

Assembly Hearing Slip

(Please print plainly)

Date: 2-26-98

Bill No. HB 808

Or Subject: _____

By Don Spilner
(Name)

15095 Town Wood
(Street Address or Route Number)

Norwell 53949
(City & Zip Code)

(Representing) _____

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, VT 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-26-98

Bill No. AB 808

Or Subject: _____

Ann Lariviere
(Name)

2 E. Main St. Ste 701
(Street Address or Route Number)

Madison, VT 53703
(City & Zip Code)

League of Women
(Representing)

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, VT 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/26/98

Bill No. AB 808

Of _____

Subject: _____

(Name) Fathy Markland

(Street Address or Route Number) 6100 Gages Place Switzel Dr

(City & Zip Code) Monona 53716

(Representing) Wisconsin Landers Association

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/26/98

Bill No. AB ~~808~~, 808, 810

Of _____

Subject: _____

(Name) Michael Stapleton

(Street Address or Route Number) W8002 Whitetail Dr.

(City & Zip Code) Pardeeville WI 53954

(Representing) Wis. County Code Adm. (WCCA)

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-26-98

Bill No. AB 808

Or Subject

David Krahn

(Name)

517 W. Moreland Blvd.

(Street Address or Route Number)

Waukesha 53388

(City & Zip Code)

Waukesha County

(Representing)

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-26-98

Bill No. AB-808

Or Subject

William P. O'Connor

(Name)

25 W. Main #801

(Street Address or Route Number)

Madison 53703

(City & Zip Code)

Wis Assoc of LACES

(Representing)

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date:

Bill No. AB 808

Or Subject ENVIRONMENTALLY SENSITIVE AREAS

Rick Stadelman

(Name)

17686 Hwy 29

(Street Address or Route Number)

STAUAN WIS

(City & Zip Code)

Wis Towns Assoc

(Representing)

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/24/98
Bill No. AB 808
Of _____
Subject _____

AGG Shane Kopperburg
(Name)
Dept. of Justice
123 W. Washington Ave
(Street Address or Route Number)
Madison 53705
(City & Zip Code)
Attorney General Shane Doyle
(Representing)

- Speaking In favor:
- Speaking against:
- Registering In favor:
- Registering against:
- Speaking for Information only:
- Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-26-98
Bill No. AB 808
Of _____
Subject _____

Janice Beece
(Name)
6333 W Bluemound
(Street Address or Route Number)
Milwaukee 53213
(City & Zip Code)
WI State AFL-CIO
(Representing)

- Speaking In favor:
- Speaking against:
- Registering In favor:
- Registering against:
- Speaking for Information only:
- Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 02-26-98
Bill No. AB 808
Of _____
Subject _____

RANDY J. FROST
(Name)
433 E. WASHINGTON ST
(Street Address or Route Number)
WISCONSIN 53551
(City & Zip Code)
LEAGUE OF WISCONSIN MUNICIPALITIES
(Representing)

- Speaking In favor:
- Speaking against:
- Registering In favor:
- Registering against:
- Speaking for Information only:
- Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 26 FEB 98

Bill No. EB 808

Or Subject _____

(Name) Richard M. Smith

(Street Address or Route Number) 588 W. Rogers Dr

(City & ZIP Code) Wausau 53183

(Representing) _____

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/26/98

Bill No. AB 808

Or Subject TAKINGS

(Name) DAN WISNIEWSKI

(Street Address or Route Number) _____

(City & ZIP Code) MADISON

(Representing) DANE COUNTY Executive Kathleen Falk

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/26/98

Bill No. AB 808

Or Subject _____

(Name) Jim O'Keefe

(Street Address or Route Number) 210 Martin Luther King Jr Blvd

(City & ZIP Code) Madison 53701

(Representing) City of Madison

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: Nadine Bulley 2-26

Bill No. AB 508

Or Subject _____

(Name) _____

(Street Address or Route Number) _____

(City & Zip Code) Famber Producers Assoc.
(Representing)

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-20-98

Bill No. AB 808

Or Subject _____

(Name) Squad Gary Drewnicki

(Street Address or Route Number) _____

(City & Zip Code) 30th Sunk District
(Representing)

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/24/98

Bill No. AB 808

Or Subject _____

(Name) Dean Berkeley

(Street Address or Route Number) _____

(City & Zip Code) Tonawack 54888?
(Representing) Lake States Resource Alliance

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/26/98

Bill No. 488 S08

Subject: _____

Mr. F. Steele
(Name)

