



Legislative Fiscal Bureau

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February 4, 2016

TO: Representative Katrina Shankland
Room 119 North, State Capitol

FROM: Bob Lang, Director

SUBJECT: Unfunded Mandates and Items that Would Restrict Local Control

You asked that this office prepare a list of provisions enacted in the 2011-12 and 2013-14 legislative sessions that represent unfunded mandates or that would restrict the authority of local units of government. That list follows. The items on the list with page and line numbers are from either the state's 2011-13 budget (2011 Act 32) or the 2013-15 budget (2013 Act 20). The page and item numbers refer to this office's "Comparative Summary of Provisions" published either in August, 2011 (for 2011 Act 32), or in August, 2013 (for 2013 Act 20). For the other items on the list, the 2011 or 2013 act numbers are identified.

In addition, the list includes provisions of the 2015-17 budget act (2015 Act 55) that represent unfunded mandates or that restrict the authority of local units of government. The page and item numbers refer to this office's September, 2015, "Comparative Summary of Provisions -- 2015 Act 55." Other legislative enactments by the 2015 Legislature to date are also provided.

Finally, the list includes bills that represent unfunded mandates that restrict the authority of local units of government that are included on the calendars of the Senate and Assembly for January, 2016, and February, 2016.

2011-12 LEGISLATIVE SESSION

Act 32

Agriculture, Trade and Consumer Protection

- Working Lands Initiative -- Repeal Authority to Enact Local Farmland Preservation Conversion Fees (Page 89, #7)

General Fund Taxes -- Regulation of Alcohol Beverages

- Three-Tiered Beer Laws (Page 323, #1)

Natural Resources

- Limits Local Regulation of State Licensed Bird Hunting Preserves (Page 497, #6)

Public Instruction

- Revenue Limits -- Base Reduction (Page 540, #5)
- Revenue Limits -- Prior Year Base Revenue Hold Harmless (Page 542, #8)
- Revenue Limits -- School Safety Expenditures (Page 543, #9)
- Revenue Limits -- Above Average Transportation Costs (Page 543, #10)
- Revenue Limits -- School Nurse Compensation Costs (Page 543, #11)
- Student Information System (Page 574, #5)

Shared Revenue

- Levy Limit for Counties and Municipalities (Page 624, #1)
- Expenditure of Local Room Tax Revenues in Certain Premier Resort Areas (Page 633, #1)

Transportation

- Repeal of Regional Transit Authorities (Page 670, #3)
- Bidding Requirements for Highway and Other Public Works Projects (Page 674, #12)
- Method of Bidding Local Projects (Page 676, #13)
- Bidding Requirements for Private Projects (Page 676, #14)
- Borrow and Disposal Sites for Transportation Projects (Page 692, #16)
- Local Government Reimbursement of Outdoor Advertising Sign Condemnation Costs (Page 693, #18)

Wisconsin Technical College System

- District Board Levy Limit (Page 816, #5)
- Fee Remissions for Veterans and Certain Dependents (Page 818, #10)

Workforce Development

- Prevailing Wage (Page 830, #17)

Other Acts

General Provisions

- Office of County Comptroller for Milwaukee County (Act 62)
- Prohibit Ordinances that Place Certain Limits or Requirements on Landlords (Act 108)
- Direct Annexations by Unanimous Approval (Act 128)
- Length of Time for Which Zoning Variance Applies (Act 135)
- Prohibiting a Local Government from Imposing a Moratorium on Eviction Actions (Act 143)
- Limiting Municipal Authority to Enact a Development Moratorium Ordinance (Act 144)

Natural Resources

- Shoreland Zoning Standards (Act 170)

Transportation

- Seasonal Weight Limitations for Certain Vehicles Transporting Agricultural Crops (Act 52)
- Seasonal Weight Limits for Certain Vehicles Transporting Manure (Act 279)

Workforce Development

- Pre-emption of Local Medical and Family Leave Ordinances (Act 16)

