2017 Sen. Report approved by the Governor on 8-2-2017. [2017 Wisconsin Act 50](#)
- 8/2/2017 Sen. Published 8-3-2017

WCCA Position: Not a zoning issue: Local governments overall publication of meetings.

Bill: [Assembly Bill 160](#) ([Companion Senate Bill 95](#)) **Enacted into Law**

Description: Relating to: regulation of aquaculture and fish farms, providing an exemption from emergency rule procedures, and granting rule-making authority.

Impact:

This bill...

1. Exempts normal aquaculture activities from the requirement to obtain an individual or general wetland permit, if the discharge is to a wetland that has been created for aqua cultural purposes in an area without any prior wetland history.
2. Expands the category of natural bodies of water that may be used as part of a fish farm to include an artificial water body that is used as a registered fish farm or as part of a registered fish farm, regardless of the water source of the artificial water body, including an artificial water body that is fed by a spring.
3. Creates an exemption to the general prohibition on using a natural water body as a fish farm for a person who holds a permit from DNR to use a natural water body as a fish farm and who takes no action in the water body other than maintaining the fish farm facility

4. Creates an exemption from the requirement to obtain a permit from DNR to construct, dredge, or enlarge an artificial water body that connects with a navigable waterway or that is located within 500 feet of the ordinary high-water mark of an existing navigable waterway. This exemption applies only to the maintenance or repair of an artificial water body or registered fish farm
5. Prohibits DNR from including additional conditions in a permit issued to a large fish farm unless those conditions are necessary to meet certain standards, such as federal or state water quality standards or schedules of compliance established by DNR.

Bill Status:

- 3/20/2017 Asm. Introduced by Representatives
- 3/20/2017 Asm. Read first time and referred to Committee on Natural Resources and Sporting Heritage
- 3/29/2017 Asm. Public hearing held
- 4/26/2017 Asm. Executive action taken
- 4/26/2017 Asm. Report passage recommended by Committee on Natural Resources and Sporting Heritage, Ayes 9, Noes 5
- 4/26/2017 Asm. Referred to committee on Rules
- 4/27/2017 Asm. Placed on calendar 5-2-2017 by Committee on Rules
- 5/2/2017 Asm. Read a third time and passed, Ayes 64, Noes 34
- 5/2/2017 Asm. Ordered immediately messaged
- 5/3/2017 Sen. Received from Assembly
- 5/4/2017 Sen. Read first time and referred to committee on Senate Organization
- 5/4/2017 Sen. Available for scheduling
- 5/5/2017 Sen. Public hearing requirement waived by committee on Senate Organization, pursuant to Senate Rule 18 (1m), Ayes 5, Noes 0
- 5/5/2017 Sen. Placed on calendar 5-10-2017 pursuant to Senate Rule 18(1)
- 5/10/2017 Sen. [Senate Amendment 1](#) offered by Senators
- 5/10/2017 Sen. [Senate Amendment 2](#) offered by Senators
- 5/10/2017 Sen. [Senate Amendment 1](#) rejected
- 5/10/2017 Sen. [Senate Amendment 2](#) rejected
- 5/10/2017 Sen. Ordered to a third reading
- 5/10/2017 Sen. Ordered immediately messaged
- 5/10/2017 Asm. Received from Senate concurred in
- 6/21/2017 Asm. Presented to the Governor on 6-21-2017
- 6/26/2017 Asm. Report approved by the Governor on 6-23-2017. [2017 Wisconsin Act 21](#)
- 6/26/2017 Asm. Published 6-24-2017

WCCA Position: Not under zoning authority, Affects DNR Rules and Regulations

Bill: [Assembly Bill 161](#) ([Companion Senate Bill 219](#))

Description: Relating to: authorizing a political subdivision to impose setback requirements or certain mobile service support structures.

Impact: This bill grants a political subdivision limited authority to impose a setback requirement on the placement of such a structure. Under the bill, a requirement could apply only to a structure that is constructed on land that is zoned for residential use. In addition, the setback requirement must be based on the height of the proposed structure, and the requirement may not exceed the height of the proposed structure.

Bill Status:

- 3/20/2017 Asm. Introduced by Representatives
- 3/20/2017 Asm. Read first time and referred to Committee on Energy and Utilities
- 4/3/2017 Asm. Fiscal estimate received
- 5/4/2017 Sen. Introduced by Senators
- 5/4/2017 Sen. Read first time and referred to Committee on Elections and Utilities
- 6/6/2017 Sen. Fiscal estimate received

WCCA Position: Neutral, Working with WCA expressing concerns of the language of what districts are allowed to have these regulations.

Bill: [Assembly Bill 179](#) ([Companion Senate Bill 173](#))

Description: Relating to: remediation of contaminated land; air pollution control requirements for certain manufacturing facilities constructed on formerly contaminated land; reassigning tax deeds on tax delinquent brownfield properties; creating a new method for the creation of environmental remediation tax incremental financing districts; loans and repayment assistance by a political subdivision for certain brownfield revitalization projects and collection of the debt by special charge; state trust fund loans for brownfield projects; conversion of business improvement districts; and annexations to business improvement districts and neighborhood improvement districts.

Impact: This bill:

1. Provides a definition of the term "property" in relation to the voluntary party liability exemption for remediation of contaminated land. The bill also provides that a property may be subdivided or transferred without affecting the liability exemption or requiring a new application.
2. This bill creates a pilot program under which a participating owner or operator of a stationary source is not required to make changes to the source's air pollution controls due to new or modified legal requirements, except as required under the federal Clean Air Act, for ten years after DNR issues a registration permit for the source.
3. This bill provides that a county may also assign its right to take a tax deed on brownfield property to a person who agrees to remediate, maintain, and monitor the property according to DNR rules.
4. Changes the way environmental remediation tax incremental districts are created.
5. A political subdivision may make a PACE loan to, or enter a PACE agreement with, an owner or lessee of a premises for a brownfield revitalization project.
6. Territory may be annexed to a BID or NID using essentially the same procedure as for the creation of the BID or NID. Also under this bill, upon petition by an owner of real property that is subject to general real estate taxes, that is used exclusively for residential purposes, and that is located in a BID, a BID may convert to an NID.
7. A state trust fund loan to a municipality made for the purpose of funding a project related to brownfields may not be included in arriving at the constitutional debt limitation if 1) the term of the loan is not more than 15 years, 2) the loan is not in default, and 3) DNR verifies to BCPL that the site on which the project will occur is a brownfield.

Bill Status:

- 3/28/2017 Asm. Introduced by Representatives
- 3/28/2017 Asm. Read first time and referred to Committee on Environment and Forestry
- 4/17/2017 Asm. Fiscal estimate received
- 5/16/2017 Asm. Public hearing held
- 10/11/2017 Asm. [Assembly Amendment 1](#) offered by Representative Jacque

- 4/13/2017 Sen. Introduced by Senators
- 4/13/2017 Sen. Read first time and referred to Committee on Government Operations, Technology and Consumer Protection
- 4/20/2017 Sen. Fiscal estimate received
- 10/13/2017 Sen. [Senate Amendment 1](#) offered by Senators Cowles and Stroebel
- 10/18/2017 Sen. [Senate Amendment 2](#) offered by Senator Cowles

WCCA Position: Not under zoning authority, Affects DNR Rules and Regulations

Bill: [Assembly Bill 187](#) ([Companion Senate Bill 137](#))

Description: Relating to: certain buildings used for social events.

Impact: This bill provides an exemption from building code requirements applicable to public buildings and places of employment for buildings historically used for farming (barns) that were built before 1965 and that are used principally for wedding receptions and similar social events. Such a barn is exempt under the bill if certain requirements are satisfied, including all of the following:

1. If the barn is internally wired for electricity or contains an elevator or other conveyance, the wiring or the elevator or other conveyance complies with applicable law.
2. All areas of the barn used for wedding receptions or other social events satisfy applicable state accessibility requirements.
3. Each year, there is at least one period of 90 consecutive days in which the barn is used for no more than one social event.
4. Smoking and all open flames are prohibited in the barn and within 50 feet of the barn, except for certain catering services.
5. The barn satisfies certain fire protection and posting requirements.