14201 Old S. Main
(Street Address or Route Number)

Madison
(City & Zip Code)

W. A. Dean. Dean
(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-26-98

Bill No. 147 S08

Subject: Environ. Sensitive Zoning

Michael Tved
(Name)

4801 Forest Run Rd.
(Street Address or Route Number)

Madison WI 53704
(City & Zip Code)

Wis. Realtors Assoc
(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-26-98

Bill No. 485 S08

Subject: _____

Alice S'CONNOR
(Name)

(Street Address or Route Number)

(City & Zip Code)

151A Cassht Timber
(Representing) Produces

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/26/98

Bill No. AB 808

Or Subject _____

(Name) ROGER CLIFF

(Street Address or Route Number) Box 5552

(City & Zip Code) MADISON 53705

(Representing) WIS. FARM BUREAU

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-26-98

Bill No. AB 808

Or Subject _____

(Name) Rep Mark Green

(Street Address or Route Number) 115 West - State Capitol

(City & Zip Code) _____

(Representing) _____

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-26-98

Bill No. AB 808

Or Subject Zoning, F. S. Area

(Name) Mrs. Welsensel

(Street Address or Route Number) 2800 Walton Commons WI

(City & Zip Code) MADISON 53718

(Representing) W. Neighborhood Council

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: Feb 26, 1998

Bill No. AB 808

Subject: _____

(Name) Dan Thompson

(Street Address or Route Number) 202 State St.

(City & Zip Code) Madison, WI 53703

(Representing) League of Wisconsin Municipalities

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/26/98

Bill No. AB 808

Subject: _____

(Name) Tim Mueller

(Street Address or Route Number) 7220 Carlboe Ct

(City & Zip Code) Verona, WI

(Representing) Libertarian Party of WI Inc

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/26/98

Bill No. AB 808

Subject: _____

(Name) Ann's Pickover

(Street Address or Route Number) 17177 Hwy 26

(City & Zip Code) Tureay, WI 53039

(Representing) _____

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-26-98
Bill No. AB808
Or
Subject: _____

(Name) Amy Koster
140 Main St.
(Street Address or Route Number)
Memoska 54952
(City & Zip Code)
City of Memoska
(Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only:
- Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/26/98
Bill No. AB 808
Or
Subject: _____

(Name) Bryan Hooks
E. La Trunkly, P.O. Box 257
(Street Address or Route Number)
Burgor WI 53014
(City & Zip Code)
Lake State's Lumber Assn.
(Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only:
- Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/26/98
Bill No. AB 808
Or
Subject: _____

(Name) Carol Terrell
222 S Hamilton St #1
(Street Address or Route Number)
MADISON WI 53703-3201
(City & Zip Code)
SIERRA CLUB JOHN MuirChapter
(Representing)

- Speaking in favor:
- Speaking against:
- Registering in favor:
- Registering against:
- Speaking for information only:
- Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly).

Date: 2/26/98

Bill No. AD 808

Or Subject: _____

(Name) Alan Hasketeer

(Street Address or Route Number) 1015 Sturgeon Eddy

(City & ZIP Code) Wasson 54403

(Representing) SELF lumber operator

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly).

Date: FRAUCES Lecker

Bill No. 808

Or Subject: TRUCKS

(Name) FRAUCES Lecker

(Street Address or Route Number) 224 West Main

(City & ZIP Code) MADISON WI

(Representing) LAISONS AUBOR

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly).

Date: 2-26-98

Bill No. AD 808

Or Subject: _____

(Name) Tom Talbot

(Street Address or Route Number) 1801 W Aug 33

(City & ZIP Code) Portage WI 53501

(Representing) Lake State Lumber
Res. & Lumber Contractor

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/26/98

Bill No. AS-808

Subject

PAUL CESTALUZZA
(Name)

16 N. Cannon St.
(Street Address or Route Number)

MDSW 53703
(City & Zip Code)

1000 FEZWOS OF US
(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-26-98

Bill No. AB8808

Subject

Bill Weitzel
(Name)

13735 Hwy 33
(Street Address or Route Number)

Baraboo 53913
(City & Zip Code)

Myself Family
(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-26-98

Bill No. AB 808

Subject

Lawrence Classen
(Name)