2013-14 LEGISLATIVE SESSION**Act 20****Children and Families**

- Child Protective Services Appeals (Page 180, #9)

Financial Institutions

- Municipal Regulation of Residential Mortgage Loans and Real Estate Brokers (Page 265, #11 and Page 315, #11)

General Fund Taxes

- Repeal the Grain Storage Tax (Page 304, #4)

General Provisions

- Local Government Employee Residency Requirements (Page 305, #1)
- Commercial and Non-Commercial Radio Broadcast Facilities (Page 308, #5)
- Mobile Tower Siting Regulations (Page 310, #8)
- Prohibit Local Governments from Limiting the Sale of Certain Food and Beverages (Page 314, #9)
- Real Estate Brokers (Page 315, #11)

Natural Resources

- Uniform Statewide Standards for Commercial Erosion Control (Page 545, #9)

Public Instruction

- Community Service Levy and Expenditures (Fund 80) (Page 566, #8, and Act 306)

Public Service Commission

- Utility Relocation Costs to Accommodate Urban Rail Transit Systems (Page 619, #4)

Shared Revenue and Tax Relief

- County and Municipal Levy Limit -- Adjustment for Certain Fee and Payments in Lieu of Taxes Revenue (Page 674, #3)

Wisconsin Technical College System

- District Board Levy Limit (Page 782, #6, and Act 145)
- Use of Levy for Payments on Noncapital Notes (Page 784, #9)
- Eligibility of Veterans for Tuition and Fee Remissions (Page 785, #11)
- Eligibility of Children and Spouses of Certain Veterans for Tuition and Fee Remissions (Page 786, #12)

Other Acts

General Provisions

- Milwaukee County Governance (Act 14)
- Limitation on Development Regulation Authority (Act 74)
- Restriction of Landlord-Tenant Ordinances (Act 76)
- Create Milwaukee County Mental Health Board (Act 203)
- Limiting Security a Town May Require as a Condition of Plat Approval (Act 280)
- Nonconforming Uses and Manufactured Home Communities (Act 347)

Natural Resources

- Ferrous Mining Law -- Zoning Limits (Act 1)
- Sport Shooting Ranges Grandfathered (Act 35)
- Limiting Crossbow Restrictions (Act 71)
- Sport Shooting Range Immunity (Act 202)

Public Instruction

- Requires Additional Credits in Mathematics and Science for High School Graduation (Act 63)

Public Service Commission

- Municipal Utility Customer Information (Act 25)
- Unpaid Bills of Municipal Utilities (Act 274)

Revenue

- Alcohol Beverages Identification Scanners (Act 215)

Safety and Professional Services

- Local Building Code Restrictions (Act 270)

Transportation

- Energy Emergencies and Vehicle Weight Limits (Act 217)
- Operation of Agricultural Vehicles on Highways (Act 377)

Wisconsin Technical College System

- Requires District Boards to Give Veterans and Service Members Priority in Registering for Courses (Act 56)

2015-16 LEGISLATIVE SESSION

Act 55

Children and Families

- Work Experience Program Drug Testing and Treatment (Page 177, #4, as it relates to the Children First program)

District Attorneys

- Special Prosecutor Appointments (Page 223, #5)

Employment Relations Commission

- High-Deductible Health Plan Alternative for Local Protective Service Employees (Page 243, #5)

General Provisions

- New Methods for Towns Contiguous to a Third-Class City to Incorporate (Page 304, #3)
- Energy Savings Performance Contract (Page 307, #4)
- Madison Metropolitan Sewerage District (Page 308, #6)
- Mental Injury Duty Disability Benefits from Retirement Systems of First Class Cities and Counties With a Population of 500,000 or More (Page 310, #9)
- Extension of Water or Sewer Service Between Municipalities (Page 311, #11)
- Prohibit Local Governments from Imposing Time of Sale Requirements (Page 312, #12)
- Duties and Powers of the County Executive in Populous Counties (Page 313, #13)
- Limitation on Town and County Conditional Use and Insurance Requirements (Page 314, #14)
- Municipal Public Building Plan Information and Public Plan Rooms (Page 317, #16)