Bill Status:

- 3/28/2017 Asm. Introduced by Representatives
- 3/28/2017 Asm. Read first time and referred to Committee on Housing and Real Estate
- 4/4/2017 Asm. Fiscal estimate received

- 3/29/2017 Sen. Introduced by Senators
- 3/29/2017 Sen. Read first time and referred to Committee on Insurance, Housing and Trade
- 4/12/2017 Sen. Fiscal estimate received
- 6/1/2017 Sen. Public hearing held

WCCA Position: Neutral, Most of the regulations affected with this bill are Commercial/Building Codes

Bill: [Assembly Bill 214 \(Companion Senate Bill 152\)](#)

Description: Prohibiting Mining/Drilling Prohibiting certain mining and drilling activities that cause the destruction or filling in of a lake bed, reservoir, or flowage or that cause the withdrawal of water from a reservoir or flowage. Referred to Assembly Rural Development and Mining

Impact:

This bill:

1. Eliminates the exceptions to the general prohibition against destroying or filling in a lake bed so that the prohibition applies to a person engaged in iron mining activities regardless of whether DNR has issued other permits for those activities.
2. Prohibits DNR from authorizing a person who is engaged in nonferrous metallic mining or iron mining from destroying or filling in a reservoir or flowage or from withdrawing water from a reservoir or flowage and
3. Prohibits DNR from authorizing a person conducting drilling operations for the exploration or production of oil or gas to withdraw water from a reservoir or flowage.

Bill Status:

- 4/10/2017 Asm. Introduced by Representatives
- 4/10/2017 Asm. Read first time and referred to Committee on Rural Development and Mining

- 3/29/2017 Sen. Introduced by Senators
- 3/29/2017 Sen. Read first time and referred to Committee on Sporting Heritage, Mining and Forestry

WCCA Position: Affects DNR Rules and Regulations

Bill: [Assembly Bill 211 \(Companion Senate Bill 158\)](#)

Description: Relating to: a property owner's right to refuse entry into his or her home for assessment purposes and conditions for appearing before the board of review.

Impact: This bill allows a person who has refused a reasonable written request to view the person's property to appear before the board of review to contest the property's assessed value and, ultimately, to file a claim with the taxation district for an excessive assessment. The bill also provides that the assessor may not increase the value of a person's property based on the person's refusal to allow entry to the assessor. In addition, the bill requires an assessor to provide written notice to each owner of residential property regarding the property owner's right to refuse entry to his or her residence for property tax assessment purposes. Finally, the bill allows a person who has not complied with a request to provide income information to the assessor to file a claim for an excessive assessment even though the person is prohibited from appearing before the board of review (Property Rights)

Bill Status:

- 4/10/2017 Asm. Introduced by Representatives
- 4/10/2017 Asm. Read first time and referred to Committee on Local Government
- 4/11/2017 Asm. Assembly [Amendment 1](#) offered by Representative R. Brooks

- 4/7/2017 Sen. Introduced by Senators
- 4/7/2017 Sen. Read first time and referred to Committee on Economic Development, Commerce and Local Government
- 4/11/2017 Sen. [Senate Amendment 1](#) offered by Senator Craig
- 5/3/2017 Sen. Public hearing held

WCCA Position: Not under Zoning Authority

Bill: [Assembly Bill 226 \(Companion Senate Bill 168\)](#)

Description: This bill provides that a city, village, town, or county may remediate a contaminated private well, fill and seal a contaminated well, or rehabilitate, replace, or abandon a failing private on-site wastewater treatment system, in agreement with the owner of the well or wastewater treatment system, or may make a low-interest or interest-free loan to the owner of a contaminated well or failing wastewater treatment system for these purposes. Under the bill, if a city, village, town, or county takes any of these actions or provides a loan for these purposes, the city, village, town, or county may recover the costs of the action or collect the loan repayment as a special charge or special assessment.

Impact:

This bill will need to be monitored. This bill would

1. Give municipalities the option of a loan program
2. Another funding option for wastewater treatment systems
3. The county would have to set up an internal program using multiple departments to administer the program.

Bill Status:

- 4/10/2017 Asm. Introduced by Representatives
- 4/10/2017 Asm. Read first time and referred to Committee on Environment and Forestry
- 4/13/2017 Sen. Introduced by Senators
- 4/25/2017 Asm. Fiscal estimate received
- 5/16/2017 Asm. Public hearing held
- 6/14/2017 Asm. Report passage recommended by Committee on Environment and Forestry, Ayes 10, Noes 2
- 6/14/2017 Asm. Referred to committee on Rules
- 6/21/2017 Asm. [Assembly Substitute Amendment 1](#) offered by Representatives
- 6/21/2017 Asm. [Assembly Substitute Amendment 1](#) laid on table, Ayes 62, Noes 35
- 6/21/2017 Asm. Read a third time and passed
- 6/21/2017 Asm. Ordered immediately messaged
- 6/22/2017 Sen. Received from Assembly
- 6/23/2017 Sen. Read first time and referred to committee on Senate Organization
- 6/23/2017 Sen. Available for scheduling

WCCA Position: Neutral, Would give municipalities the opportunity to create loan programs.

Bill: [Assembly Bill 246 \(Companion Senate Bill 177\)](#)

Description: Under this bill, the owners of a majority of the land proposed to be transferred in a drainage district that is located entirely, or partly, within the boundaries of a municipality may petition the board having jurisdiction over the district to transfer jurisdiction of the district, or a part of the district that is located in the municipality, to the municipality. After a hearing, the board may order transfer of jurisdiction if it finds that a sufficient number of owners have signed the petition, the governing body of the municipality approves the transfer, and the municipality and district have entered into an agreement that contains the following items:

1. A statement of the goal of the agreement;
2. Specification of monetary obligations of the municipality and district;
3. The municipality agrees to ensure district access to, and maintenance of, drain access corridors;
4. The municipality agrees, upon request by the district, to maintain and repair former district drains; and
5. Upon declaratory judgment by a court, the district may complete any maintenance work not performed by the municipality and assess the costs to the municipality.

Impact:

As part of this bill there are some exemptions to floodplain regulations. Floodplain regulations are regulated both federally and by the state. If federal regulations are not followed the municipality jeopardizes their approval into the National Floodplain Insurance Program.

Bill Status:

- 4/14/2017 Asm. Introduced by Representatives
- 4/14/2017 Asm. Read first time and referred to Committee on Agriculture
- 5/1/2017 Asm. Fiscal estimate received
- 8/22/2017 Asm. [Assembly Amendment 1](#) offered by Representative Sanfelippo
- 10/3/2017 Asm. Public hearing held
- 10/16/2017 Asm. [Assembly Amendment 2](#) offered by Representative Sanfelippo
- 10/17/2017 Asm. Executive action taken

- 4/13/2017 Sen. Introduced by Senators
- 4/13/2017 Sen. Read first time and referred to Committee on Agriculture, Small Business and Tourism
- 5/3/2017 Sen. Fiscal estimate received
- 9/13/2017 Sen. [Senate Amendment 1](#) offered by Senator Wanggaard
- 10/10/2017 Sen. Public hearing held
- 10/13/2017 Sen. [Senate Amendment 2](#) offered by Senator Wanggaard
- 10/18/2017 Sen. Executive action taken
- 10/18/2017 Sen. Report adoption of Senate [Amendment 1](#) recommended by Committee on Agriculture, Small Business and Tourism, Ayes 9, Noes 0
- 10/18/2017 Sen. Report adoption of Senate [Amendment 2](#) recommended by Committee on Agriculture, Small Business and Tourism, Ayes 9, Noes 0
- 10/18/2017 Sen. Report passage as amended recommended by Committee on Agriculture, Small Business and Tourism, Ayes 9, Noes 0
- 10/18/2017 Sen. Available for scheduling

WCCA Position: Watching bills, Were assured that the bill will not impact with the National Flood Insurance Program, not all counties have drainage districts and would be only affected in those counties.

Bill: [Assembly Bill 272 \(Companion Senate Bill 198\)](#)

Description: Weight limit exceptions for vehicles equipped with idle reduction technology or natural gas fuel systems.

Impact:

This bill provides that heavy-duty vehicles with idle reduction technology and vehicles that operate on natural gas may exceed certain weight limits.