222 So Bedford
(Street Address or Route Number)

Madison 53708
(City & Zip Code)

Wisconsin's Environmental
Decade
(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

X
Assembly Hearing Slip

(Please print plainly)

Date: Feb 26, 1998

Bill No. AB 508

Or Subject _____

(Name) BOB BOWMAN

(Street Address or Route Number) 4417 Rocky Dell Rd

(City & Zip Code) Cross Plains, WI 53528

(Representing) MYSELF

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

X
Assembly Hearing Slip

(Please print plainly)

Date: 26 Feb 98

Bill No. AB 808

Or Subject _____

(Name) EMER A. GOETSCH

(Street Address or Route Number) 7544 Island View Rd

(City & Zip Code) THREE LAKES WI 53082

(Representing) ~~ALLIANCE~~ RF LAKES

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

X
Assembly Hearing Slip

(Please print plainly)

Date: 2-26

Bill No. AB 808

Or Subject _____

(Name) Sony Deschane

(Street Address or Route Number) _____

(City & Zip Code) _____

(Representing) 225C. Bill Dens

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-24-98

Bill No. 808

Or Subject

(Name) James W. Connors

(Street Address or Route Number) 625-53rd Street

(City & Zip Code) Kenosha, WI 53140

(Representing) City of Kenosha

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: Feb 26 98

Bill No. 808

Or Subject

(Name) Earl E. Dickson

(Street Address or Route Number) 418 9th Avenue

(City & Zip Code) Grandridge Wn 53523

(Representing) SELF

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/26/98

Bill No. B 808

Or Subject

(Name) Richard Yde

(Street Address or Route Number) 1115 S. Main St.

(City & Zip Code) West Bend 53095

(Representing) City of West Bend

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: Feb 26 - 1998

Bill No. AB-608

Or Subject _____

(Name) Donald Kern

Box 292

(Street Address or Route Number)

Waukegan, WI 53881

(City & Zip Code)

(Representing) Myself - probably none

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

X

Assembly Hearing Slip

(Please print plainly)

Date: 2-26-98

Bill No. AB 808

Or Subject _____

(Name) EO Huck

14 Wm. St

(Street Address or Route Number)

Waukesha, WI

(City & Zip Code)

(Representing) WJ Cell phone of chief

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

X

Assembly Hearing Slip

(Please print plainly)

Date: 3-26-98

Bill No. 808

Or Subject _____

(Name) TERRY PETERS

RH Box 178

(Street Address or Route Number)

MELLEN WI 54546

(City & Zip Code)

(Representing) Self

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

X

X Appearing by
Steve Targovart

Assembly Hearing Slip

(Please print plainly)

Date: 2/26/98

Bill No. AB 808

Or Subject Takings

(Name) John Hystop

(Street Address or Route Number) 807 W Broadway

(City & Zip Code) Milwaukee, WI 53202

(Representing) City of Milwaukee

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

X

Assembly Hearing Slip

(Please print plainly)

Date: 2/26/98

Bill No. AB 808

Or Subject Takings

(Name) Steve Targovart

(Street Address or Route Number) Zits Halls 208 E Wells

(City & Zip Code) Milwaukee, WI 53202

(Representing) City of Milwaukee

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

X

Assembly Hearing Slip

(Please print plainly)

Date: 2-26-98

Bill No. AB 808

Or Subject _____

(Name) GEORGE ROBAK

(Street Address or Route Number) 11813 W. WATERFORD AVE

(City & Zip Code) GERRIEN, WI 53228

(Representing) MY SELF

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:
Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

X

Assembly Hearing Slip

(Please print plainly)

Date: 2/26/98

Bill No. RB 808

Of
Subject _____

(Name) Rep. Albers/Leahy

(Street Address or Route Number) _____

(City & Zip Code) _____

(Representing) _____

Speaking *In favor:*

Speaking *against:*

Registering *In favor:*

Registering *against:*

Speaking for *Information only:*
Neither for nor *against:*

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, VT 53702

X

Assembly Hearing Slip

(Please print plainly)

Date: 2/26/98

Bill No. RB 808

Of
Subject _____

(Name) Jim Ruff

(Street Address or Route Number) _____

(City & Zip Code) BNR

(Representing) _____

Speaking *In favor:*

Speaking *against:*

Registering *In favor:*

Registering *against:*

Speaking for *Information only:*
Neither for nor *against:*

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, VT 53702

X

Assembly Hearing Slip

(Please print plainly)