Health Services

- Changes to Family Care, IRIS, and Aging and Disability Resource Centers (Page 345, #1)
- Funeral and Cemetery Aids (Page 372, #5)

Legislature

- Division of Municipalities Into Election Wards (Page 458, #4)

Natural Resources

- Urban Bowhunting (Page 520, #3)
- Shoreland Zoning Standards and Ordinances (Page 532, #9)
- Areawide Water Quality Management Planning for Dane County (Page 541, #21)

Public Instruction

- Notice of Educational Options (Page 600, #3)
- Participation in Athletics and Extra-Curricular Activities (Page 605, #5)
- Geographic Representation for School Board of Unified School Districts (Page 606, #7)
- Civics Assessment Requirement for High School Graduation (Page 630, #24)

Safety and Professional Services

- Religious Waivers to Certain One- and Two-Family Building Code Provisions (Page 662, #15)
- Local Electrical and Multifamily Sprinkler Code Ordinances (Page 664, #17)

Shared Revenue and Tax Relief

- Property Tax Bill Information (Page 688, #2)
- Local Government Lodging ("Room") Tax (Page 691, #2)
- Public Fire Protection Charges (Page 694, #3)

Transportation

- Milwaukee County and Provision of Services or Funds for a Rail Fixed-Guideway Transit System (Page 729, #5)
- Rail Property Exemption from Local Special Assessment (Page 732, #5)

Other Acts

General Provisions

- Exemptions from Licensure and Fees for Disaster Relief Work (Act 84)

Public Instruction

- Requiring Individuals Operating Certain School Lunchrooms to Hold Certificates of Food Protection Practices (Act 46)
- Requiring a Primary for the Election of School Board Members and Requiring School Boards to Adopt a Policy for Filling Vacancies (Act 63)

Transportation

- Operation of Agricultural Vehicles on Highways (Act 15)
- Seasonal Weight Limitations for Certain Utility Vehicles (Act 44)

Wisconsin Technical College System

- Charging Resident Fees to Non-Resident Veterans and their Family Members (Act 21)

ASSEMBLY CALENDAR -- January 12, 2016

Local Revenue Options

- Prohibit Local Real Estate Transfer Fees (SB 279)

SENATE CALENDAR -- January 12, 2016

General Provisions

- Acquiring Land by Adverse Possession (SB 314)

ASSEMBLY CALENDAR -- January 19, 2016

Children and Families

- Model Procedures for Investigating Abuse or Neglect (AB 667)

Regulation of Alcohol

- Municipal Liquor License Fees (AB 612)

SENATE CALENDAR -- January 20, 2016

- Implements of Husbandry and Agricultural Commercial Motor Vehicles (SB 448)
- Conveying Interests in Local Government Land for Construction of Natural Gas Lines (AB 319)
- Fire Suppression Systems at Certain Fairground Buildings (SB 478)
- Health Insurance for Survivors of Local EMT, Law Enforcement and Fire Fighters who die in the Line of Duty (SB 192)
- Going Armed with a Switchblade (AB 142)

ASSEMBLY CALENDAR -- February 9, 2016

- County and Town Zoning Modifications (AB 563)
- Government Actions Affecting Rights to Real Property (AB 582)
- Restricting a Local Government's Ability to Prohibit or Restrict a Person from Renting Out a Residential Dwelling (AB 583)
- Acquiring Land by Adverse Possession (SB 314)
- Implements of Husbandry and Agricultural Commercial Motor Vehicles (SB 448)
- Expand Life Savings Skills Instruction Requirement (AB 545)
- Eliminate Local Options Regarding Alcohol Beverage Licenses (AB 624)
- Replacement of Nonconforming Structures (AB 523)
- County Shoreland Zoning (AB 603)
- Christmas Trees in the Rotunda or Church (AB 648)
- Workers Compensation Law Changes (AB 724)
- Inspection of Certain Residential Dwellings (SB 87)