Bill Status:

- 4/24/2017 Asm. Introduced by Representatives
- 4/24/2017 Asm. Read first time and referred to Committee on Transportation
- 5/9/2017 Asm. Fiscal estimate received
- 5/23/2017 Asm. Public hearing held
- 6/20/2017 Asm. Report passage recommended by Committee on Transportation, Ayes 13, Noes 0
- 6/20/2017 Asm. Referred to committee on Rules

- 4/20/2017 Sen. Introduced by Senators
- 4/20/2017 Sen. Read first time and referred to Committee on Transportation and Veterans Affairs
- 5/3/2017 Sen. Public hearing held
- 5/17/2017 Sen. Report passage recommended by Committee on Transportation and Veterans Affairs, Ayes 5, Noes 0
- 6/9/2017 Sen. Placed on calendar 6-14-2017 pursuant to Senate Rule 18(1)
- 6/14/2017 Sen. Read a third time and passed
- 6/14/2017 Sen. Ordered immediately messaged
- 6/14/2017 Asm. Received from Senate
- 6/20/2017 Asm. Read first time and referred to committee on Rules

WCCA Position: Does not affect zoning authority. Rules affect County Highway and DOT.

Bill: [Assembly Bill 317](#) ([Companion Senate Bill 322](#))

Description: Relating to: review by state agencies of administrative rules and enactments; an expedited process for repealing rules an agency no longer has the authority to promulgate; retrospective economic impact analyses for rules; and reporting by the Legislative Reference Bureau on rules in need of revision.

Impact:

This bill provides for an alternate, expedited procedure an agency can use to repeal a rule that the agency determines it no longer has the authority to promulgate because of the repeal or amendment of the law that previously authorized its promulgation (unauthorized rule).

Bill Status:

- 5/12/2017 Asm. Introduced by Representatives
- 5/12/2017 Asm. Read first time and referred to Committee on State Affairs
- 5/17/2017 Asm. Public hearing held
- 5/23/2017 Asm. [Assembly Amendment 1](#) offered
- 5/23/2017 Asm. [Assembly Amendment 2](#) offered
- 6/2/2017 Asm. Report passage recommended by Committee on State Affairs, Ayes 10, Noes 5
- 6/2/2017 Asm. Referred to committee on Rules
- 6/7/2017 Asm. Placed on calendar 6-14-2017 by Committee on Rules
- 6/14/2017 Asm. [Assembly Amendment 3](#) offered
- 6/14/2017 Asm. [Assembly Amendment 3](#) laid on table, Ayes 62, Noes 34
- 6/14/2017 Asm. [Assembly Amendment 4](#) offered by Representative
- 6/14/2017 Asm. [Assembly Amendment 4](#) laid on table, Ayes 62, Noes 34
- 6/14/2017 Asm. Read a third time and passed, Ayes 62, Noes 34
- 6/14/2017 Asm. Ordered immediately messaged
- 6/15/2017 Sen. Received from Assembly
- 6/23/2017 Sen. Read first time and referred to committee on Labor and Regulatory Reform
- 8/29/2017 Sen. Public hearing held
- 9/7/2017 Sen. Executive action taken
- 9/8/2017 Sen. Report concurrence recommended by Committee on Labor and Regulatory Reform, Ayes 3, Noes 2
- 9/8/2017 Sen. Available for scheduling

WCCA Position: Not under zoning authority, Affects state agencies process of repealing rules.

Bill: [Assembly Bill 348](#)

Description: Wireless Facilities Regulation Limiting the authority of the state and political subdivisions to regulate wireless facilities and authorizing subdivisions to impose setback requirements for certain mobile service support structures.

Impact:

This bill creates a regulatory framework for the state and political subdivisions (cities, villages, towns, and counties) for the deployment of wireless equipment and facilities, including the placement of such items in rights-of-way (ROW), the collocation of such facilities on existing poles and structures, the regulation of access to governmental structures by wireless services and infrastructure providers, and limitations on local authority to regulate such activities. The bill also authorizes political subdivisions to impose setback requirements for certain mobile service support structures.

Bill Status:

- 5/25/2017 Asm. Introduced by Representatives
- 5/25/2017 Asm. Read first time and referred to Committee on Jobs and the Economy
- 5/30/2017 Asm. Public hearing held
- 6/5/2017 Asm. [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 1](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 2](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 3](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 4](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 5](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 6](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 7](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 8](#) to [Assembly Substitute Amendment 1](#) offered

- 6/5/2017 Asm. [Assembly Amendment 9](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 10](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 11](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 12](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 13](#) to [Assembly Substitute Amendment 1](#)
- 6/5/2017 Asm. [Assembly Amendment 14](#) to [Assembly Substitute Amendment 1](#) offered
- 6/5/2017 Asm. [Assembly Amendment 15](#) to [Assembly Substitute Amendment 1](#)
- 6/5/2017 Asm. [Assembly Amendment 16](#) to [Assembly Substitute Amendment 1](#) offered
- 6/6/2017 Asm. Executive action taken
- 6/8/2017 Asm. Report Assembly Amendment 5 to [Assembly Substitute Amendment 1](#) adoption recommended by Committee on Jobs and the Economy, Ayes 11, Noes 0
- 6/8/2017 Asm. Report Assembly Amendment 16 to [Assembly Substitute Amendment 1](#) adoption recommended by Committee on Jobs and the Economy, Ayes 11, Noes 0
- 6/8/2017 Asm. Report [Assembly Substitute Amendment 1](#) adoption recommended by Committee on Jobs and the Economy, Ayes 9, Noes 2
- 6/8/2017 Asm. Report passage as amended recommended by Committee on Jobs and the Economy, Ayes 9, Noes 2
- 6/19/2017 Asm. [Assembly Amendment 17](#) to [Assembly Substitute Amendment 1](#) offered
- 6/20/2017 Asm. [Assembly Amendment 18](#) to [Assembly Substitute Amendment 1](#) offered
- 6/21/2017 Asm. [Assembly Amendment 5](#) to [Assembly Substitute Amendment 1](#) adopted
- 6/21/2017 Asm. [Assembly Amendment 16](#) to [Assembly Substitute Amendment 1](#) adopted
- 6/21/2017 Asm. [Assembly Amendment 17](#) to [Assembly Substitute Amendment 1](#) withdrawn and returned to author
- 6/21/2017 Asm. [Assembly Amendment 18](#) to [Assembly Substitute Amendment 1](#) adopted
- 6/21/2017 Asm. [Assembly Amendment 19](#) to [Assembly Substitute Amendment 1](#) offered
- 6/21/2017 Asm. [Assembly Amendment 19](#) to [Assembly Substitute Amendment 1](#) laid on table, Ayes 62, Noes 35
- 6/21/2017 Asm. [Assembly Amendment 20](#) to [Assembly Substitute Amendment 1](#) offered
- 6/21/2017 Asm. [Assembly Amendment 20](#) to [Assembly Substitute Amendment 1](#) laid on table, Ayes 62, Noes 35
- 6/21/2017 Asm. [Assembly Amendment 21](#) to [Assembly Substitute Amendment 1](#) offered
- 6/21/2017 Asm. [Assembly Amendment 21](#) to [Assembly Substitute Amendment 1](#) laid on table, Ayes 62, Noes 35
- 6/21/2017 Asm. [Assembly Amendment 22](#) to [Assembly Substitute Amendment 1](#) offered
- 6/21/2017 Asm. [Assembly Amendment 22](#) to [Assembly Substitute Amendment 1](#) laid on table, Ayes 62, Noes 35
- 6/21/2017 Asm. [Assembly Amendment 23](#) to [Assembly Substitute Amendment 1](#) offered
- 6/21/2017 Asm. [Assembly Amendment 23](#) to [Assembly Substitute Amendment 1](#) laid on table, Ayes 62, Noes 35
- 6/21/2017 Asm. [Assembly Substitute Amendment 1](#) adopted
- 6/21/2017 Asm. Ordered immediately messaged
- 6/22/2017 Sen. Received from Assembly
- 7/5/2017 Sen. Printed engrossed by the direction of the Senate Chief Clerk-3854
- 7/10/2017 Sen. LRB correction ([Assembly Amendment 16](#) to Assembly Substitute Amendment 1)
- 10/3/2017 Sen. [Senate Substitute Amendment 1](#) offered by Senator LeMahieu
- 10/4/2017 Sen. Read first time and referred to committee on Elections and Utilities
- 10/11/2017 Sen. [Senate Amendment 1](#) to Senate Substitute Amendment 1 offered by Senator LeMahieu
- 10/12/2017 Sen. Public hearing held
- 10/20/2017 Sen. [Senate Amendment 2](#) to Senate Substitute Amendment 1 offered by Senator LeMahieu
- 10/23/2017 Sen. [Senate Amendment 3](#) to Senate Substitute Amendment 1 offered by Senator Risser
- 10/23/2017 Sen. [Senate Amendment 4](#) to Senate Substitute Amendment 1 offered by Senator Risser
- 10/23/2017 Sen. [Senate Amendment 5](#) to Senate Substitute Amendment 1 offered by Senators Risser and Miller
- 10/23/2017 Sen. [Senate Amendment 6](#) to Senate Substitute Amendment 1 offered by Senators Risser and Miller
- 10/23/2017 Sen. [Senate Amendment 7](#) to Senate Substitute Amendment 1 offered by Senator Risser