Date: 2/26/98

Bill No. RB 808

Of
Subject _____

(Name) Alan Russell Sr

(Street Address or Route Number) RR2 Box 290

(City & Zip Code) Prusse du Chen VT 53821

(Representing) My self

Speaking *In favor:*

Speaking *against:*

Registering *In favor:*

Registering *against:*

Speaking for *Information only:*
Neither for nor *against:*

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, VT 53702

Committee Meeting Attendance Sheet

Assembly Committee on Land Use

Date: 2-26-98 Meeting Type: Hearing

Location: 328NW, State Capitol

Committee Member

Rep. Michael Powers, Chair

Rep. John Ainsworth

Rep. Carol Owens

Rep. Peter Bock

Rep. John Steinbrink

Present

Absent

Excused

Totals:

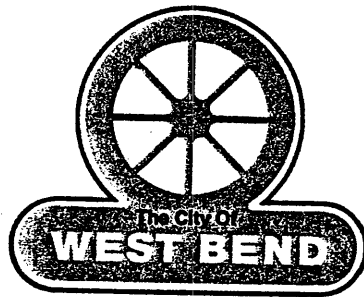
5

0

0

Kathi Kilgore

Kathi Kilgore, Committee Clerk



MEMORANDUM

TO: ASSEMBLY COMMITTEE ON LAND USE

FROM: RICHARD C. YDE, CITY ATTORNEY

RCY

RE: AB 806-810

DATE: FEBRUARY 25, 1998

Thank you for the opportunity to comment on Assembly Bills 806, 807, 808, 809 and 810. Based on the bills themselves and the literature distributed by their sponsors, it appears the sponsors feel that people need to be protected from their local governments. What is the basis for such a belief? Have local governments run amok abusing their citizens? The bills are a bad solution to a nonexistent problem.

Local governments are very much governments of the people, by the people and for the people. Local governments are on the front line mediating disputes between property owners. They are elected by their fellow citizens to perform that job and do so conscientiously. It is contrary to the public interest to make it more difficult and more expensive for them to do their jobs. If they make a mistake, there are already numerous statutory and constitutional protections in place to protect citizens' rights. Additional micromanagement of local affairs by the state legislature and the courts is not good for anyone.

The bills before you will increase red tape and property taxes without any corresponding public benefit. Specific problems with the individual bills include the following:

BILL 806

- If the City chose to update its zoning code, it would have to get two appraisals done of every parcel in the City. Failure to do so would subject the City to the risk that the entire zoning code could be voided at any time because one property owner can find an appraiser to say his property has been reduced in value by half. The City generally waits several months and

pays well in excess of \$1000 for each appraisal for eminent domain purposes. Two appraisals for each of 9,000 parcels in the City would likely take several years and cost in excess of \$20,000,000. The City's annual budget is about \$15,000,000.

- If an owner requests a zoning amendment for property, this bill would require the City to obtain appraisals of surrounding properties if their values might be affected. Thus a process that now takes a few weeks and costs a few hundred dollars would take months and cost thousands of dollars.
- Since the bill applies to boards and agencies of the City, it would apply to the Board of Zoning Appeals and Plan Commission among others. What is now a relatively cheap and streamlined process for property owners to obtain variances or conditional use permits would take months and cost thousands of dollars.
- It is not clear whether the costs of the appraisals can be passed on to property owners. Either way it is unreasonable. The property owner has to pay thousands of dollars for a simple variance request; or the taxpayers pay thousands of dollars every time a property owner makes such a request.
- It is not clear whether a denial of a variance or a conditional use permit is an action or a failure to act. However, it really does not make any difference since the City must obtain the appraisals before it is known how the board of appeals or plan commission will decide a request for either one.
- Proposed sec. 895.45(4)(b) requires the department of administration to "commence an action. . . if the interests of the public are at stake." Since the interests of the public are at stake in every action taken by a governmental unit, there are no cases in which the department would not be required to act.
- Based on the language of the bill, it apparently also would require the City to obtain appraisals of property outside the City if the value of that property might be affected by actions within the City.
- The bill lacks definitions of terms used such as "parcel", "probability", "owners", "good faith belief", "immediate and substantial threat", and "certain activities."
- Sec. 893.78 as created by this bill would eliminate any statute of limitations for private actions challenging the validity of ordinance since it is based on actual knowledge by the plaintiff rather than constructive knowledge (e.g.