WCCA Position: Bill affects the DOT and County Highway departments with the rules of permitting within the right of ways.

Bill: [Assembly Bill 360 \(Companion Senate Bill 271\)](#)

Description: Relating to: the sale of homemade baked goods and homemade canned goods.

Impact:

This bill allows for the limited face-to-face sale of certain homemade baked and canned foods without a licensing requirement.

Bill Status:

- 6/1/2017 Asm. Introduced by Representatives
- 6/1/2017 Asm. Read first time and referred to Committee on Small Business Development

- 5/25/2017 Sen. Introduced by Senators
- 5/25/2017 Sen. Read first time and referred to Committee on Public Benefits, Licensing and State-Federal Relations
- 6/7/2017 Sen. Public hearing held
- 6/7/2017 Sen. Executive action taken
- 6/7/2017 Sen. Report introduction of [Senate Amendment 1](#) by Committee on Public Benefits, Licensing and State-Federal Relations, Ayes 5, Noes 0
- 6/7/2017 Sen. Report adoption of [Senate Amendment 1](#) recommended by Committee on Public Benefits, Licensing and State-Federal Relations, Ayes 5, Noes 0
- 6/7/2017 Sen. Report passage as amended recommended by Committee on Public Benefits, Licensing and State-Federal Relations, Ayes 5, Noes 0
- 6/9/2017 Sen. Placed on calendar 6-14-2017 pursuant to Senate Rule 18(1)
- 6/14/2017 Sen. Read a second time
- 6/14/2017 Sen. [Senate Amendment 1](#) adopted
- 6/14/2017 Sen. Read a third time and passed
- 6/14/2017 Sen. Ordered immediately messaged
- 6/14/2017 Asm. Received from Senate

WCCA Position: Authority of the health department is affected with licencing. Septic systems may be affected due to departments not knowing about these places and in past many of these places needed grease interceptors installed to meet codes and protect the septic systems.

Bill: [Assembly Bill 361](#)

Description: Relating to: requiring a local referendum to impose a wheel tax.

Impact to Marathon County:

Under this bill, a municipality or county that proposes to impose a registration fee is required to hold a referendum at a regularly scheduled election. The registration fee may be imposed only if approved by a majority of the electors who vote in the referendum.

Bill Status:

- 6/1/2017 Asm. Introduced by Representatives
- 6/1/2017 Asm. Read first time and referred to Committee on Ways and Means
- 6/27/2017 Asm. Fiscal estimate received

WCCA Position: Not under zoning authority

Bill: [Assembly Bill 370 \(Companion Senate Bill 296\)](#)

Description: Relating to: the establishment of a self-certification registry operated by the Department of Safety and Professional Services, granting rule-making authority, and providing a penalty.

Impact:

This bill requires the Department of Safety and Professional Services to establish and maintain an electronic self-certification registry that allows individuals certified by state-approved supporting organizations to apply to be able to use the title "state certified" in conjunction with their practice.

Bill Status:

- 6/2/2017 Asm. Introduced by Representatives
- 6/2/2017 Asm. Read first time and referred to Committee on Regulatory Licensing Reform
- 6/19/2017 Asm. Fiscal estimate received
- 8/24/2017 Asm. Public hearing held
- 9/8/2017 Asm. [Assembly Amendment 1](#) offered by Representative Hutton
- 9/28/2017 Asm. [Assembly Amendment 2](#) offered by Representative Hutton

- 6/15/2017 Sen. Introduced by Senators
- 6/15/2017 Sen. Read first time and referred to Committee on Public Benefits, Licensing and State-Federal Relations
- 6/23/2017 Sen. Fiscal estimate received
- 8/24/2017 Sen. Public hearing held
- 9/11/2017 Sen. [Senate Amendment 1](#) offered by Senator Darling
- 9/27/2017 Sen. [Senate Amendment 2](#) offered by Senator Darling
- 9/28/2017 Sen. Executive action taken
- 9/28/2017 Sen. Report adoption of [Senate Amendment 1](#) recommended by Committee on Public Benefits, Licensing and State-Federal Relations, Ayes 5, Noes 0
- 9/28/2017 Sen. Report adoption of [Senate Amendment 2](#) recommended by Committee on Public Benefits, Licensing and State-Federal Relations, Ayes 5, Noes 0
- 9/28/2017 Sen. Report passage as amended recommended by Committee on Public Benefits, Licensing and State-Federal Relations, Ayes 3, Noes 2
- 9/28/2017 Sen. Available for scheduling

WCCA Position: Watching bills because may affect some of county officials licences and operators we work with.

Bill: [Assembly Bill 384](#) (Companion [Senate Bill 295](#))

Description: Relating to: the expiration of administrative rules..

Impact: This bill provides for the expiration of each chapter of the Wisconsin Administrative Code after seven years, unless the chapter is readopted by the agency through the reoption process established under the bill.

Bill Status:

- 6/14/2017 Asm. Introduced by Representatives Steineke, Zimmerman, Allen, Brandtjen, R. Brooks, Duchow, Felzkowski, Gannon, Horlacher, Hutton, Jarchow, Katsma, Kleefisch, Knodl, Kooyenga, Kremer, Kuglitsch, Kulp, Murphy, Neylon, Ripp, Rohrkaste, Schraa, Spiros, Tauchen, Thiesfeldt, Tusler, Vorpapel and Weatherston; cosponsored by Senators Darling, LeMahieu, Kapenga, Lasee, Stroebel, Craig, Feyen, Marklein and Nass
- 6/14/2017 Asm. Read first time and referred to Committee on Regulatory Licensing Reform
- 6/23/2017 Asm. Fiscal estimate received
- 9/19/2017 Asm. Representative Macco added as a coauthor
- 9/19/2017 Asm. Public hearing held

- 6/15/2017 Sen. Introduced by Senators Darling, LeMahieu, Kapenga, Lasee, Stroebel, Craig, Feyen, Marklein and Nass; cosponsored by Representatives Steineke, Zimmerman, Allen, Brandtjen, R. Brooks, Duchow, Felzkowski, Gannon, Horlacher, Hutton, Jarchow, Katsma, Kleefisch, Knodl, Kooyenga, Kremer, Kuglitsch, Kulp, Murphy, Neylon, Ripp, Rohrkaste, Schraa, Spiros, Tauchen, Thiesfeldt, Tusler, Vorpapel and Weatherston
- 6/15/2017 Sen. Read first time and referred to Committee on Labor and Regulatory Reform
- 7/25/2017 Sen. Fiscal estimate received
- 8/29/2017 Sen. Public hearing held
- 9/18/2017 Sen. [Senate Amendment 1](#) offered by Senator Darling

WCCA Position: Watch bills very closely, if move forward should look at opposing. Concerns included; Eliminates Departments, could very easily leave gaps in regulations, Loss of entire Administrative rule if one area should be looked at and do not wish to open up rule, and 2 years is a very short period of time especially since after each approval it must go to the Governor's Desk.