"discovers or should have discovered"). There is no way to show that the plaintiff knew about the reduction in value before the plaintiff claims to know.

BILL 807

- Because the bill requires the City to prove receipt of the notice by every owner of property, the City would be forced to use registered mail to serve the notices. Even if we assume only one owner for each parcel and only a one page notice, the mailing cost alone for a rewrite of the City's zoning code would be in excess of \$56,000. In addition to that would be staff time in creating the notices, identifying owners, mailing the notices, tracking the return receipts and trying to determine what to do about owners who did not receive the notice.
- This bill does not define what constitutes a good faith effort. Therefore, it is impossible to know what the City must do to determine who owners are.
- Nor does the bill define owner. Does it include only fee owners or all persons with ownership interests? Does it include land contract vendors and vendees, tenants, mortgagees, persons with life estates, others?
- Nor does it explain what happens when property is conveyed during proceedings.
- Ultimately no ordinance will be enforceable because it will be impossible to prove that every owner got notice at the appropriate time.

BILL 808

- This Bill reverses over 200 years of the law of this country that laws enacted by the elected representatives of the people are presumed to be valid.
- Again, terms such as "natural values" and "environmentally sensitive areas" are not defined. Would it apply to zoning designed to protect the City's water supply? It appears that it would make it much more difficult to protect the City's water supply from contamination.
- In order to adopt any such ordinance, the City would have to hire consultants at who knows what cost to prepare a comprehensive written record.

BILL 809

- This bill simply imposes more red tape on cities and places additional limits on the ability of local elected officials to exercise their discretion in the public interest.

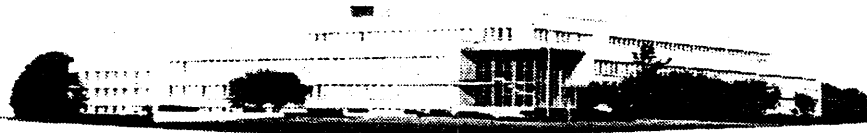
BILL 810

- This bill allows the loser in a lawsuit to have his court costs paid by the taxpayers. What is the sense in that?
- This bill also requires the taxpayers to pay actual attorney fees for a private litigant if he can convince a court that a board of appeals made an unreasonable mistake. The City's board of appeal is made up of citizen volunteers, not lawyers. What is the sense in making the taxpayers pay more money if that citizen board made a mistake?

In summary, the bills before you would increase red tape for both property owners and local governments, increase uncertainty in the adoption and enforcement of laws, increase litigation and increase property taxes. The only obvious beneficiaries of the bills would be appraisers and trial lawyers. There is no public benefit. Bills such as these only encourage the perception that legislators do the bidding of special interests rather than acting in the public interest.

Before you make such drastic changes in the law and impose such huge costs on taxpayers, please do some investigation to be certain there really is a problem which needs addressing. If you find a general problem with a regulatory program, as opposed to an isolated incident, the solution should be to reduce or eliminate that program rather than to add another dysfunctional layer of regulation with unknown costs and consequences. Any solutions should be considered long and hard before changing a system of government which has served this country well for over 200 years and the state for 150 years.

WAUKESHA COUNTY



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February 26, 1998

TO: Representative Michael Powers, Chair
Members of the Assembly Committee on Land Use

FR: Dave Krahn
Legislative Assistant

RE: AB 806, 807, 808, 810 - "Takings" Legislation

Taken together, these bills severely limit the ability of local governments to manage land use within their boundaries. The exercise of land use controls is a long standing government responsibility in this country per a U.S. Supreme Court decision in the early 1900's, and is one of the oldest and well established principles of regulation in our society. While there have been problems in bringing about a perfect balance of land uses via past efforts, certainly future efforts will be greatly hampered if these bills are enacted. They will severely curtail communities' efforts to bring about "land use order", increase litigation, and severely impact the already overburdened court system.

Without reasonable regulation of land use control, environmental degradation will be the result, endangering public health, safety and welfare. Governments will be reluctant to act because of perceived adverse affects of taking any action. The public suffers because of such inaction. Adverse impacts on property values may also result as neighborhoods will not enjoy the long standing ideal of local governments' affording some protection of their property rights. Increased costs, and correspondingly, higher property taxes will result because of the need to rely on litigation and remediation rather than prevention.

For example, in 1997, our county had 65 rezoning reviews and 71 conditional use applications for which we had to prepare a response. Although we have not done appraisals for such items, we do have appraisals done for land acquisitions through our Park Division. Such appraisals average \$2,500 each. Because there are two appraisals required under AB 806, the cost to Waukesha County in 1997 would have been \$680,000, not including any other expenses incurred during the process of evaluating such matters. Further, if others come forward claiming property impact, the costs will go even higher. AB 807 does not have as severe an impact, but in conjunction with AB 806, it would require substantial staff time and incur significant dollars, thereby having a chilling affect on continued effective regulation of land use.

These bills will also have a negative impact on the effort to bring about the ideals stated in land use plans. Many communities adopt plans and opt to zone their lands for their current use and consider rezoning lands if the proposed new use will be consistent with the adopted land use plan. This technique affords more control, while also setting forth in a community wide document, the long term land use vision of the community. This practice will be severely impacted and will not allow the community the opportunity to enforce its plans because of the requirements of these bills.

This legislature, in cooperation with the governor, established the Wisconsin Land Council in the biennial budget of 1997-99. The Council has been delegated to comprehensively study land use in the state of Wisconsin for the 21st century. It has not as yet had its first meeting. Is it not well-advised, to at least give this important effort a chance before legislation such as this is placed on the books. Prudence and good government demands no less.

Waukesha County urges you to table this legislation.

Thank you for your consideration.



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February 26, 1998

TO: Chairman Powers and Members of the Assembly Land Use Committee

FR: Byron Hawkins, President
Lake States Lumber Association

RE: Assembly Bill 808 -- Environmentally Sensitive Areas

Assembly Bill 808 asks that government have an actual rationale for its zoning decisions and that they write that rationale out before imposing new regulations on somebody. This seems like a smart way to run a business, so why can't we expect the same from our government leaders?

Right now, the government can come in and declare one of our timber owner's land a "nature preserve" or "environmental corridor" or something else, and not let them harvest the timber they've been growing there. I don't think a lot of people realize that those trees are an investment -- planted decades earlier and allowed to mature. It is why we have sustainable forestry in our state.

You make the initial investment, plant the trees and allow them to attain their maximum value, paying taxes on that land the whole time, and then you selectively harvest them -- cashing in on your investment. And then the whole reinvesting process begins again when you replant and nurture new growth.

Can you imagine holding onto an investment for 40 years and then being told that it's yours and you can keep holding onto that stock certificate or whatever, but you can never cash it in? That's just what happens when the development of your land is restricted.

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The Lake States Lumber Association supports Assembly Bill 808. Sometimes restrictive zoning decisions make sense. Nothing can be lost, though, and everything can be gained by making sure that a solid rationale is thought out and documented when a decision has the potential to impact a citizen so negatively.

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February 25, 1998

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ASSISTANT CITY ATTORNEY

PATRICK J. SHEEHAN
ASSISTANT CITY ATTORNEY

Honorable Members of the State
Assembly Land Use Committee

RE: AB 808

Dear Committee Members:

Please be advised that the City of Kenosha opposes the above bill for the reasons provided in the report which follows. The report, for background purposes, addresses relevant court decisions in the land use area.

A. Relevant Legal Concepts

An understanding of several general principles of Wisconsin law will provide a guide to an analyzing these bills.

1. Zoning Ordinances Carry a Presumption of Validity

It is a basic maxim of statutory construction that ordinances, like statutes, enjoy a presumption of validity. State ex rel. Grand Bazaar v. Milwaukee, 105 Wis. 2d 203 (1982).

A party challenging an ordinance must establish its invalidity beyond a reasonable doubt. J & N Corp. v. Green Bay, 28 Wis. 2d 583 (1965).

The shaping of zoning districts for land is primarily a legislative function and when the validity of the ordinance is fairly debatable it should be upheld and the court should not substitute its judgment for that of the municipality. State ex rel. American Oil Co. v. Bessent, 27 Wis. 2d 537 (1965).

Before a zoning ordinance can be declared unconstitutional, it must be shown to be clearly arbitrary and unreasonable. Euclid v. Ambler Realty Co., 71 L.Ed. 303 (1926).