Bill: [Assembly Bill 388](#) ([Companion Senate Bill 320](#))

Description: Relating to: the discharge of dredged or fill material into artificial wetlands and requiring the exercise of rule-making authority.

Impact: This bill exempts from wetland permitting requirements a discharge of dredged or fill material into an artificial wetland.

Bill Status:

- 6/16/2017 Asm. Introduced by Representatives
- 6/16/2017 Asm. Read first time and referred to Committee on Environment and Forestry
- 10/3/2017 Asm. Public hearing held
- 10/13/2017 Asm. [Assembly Amendment 1](#) offered by Representative Jacque
- 10/19/2017 Asm. Executive action taken

- 6/23/2017 Sen. Introduced by Senators
- 6/23/2017 Sen. Read first time and referred to Committee on Natural Resources and Energy
- 10/12/2017 Sen. [Senate Amendment 1](#) offered by Senators Wanggaard and Cowles
- 482
- 10/18/2017 Sen. Public hearing held

WCCA Position: No Position Taken

Bill: [Assembly Bill 399](#) ([Companion Senate Bill 309](#))

Description: Relating to: zoning ordinances in the Lower St. Croix riverway.

Impact: This bill provides that neither the Department of Natural Resources nor a county may enforce a guideline or standard for local zoning ordinances applicable to the Lower St. Croix riverway, a general zoning standard, or a stipulation made between a county and a property owner to prohibit the operation of an event facility and lodging establishment in existing buildings on a property located in the riverway that was historically used as a recreational campground.

Bill Status:

- 6/19/2017 Asm. Introduced by Representatives
- 6/19/2017 Asm. Read first time and referred to Committee on Natural Resources and Sporting Heritage
- 7/19/2017 Asm. Public hearing held
- 8/28/2017 Asm. Report passage recommended by Committee on Natural Resources and Sporting Heritage, Ayes 8, Noes 3
- 8/28/2017 Asm. Referred to committee on Rules

- 6/15/2017 Sen. Introduced by Senator
- 6/15/2017 Sen. Read first time and referred to Committee on Economic Development, Commerce and Local Government
- 8/10/2017 Sen. Public hearing held

WCCA Position: Bill affects a specific region within WI only

Bill: [Assembly Bill 412](#)

Description: Relating to: the regulation of bakeries and the sale of baked goods.

Impact: This bill eliminates the authority of the Department of Agriculture, Trade and Consumer Protection to regulate the activities of a bakery and the sale of baked goods. Under current law, a food processing license is generally required to operate certain facilities at which food is manufactured or prepared for sale through processes such as baking, canning, freezing, and bottling, and DATCP may promulgate rules governing the operation of those facilities.

Bill Status:

- 6/29/2017 Asm. Introduced by Representatives
- 6/29/2017 Asm. Read first time and referred to Committee on State Affairs
- 7/10/2017 Asm. Fiscal estimate received

WCCA Position: Bill affect the athority of DATCP. Septic systems may be affected due to departments not knowing about these places and in past many of these places needed grease intercepters installed to meet codes and protect the septic systems

Bill: [Assembly Bill 448](#)

Description: Relating to: Joint Committee on Finance consideration of motions relating to the biennial budget bill.

Impact: The bill provides that the Joint Committee on Finance may not consider or take executive action on any motion relating to the biennial budget bill unless the motion has been distributed to all members of JCF at least 48 hours before JCF considers or takes executive action on the motion. The motion must also be posted on the Legislative Fiscal Bureau Internet site at least 48 hours before JCF considers or takes executive action on the motion.

Bill Status:

- 7/25/2017 Asm. Introduced by Representatives
- 7/25/2017 Asm. Read first time and referred to Joint Committee on Finance
- 9/19/2017 Asm. Representative Quinn added as a coauthor

WCCA Position: No zoning athority

Bill: [Assembly Bill 456](#) ([Companion Senate Bill 374](#))

Description: Relating to: alternative highway project delivery methods; prevailing wage for public works projects; municipal approval of highway roundabouts; local referendum imposing a wheel tax; funding for and audit of the Department of Transportation; granting rule-making authority; and making appropriations.

Impact:

This bill authorizes the Department of Transportation and cities, villages, towns, counties, and technical colleges (governmental units) to use alternate methods for delivering projects

Bill Status:

- 7/26/2017 Asm. Introduced by Representatives
- 7/26/2017 Asm. Read first time and referred to Committee on Transportation
- 8/10/2017 Asm. Fiscal estimate received

- 8/3/2017 Sen. Introduced by Senators
- 8/3/2017 Sen. Read first time and referred to Committee on Transportation and Veterans Affairs
- 8/15/2017 Sen. Fiscal estimate received

WCCA Position: No Zoning Athority – County and DOT regulations

Bill: [Assembly Bill 479](#) ([Companion Senate Bill 387](#)) (Homeowner’s Bill of Rights)

Description: Relating to: limiting the authority of local governments to regulate development on substandard lots and require the merging of lots; requiring a political subdivision to issue a conditional use permit under certain circumstances; standards for granting certain zoning variances; local ordinances related to repair, rebuilding, and maintenance of certain nonconforming structures; shoreland zoning of, and the removal of material from the bed of, certain small, private ponds; inverse condemnation proceedings; and the right to display the flag of the United States.

Impact: This bill makes various changes to local government zoning authority, navigable water permits, inverse condemnation proceedings, and the right to display the flag of the United States.

Under this Bill:

- A city, village, town, or county may generally not prohibit a property owner from doing any of the following:
- Conveying an ownership interest in a substandard lot.
- Using a substandard lot as a building site if two conditions are met: the substandard lot has not been developed with one or more of its structures placed partly on an adjacent lot; and the substandard lot is developed to comply with all other ordinances of the political subdivision.
- Requires a city, village, town, or county to issue a conditional use permit to an applicant who meets, or agrees to meet, all of the requirements and conditions specified by the political subdivision. Under the bill, both the application, and the political subdivision's decision on the permit application, must be based on substantial evidence, although public testimony alone is not substantial evidence and cannot be the sole basis for a political subdivision to deny a conditional use permit.
- For a variance the property owner bears the burden of proving "unnecessary hardship" by demonstrating either of the following:
 - 1) For an area variance, that strict compliance with a zoning ordinance would unreasonably prevent the property owner from using the property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome.
 - 2) For a use variance, that strict compliance with a zoning ordinance would leave the property owner with no reasonable use of the property in the absence of a variance. In both situations, the property owner bears the burden of proving that the unnecessary hardship is based on conditions unique to the property, rather than personal considerations, and that the unnecessary hardship was not created by the property owner.
- No ordinance of a political subdivision may prohibit, limit based on cost, or require a variance for the repair, maintenance, renovation, rebuilding, or remodeling of a nonconforming structure or any part of a nonconforming structure.
- Exempts certain small, private ponds from the permitting requirements for removing material from the bed of a navigable body of water and from shoreland zoning laws. This bill adds an exception to these permitting requirements for the removal of material from the bed of a self-contained pond that is five acres or less in size, has no public access, and is located on and entirely surrounded by land privately owned by the same person.
- Codifies the standard adopted by the Wisconsin Supreme Court in *Zealy v. City of Waukesha*, 201 Wis. 2d 265, 548 N.W.2d 528 (1996), for evaluating whether a regulation enacted by a governmental entity has the effect of taking a person's property without paying just compensation.
- Allows a property owner to bring an action under the inverse condemnation law alleging that a restriction imposed by a governmental unit deprives the owner of all or substantially all practical use of the owner's property.
- Creates a similar provision in Wisconsin law with respect to the federal Freedom to Display the American Flag Act of 2005 which prohibits a condominium association, housing cooperative, or homeowners' association (organization) from adopting or enforcing a policy, or entering into an agreement, that would restrict or prevent a member of the organization from displaying the flag of the United States on residential property that the member owns or to which the member has the right to exclusive possession and use.