2. Purpose of Zoning Ordinances

The purpose of zoning ordinances is to control land use in an attempt to obtain orderly community development. Kniec v. Town of Spider Lake, 60 Wis. 2d 640 (1973) recognized this goal as commendable.

3. Nature of Zoning Regulations

McQuillin on Municipal Corporations (3rd Ed.), in Section 25.01, defines zoning as a matter of local concern.

Zoning is governmental regulation of the uses of land and buildings according to districts or zones...

Zoning or urban land has its main effect upon the rights of inhabitants of the municipality and is therefore a matter of local or municipal, rather than of state-wide concern (emphasis supplied).

McQuillin in Section 25.02, states that zoning is desirable.

Hence, the desirability of regulating the growth and development of urban communities through zoning laws is no longer open to question.

McQuillin on Municipal Corporations, (3rd Ed.), in Section 25.41, explains the broad scope of zoning regulations.

Zoning ordinances are valid even though they prohibit uses which are neither offensive nor dangerous, unless the prohibition passes the bounds of reason.

Section 62.23(7)(a), Wisconsin Statutes, grants cities the power to zone:

(7) ZONING. (a) *Grant of power.* For the purpose of promoting health, safety, morals or the general welfare of the community, the council may regulate and restrict by ordinance, subject to par. (hm), the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, mining, residence or other purposes if there is no discrimination against temporary structures. This subsection and any ordinance, resolution or

regulation enacted or adopted under this section, shall be liberally construed in favor of the city and as minimum requirements adopted for the purposes stated. This subsection may not be deemed a limitation of any power granted elsewhere (emphasis supplied).

In 1923, zoning ordinances were declared constitutional in Wisconsin. State ex rel. Carter v. Harper, 182 Wis. 148 (1923).

4. Zoning, By Its Very Nature, Limits Property Use

State ex rel Schleck v. Zoning Board of Appeals, 254 Wis. 42, (1948), stated, "The very purpose of a zoning law is to establish limitations upon the use of private property and prescribe how it may be used" (emphasis supplied).

5. Use Restrictions Incidental to Zoning Laws are Valid Even Where They May Reduce Value of Land or Make Land More Difficult to Sell

The Federal and State courts have held that use restrictions are inherent in zoning laws and are valid so long as the restriction does not practically or substantially render the land useless for all reasonable purposes.

Jefferson County v. Timmel, 261 Wis. 39 (1952) held that hardship and incidental damages are not a basis for invalidating zoning regulations; and went on to adopt 58 Am. Jur., Zoning, p. 1016, sec. 140, which states:

However, the pecuniary loss is only one of the considerations on which the final decision is to be based, and the fact that a zoning ordinance causes a loss of revenue or profits, or a depreciation of the value of the property, or makes it more difficult for the owner to sell or dispose of the same, does not necessarily invalidate the ordinance as a confiscatory, or unreasonable or arbitrary exercise of the police power. In this respect, it has been declared that the public health, safety, morals, and general welfare are superior in importance to the pecuniary profits of the individual owner. [Emphasis supplied.]

Buhler v. Racine County, 33 Wis. 2d 137 (1966), held that each individual parcel of land is not entitled to be zoned or rezoned for its highest financial use.

Klinger v. Oneida County, 149 Wis. 2d 838 (1988), concluded that, “[I]ncidental damage such as the diminution of value of land because of a restricted use does not violate due process unless the restriction practically or substantially renders the land useless for all reasonable purposes” (emphasis supplied).

B. Analysis of AB 808

The bill is deficient in not defining an environmentally sensitive area, making it too vague to be enforceable.

The bill is also deficient in not defining the type of written record which the municipality must produce to defend the ordinance or resolution.

The bill changes the entire concept of litigation by permitting a party to file a lawsuit, but requiring them to take no action (stand idle) at the trial.

The bill is unnecessary in concept because any person, under existing law, can challenge an economic regulation on the grounds that it has “no rational basis”.

In order to protect itself, a municipality would have to retain an environmental engineer to evaluate any legislation which has environmental applications. The cost could be \$5,000 to \$20,000 per project.

In order for this type of legislation to be effective, it would need to include objective standards for legislation.

Very truly yours,


JAMES W. CONWAY
City Attorney

JWC:bjb