Bill Status:

- 8/24/2017 Asm. Introduced by Representatives
- 8/24/2017 Asm. Read first time and referred to Committee on Housing and Real Estate
- 10/17/2017 Asm. Public hearing held
- 10/19/2017 Asm. [Assembly Substitute Amendment 1](#) offered by Representative Jarchow

- 8/10/2017 Sen. Introduced by Senators
- 8/10/2017 Sen. Read first time and referred to Committee on Insurance, Housing and Trade
- 10/17/2017 Sen. Public hearing held
- 10/19/2017 Sen. [Senate Substitute Amendment 1](#) offered by Senator Tiffany
- 10/20/2017 Sen. Executive action taken
- 10/20/2017 Sen. Report adoption of [Senate Substitute Amendment 1](#) recommended by Committee on Insurance, Housing and Trade, Ayes 5, Noes 0
- 10/20/2017 Sen. Report passage as amended recommended by Committee on Insurance, Housing and Trade, Ayes 4, Noes 1
- 10/20/2017 Sen. Available for scheduling

WCCA Position: Working with WCA for clarification of bill and language within. Are in opposition with WCA on this bill.

Bill: [Assembly Bill 480 \(Companion Senate Bill 388\)](#))

Description: Relating to: review by the Department of Safety and Professional Services of the state electrical wiring code applicable to one-family and two-family dwellings; the legal description required for recording an easement for the construction, operation, or maintenance of sewer lines or facilities; expanding the use of tax incremental financing for workforce housing development and allowing a reduction in the amount of certain impact fees; effect of changes in requirements for development-related permits or authorizations on persons who apply for the permits or authorizations; exempting certain vehicles delivering propane from class B highway weight limitations and certain special or seasonal weight limitations; elimination of the forestation state property tax; reviews of and reports on bills and proposed administrative rules that affect housing; general permits to place riprap on the bed of a navigable water; and making an appropriation.

Impact: This bill makes various changes relating to the following:

1. Review by the Department of Safety and Professional Services of the state electrical wiring code applicable to one-family and two-family dwellings.
2. The legal description required for recording an easement for the construction, operation, or maintenance of sewer lines or facilities.
3. Expanding the use of tax incremental financing for workforce housing development and requiring a reduction in the amount of certain impact fees.
4. The effect of changes in requirements for development-related permits or authorizations on persons who apply for the permits or authorizations.
5. Exempting certain vehicles delivering propane from class B highway weight limitations and certain special or seasonal weight limitations.
6. Eliminating the forestation state property tax.
7. Reviews of and reports on bills and proposed administrative rules that affect housing.
8. General permits to place riprap on the bed of a navigable water.

Bill Status:

- 8/24/2017 Asm. Introduced by Representatives
- 8/24/2017 Asm. Read first time and referred to Committee on Housing and Real Estate
- 9/12/2017 Asm. Fiscal estimate received
- 10/16/2017 Asm. [Assembly Substitute Amendment 1](#) offered by Representative Jarchow
- 10/17/2017 Asm. Public hearing held
- 10/19/2017 Asm. [Assembly Substitute Amendment 2](#) offered by Representative Jarchow

- 8/10/2017 Sen. Introduced by Senators
- 8/10/2017 Sen. Read first time and referred to Committee on Insurance, Housing and Trade
- 8/28/2017 Sen. Fiscal estimate received
- 10/17/2017 Sen. Public hearing held
- 10/19/2017 Sen. [Senate Substitute Amendment 1](#) offered by Senator Tiffany
- 10/20/2017 Sen. Executive action taken
- 10/20/2017 Sen. Report adoption of [Senate Substitute Amendment 1](#) recommended by Committee on Insurance, Housing and Trade, Ayes 5, Noes 0
- 10/20/2017 Sen. Report passage as amended recommended by Committee on Insurance, Housing and Trade, Ayes 5, Noes 0
- 10/20/2017 Sen. Available for scheduling

WCCA Position: Uniform Dwelling Code Regulations and DNR regulations

Bill: [Assembly Bill 483 \(Companion Senate Bill 394\)](#))

Description: Relating to: eliminating the Building Inspector Review Board and the Contractor Certification Council and requiring the Uniform Dwelling Code Council to review complaints regarding the inspection of one-family or two-family dwelling construction.

Impact: This bill eliminates the Building Inspector Review Board and the Contractor Certification Council and transfers their duties to the Uniform Dwelling Code Council.

Bill Status:

- 8/29/2017 Asm. Introduced by Representatives
- 8/29/2017 Asm. Read first time and referred to Committee on Regulatory Licensing Reform
- 9/6/2017 Asm. Fiscal estimate received
- 9/7/2017 Asm. [Assembly Amendment 1](#) offered by Representative Jagler

- 8/24/2017 Sen. Introduced by Senators
- 8/24/2017 Sen. Read first time and referred to Committee on Insurance, Housing and Trade
- 9/14/2017 Sen. Fiscal estimate received

WCCA Position: Uniform Dwelling Code Regulations

Bill: [Assembly Bill 497](#) (Companion [Senate Bill 406](#))

Description: Relating to: mitigation requirements applicable to wetland individual permits.

Impact: Under this bill, if the Department of Natural Resources issues a wetland individual permit to a public utility, DNR may not require mitigation unless the discharge authorized by the wetland individual permit will result in a permanent fill of more than 10,000 square feet of wetland

Bill Status:

- 9/13/2017 Asm. Introduced by Representatives
- 9/13/2017 Asm. Read first time and referred to Committee on Environment and Forestry
- 9/18/2017 Asm. Withdrawn from committee on Environment and Forestry and referred to committee on Energy and Utilities pursuant to Assembly Rule 42 (3)(c)
- 9/21/2017 Asm. Fiscal estimate received
- 10/3/2017 Asm. [Assembly Amendment 1](#) offered by Representative Steffen
- 10/17/2017 Asm. Public hearing held

- 9/14/2017 Sen. Introduced by Senators
- 9/14/2017 Sen. Read first time and referred to Committee on Elections and Utilities
- 9/28/2017 Sen. Fiscal estimate received
- 10/3/2017 Sen. [Senate Amendment 1](#) offered by Senator LeMahieu
- 10/12/2017 Sen. Public hearing held

WCCA Position: Affects authority of DNR issuing permits in certain cases.

Bill: [Assembly Bill 499](#) (Companion [Senate Bill 395](#))

Description: Relating to: the regulation of nonferrous metallic mining, prospecting, exploration, and bulk sampling, repealing administrative rules relating to wetlands, granting rule-making authority, and making an appropriation.

Impact: This bill repeals the existing prohibition on issuing sulfide ore mining permits.

Current law prohibits DNR from issuing any permits for the purpose of mining a sulfide ore body until DNR determines that

- 1) there is a mining operation in a potentially acid-generating sulfide ore body in the United States or Canada that has been in operation for at least ten years without resulting in the pollution of groundwater or surface water from acid drainage or from the release of heavy metals; and
- 2) there is a mining operation that operated in a potentially acid-generating sulfide ore body in the United States or Canada that has been closed for at least ten years without resulting in the pollution of groundwater or surface water from acid drainage or from the release of heavy metals.

This bill also makes changes to the locations at which groundwater standards may apply at nonferrous metallic mining and prospecting sites. The bill does not make changes to numerical groundwater standards.

This bill requires DNR, for each mining or prospecting site, to determine the depth in the Precambrian bedrock below which the groundwater is not reasonably capable of being used for human consumption and is not hydrologically connected to other sources of groundwater that are suitable for human consumption. Under the bill, for a nonferrous metallic mining or prospecting site, DNR may not apply groundwater enforcement standards at any point deeper than that identified depth for the site.

Bill Status:

- 9/14/2017 Asm. Introduced by Representatives
- 9/14/2017 Asm. Read first time and referred to Committee on Labor
- 9/25/2017 Asm. Fiscal estimate received
- 10/5/2017 Asm. [Assembly Amendment 1](#) offered by Representative Hutton
- 10/5/2017 Asm. [Assembly Amendment 2](#) offered by Representative Hutton
- 10/5/2017 Asm. [Assembly Amendment 3](#) offered by Representative Hutton
- 10/5/2017 Asm. [Assembly Amendment 4](#) offered by Representative Hutton
- 10/5/2017 Asm. [Assembly Amendment 5](#) offered by Representative Hutton
- 10/5/2017 Asm. [Assembly Amendment 6](#) offered by Representative Hutton
- 10/13/2017 Asm. Public hearing held

- 8/29/2017 Sen. Introduced by Senators
- 8/29/2017 Sen. Read first time and referred to Committee on Sporting Heritage, Mining and Forestry
- 9/7/2017 Sen. Public hearing held
- 9/8/2017 Sen. Fiscal estimate received
- 10/2/2017 Sen. [Senate Amendment 1](#) offered by Senator Tiffany
- 10/2/2017 Sen. [Senate Amendment 2](#) offered by Senator Tiffany
- 10/2/2017 Sen. [Senate Amendment 3](#) offered by Senator Tiffany
- 10/2/2017 Sen. [Senate Amendment 4](#) offered by Senator Tiffany
- 10/3/2017 Sen. [Senate Amendment 5](#) offered by Senator Testin
- 10/3/2017 Sen. [Senate Amendment 6](#) offered by Senator Testin
- 10/3/2017 Sen. [Senate Amendment 7](#) offered by Senator Tiffany
- 10/4/2017 Sen. Executive action taken
- 10/5/2017 Sen. Report adoption of [Senate Amendment 1](#) recommended by Committee on Sporting Heritage, Mining and Forestry, Ayes 3, Noes 2
- 10/5/2017 Sen. Report adoption of [Senate Amendment 2](#) recommended by Committee on Sporting Heritage, Mining and Forestry, Ayes 4, Noes 1
- 10/5/2017 Sen. Report adoption of [Senate Amendment 3](#) recommended by Committee on Sporting Heritage, Mining and Forestry, Ayes 3, Noes 2
- 10/5/2017 Sen. Report adoption of [Senate Amendment 5](#) recommended by Committee on Sporting Heritage, Mining and Forestry, Ayes 3, Noes 2
- 10/5/2017 Sen. Report adoption of [Senate Amendment 6](#) recommended by Committee on Sporting Heritage, Mining and Forestry, Ayes 4, Noes 1
- 10/5/2017 Sen. Report adoption of [Senate Amendment 7](#) recommended by Committee on Sporting Heritage, Mining and Forestry, Ayes 3, Noes 2
- 10/5/2017 Sen. Report passage as amended recommended by Committee on Sporting Heritage, Mining and Forestry, Ayes 3, Noes 2
- 10/5/2017 Sen. Available for scheduling

WCCA Position: Neutral - Monitoring. Affecting State Regulations with 5-6 counties affected.

Bill: [Assembly Bill 508](#) ([Companion Senate Bill 411](#))

Description: Relating to: apprentice-to-journey worker ratios in apprenticeships and the minimum duration of carpentry and plumbing apprenticeships.

Impact: This bill specifically prohibits DWD from prescribing, enforcing, or authorizing, through any means, a ratio of apprentices to journey workers for apprenticeship programs or apprentice contracts that requires more than one journeyworker for each apprentice.

The bill also repeals certain provisions regarding minimum terms for carpentry and plumbing apprenticeships

Bill Status:

- 9/20/2017 Asm. Introduced by Representatives
- 9/20/2017 Asm. Read first time and referred to Committee on Workforce Development

- 9/14/2017 Sen. Introduced by Senators
- 9/14/2017 Sen. Read first time and referred to Committee on Labor and Regulatory Reform
- 10/4/2017 Sen. Public hearing held
- 10/10/2017 Sen. [Senate Amendment 1](#) offered by Senator Kapenga
- 10/12/2017 Sen. Executive action taken

- 10/17/2017 Sen. Report adoption of [Senate Amendment 1](#) recommended by Committee on Labor and Regulatory Reform, Ayes 5, Noes 0
- 10/17/2017 Sen. Report passage as amended recommended by Committee on Labor and Regulatory Reform, Ayes 3, Noes 2
- 10/17/2017 Sen. Available for scheduling

WCCA Position: DSPS Regulations of Licencing

Bill: [Assembly Bill 511](#) (Companion [Senate Bill 429](#))

Description: Relating to: weight limits for certain vehicles transporting maple sap or syrup.

Impact:

This bill creates special highway weight limits for certain vehicles transporting maple sap or syrup.

Bill Status:

- 9/25/2017 Asm. Introduced by Representatives Kulp, Jacque, E. Brooks, Krug, Bernier, Kitchens, Meyers, Thiesfeldt and Mursau; cosponsored by Senators Moulton, Tiffany, Marklein and Testin
- 9/25/2017 Asm. Read first time and referred to Committee on Transportation
- 10/9/2017 Sen. Introduced by Senators Moulton, Tiffany, Marklein and Testin; cosponsored by Representatives Kulp, Jacque, E. Brooks, Krug, Bernier, Kitchens, Meyers, Thiesfeldt, Mursau and Pronschinske
- 10/9/2017 Sen. Read first time and referred to Committee on Transportation and Veterans Affairs
- 10/23/2017 Sen. Fiscal estimate received

WCCA Position: Non Zoning Athority, DOT and County Highway regulations athority

Bill: [Assembly Bill 515](#) (Companion [Senate Bill 430](#))

Description: Relating to: the responsibility to comply with the one-family and two-family dwelling code for a manufactured home owner.

Impact:

This bill provides that, if a requirement of the one-family and two-family dwelling code applies to a manufactured home or an attachment to a manufactured home, the manufactured home owner must comply with that requirement.

Bill Status:

- 9/25/2017 Asm. Introduced by Representatives Ballweg, R. Brooks, Murphy, Gannon, Spiros, Kulp, Tittl, Steffen, Quinn, Ripp, Petersen, Berceau and Thiesfeldt; cosponsored by Senators Lasee, Feyen, Marklein, Nass and Bewley
- 9/25/2017 Asm. Read first time and referred to Committee on Housing and Real Estate
- 10/3/2017 Asm. Representative Born added as a coauthor
- 10/17/2017 Asm. Public hearing held
- 10/9/2017 Sen. Introduced by Senators Lasee, Feyen, Marklein, Nass and Bewley; cosponsored by Representatives Ballweg, R. Brooks, Murphy, Gannon, Spiros, Kulp, Tittl, Steffen, Quinn, Ripp, Petersen, Berceau, Thiesfeldt and Born
- 10/9/2017 Sen. Read first time and referred to Committee on Insurance, Housing and Trade
- 10/17/2017 Sen. Public hearing held
- 10/20/2017 Sen. Executive action taken
- 10/20/2017 Sen. Report passage recommended by Committee on Insurance, Housing and Trade, Ayes 5, Noes 0
- 10/20/2017 Sen. Available for scheduling

WCCA Position: Non Zoning Athority, Uniform Dwelling Code Requirments

Bill: [Assembly Bill 532](#) (Companion [Senate Bill 475](#))

Description: Relating to: one-call system enforcement and other requirements, Public Service Commission authority regarding state energy policy, settlements between parties in Public Service Commission dockets, various public utility regulatory requirements, the regulation of utility facilities under a county construction site erosion control and storm water management zoning ordinance, granting rule-making authority, and providing a penalty.

Impact:

The bill affects the treatment under a county construction site erosion control and storm water management zoning ordinance of the construction or maintenance of a facility, defined in the bill as property or equipment used for the transmission, delivery, or furnishing of natural gas, heat, light, or power and owned by a public utility or cooperative association organized for the purpose of producing or furnishing heat, light, or power to its members only. Under the bill, the construction and maintenance of a facility is considered to satisfy such a zoning ordinance if the Department of Natural Resources has issued all required navigable water, water and sewage, and pollution discharge permits or approvals authorizing the construction or maintenance or, if no such permits or approvals are required, if the construction and maintenance is conducted in a manner that employs best management practices to infiltrate or otherwise control storm water runoff from that infrastructure.

Bill Status:

- 10/11/2017 Asm. Introduced by Representative Kuglitsch; cosponsored by Senator LeMahieu, by request of Public Service Commission
- 10/11/2017 Asm. Read first time and referred to Committee on Energy and Utilities
- 10/17/2017 Asm. Public hearing held
- 10/19/2017 Asm. Fiscal estimate received
- 10/23/2017 Asm. [Assembly Amendment 1](#) offered by Representatives Stuck and Meyers
- 10/23/2017 Asm. [Assembly Substitute Amendment 1](#) offered by Representative Kuglitsch

- 10/18/2017 Sen. Introduced by Senator LeMahieu; cosponsored by Representative Kuglitsch, by request of Public Service Commission
- 10/18/2017 Sen. Read first time and referred to Committee on Elections and Utilities

WCCA Position: Limits the jurisdiction a county has on Stormwater and erosion control on certain projects dealing with

Bill: [Assembly Bill 547](#)

Description: Relating to: permitting and mitigation requirements for nonfederal and artificial wetlands and state assumption of the federal regulatory program governing the discharge of dredged or fill material into navigable waters.

Impact:

This bill exempts nonfederal and artificial wetlands from certain Department of Natural Resources wetland permitting requirements and, if the Environmental Protection Agency delegates to the state the authority to administer its own permit program for the discharge of dredge or fill material into navigable waters, authorizes DNR to assume that authority

Bill Status:

- 10/18/2017 Asm. Introduced by Representatives Steineke, Stafsholt, E. Brooks, R. Brooks, Felzkowski, Horlacher, Jagler, Jarchow, Knodl, Kremer, Kuglitsch, Rodriguez, Allen and Hutton;
- 10/18/2017 Asm. Read first time and referred to Committee on Regulatory Licensing Reform

WCCA Position: Removal of DNR authority on wetland permitting

Bill: [Senate Bill 26](#)

Description: Relating to: broadband expansion grants and making an appropriation.

Impact:

Beginning in FY 2019-20, this bill reserves for the Broadband Expansion Grant Program \$1.5 million annually from the funding that the PSC currently receives from assessments paid into the USF by telecommunications providers.

Bill Status:

- 2/8/2017 Sen. Introduced by Joint Legislative Council
- 2/8/2017 Sen. Read first time and referred to Committee on Elections and Utilities
- 3/2/2017 Sen. Fiscal estimate received

WCCA Position: Not under zoning authority

Bill: [Senate Bill 245](#)

Description: Relating to: requiring a supermajority vote for bills overturning local government policies, ordinances, and regulations.

Impact:

This bill provides that no house of the legislature may pass a bill that overturns any local government policy, ordinance, or regulation unless the bill is approved by two-thirds of those members present and voting. The bill applies to policies, ordinances, and regulations of school districts, counties, cities, villages, and towns.

Bill Status:

- 5/11/2017 Sen. Introduced by Senators
- 5/11/2017 Sen. Read first time and referred to Committee on Financial Services, Constitution and Federalism

WCCA Position: Not Under Zoning Authority

Bill: [Senate Bill 330](#)

Description: Relating to: regulating and monitoring airborne particulate matter and respirable silica and granting rule-making authority.

Impact:

This bill requires an owner or operator of an industrial sand mining or processing facility to monitor the ambient air near the facility for small crystalline silica particles and other particulate matter and report the results to the Department of Natural Resources

This bill also requires DNR to promulgate an ambient air quality standard for small crystalline silica particles

Bill Status:

- 6/23/2017 Sen. Introduced by Senators
- 6/23/2017 Sen. Read first time and referred to Committee on Sporting Heritage, Mining and Forestry
- 7/7/2017 Sen. Fiscal estimate received

WCCA Position: Affects DNR Regulations

Bill: [Senate Bill 331](#)

Description: Relating to: monitoring industrial sand mining and processing operations and making an appropriation.

Impact:

This bill authorizes eight full time equivalent positions to the Department of Natural Resources for monitoring industrial sand mining and processing operations and provides funding for those positions from the environmental fund.

Bill Status:

- 6/23/2017 Sen. Introduced by Senators
- 6/23/2017 Sen. Read first time and referred to Committee on Sporting Heritage, Mining and Forestry
- 7/5/2017 Sen. Fiscal estimate received

WCCA Position: Affects DNR Regulations

Bill: [Senate Bill 332](#)

Description: Relating to: listing frac sand mining as a conditional or prohibited use in certain types of zoning ordinances.

Impact:

Under this bill, with regard to a zoning ordinance that is enacted and relates to agricultural use, frac sand mining must be listed as a conditional use. Also under this bill, with regard to a zoning ordinance that is enacted and relates to residential use, frac sand mining must be listed as a prohibited use.

Bill Status:

- 6/23/2017 Sen. Introduced by Senators
- 6/23/2017 Sen. Read first time and referred to Committee on Sporting Heritage, Mining and Forestry
- 7/26/2017 Sen. Fiscal estimate received

WCCA Position: Neutral. Clarificatiuon of where a use can be established.

Bill: [Senate Bill 333](#)

Description: Relating to: county authority relating to exploration for a type of industrial sand.

Impact:

This bill authorizes counties to issue licenses for the exploration of frac sand. Exploration consists of drilling holes for the purpose of searching for frac sand or establishing the nature and extent of a frac sand deposit. A person who applies to a county for a frac sand exploration license must submit a bond to ensure that drillholes will be properly filled and proof that the person has liability insurance covering personal injury and property damage. The bill also requires a licensee to notify the county before beginning drilling and before filling a drillhole. The bill requires the Department of Natural

Bill Status:

- 6/23/2017 Sen. Introduced by Senators
- 6/23/2017 Sen. Read first time and referred to Committee on Sporting Heritage, Mining and Forestry
- 7/11/2017 Sen. Fiscal estimate received

WCCA Position: Neutral – allows counties to monitor activities.

Bill: [Senate Bill 334](#)

Description: Relating to: disclosure of contracts for frac sand mining on neighboring properties.

Impact:

This bill requires an owner to disclose on the applicable report whether the owner has notice or knowledge of a contract, or an option to contract, that allows a person to mine frac sand on a neighboring property.

Bill Status:

- 6/23/2017 Sen. Introduced by Senators
- 6/23/2017 Sen. Read first time and referred to Committee on Sporting Heritage, Mining and Forestry

WCCA Position: Not Zoning Athority

Bill: [Senate Bill 335](#)

Description: Relating to: notice requirements for zoning actions related to frac sand mining.

Impact:

Under this bill, before a city, village, town that is authorized to exercise village powers, or county may take any action on an application for a frac sand mine, the governing body must publish a class 2 notice at least 30 days before the meeting and must also send written notice of the meeting, by first class mail, at least 30 days before the meeting, to the owner or occupant of any land that is located within one mile of the proposed mine.

Bill Status:

- 6/23/2017 Sen. Introduced by Senators
- 6/23/2017 Sen. Read first time and referred to Committee on Sporting Heritage, Mining and Forestry
- 7/5/2017 Sen. Fiscal estimate received

WCCA Position: Changes affect the process on noticing a hearing.

Bill: [Senate Bill 425](#)

Description: Relating to: limiting the authority of the state and political subdivisions to regulate certain wireless facilities and authorizing political subdivisions to impose setback requirements for certain mobile service support structures.

Impact:

This bill creates a regulatory framework for the state and political subdivisions (cities, villages, towns, and counties) for the deployment of wireless equipment and facilities, including the placement of such items in rights-of-way (ROW), the collocation of such facilities on existing poles and structures, the regulation of access to governmental structures by wireless services and infrastructure providers, and limitations on local authority to regulate such activities. The bill also authorizes political subdivisions to impose setback requirements for certain mobile service support structures.

Bill Status:

- 10/4/2017 Sen. Introduced by Senator LeMahieu;
- 10/4/2017 Sen. Read first time and referred to Committee on Elections and Utilities
- 10/5/2017 Sen. Senator Cowles added as a coauthor
- 10/11/2017 Sen. [Senate Amendment 1](#) offered by Senator LeMahieu
- 10/12/2017 Sen. Public hearing held
- 10/16/2017 Sen. Fiscal estimate received
- 10/20/2017 Sen. [Senate Amendment 2](#) offered by Senator LeMahieu
- 10/23/2017 Sen. [Senate Amendment 3](#) offered by Senator Risser
- 10/23/2017 Sen. [Senate Amendment 4](#) offered by Senator Risser
- 10/23/2017 Sen. [Senate Amendment 5](#) offered by Senator Risser
- 10/23/2017 Sen. [Senate Amendment 6](#) offered by Senators Risser and Miller
- 10/23/2017 Sen. [Senate Amendment 7](#) offered by Senators Risser and Miller

WCCA Position: Working With WCA for clarity on wording in relation to the location near residential districts.