

2009 DRAFTING REQUEST

Bill

Received: 02/27/2009

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Anthony Staskunas (608) 266-0620

By/Representing: Tom

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Transportation - highways

Extra Copies:

Submit via email: YES

Requester's email: Rep.Staskunas@legis.wisconsin.gov

Carbon copy (CC:) to: aaron.gary@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Nonconforming outdoor advertising signs

Instructions:

Companion to LRB-2029

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 02/27/2009	nmatzke 02/27/2009		_____			State
/1			jfrantze 03/02/2009	_____	cduerst 03/02/2009	sbasford 03/02/2009	

FE Sent For:

<END>

↪ AT Intro.

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/?	agary	1 nwn 2/27	Jb 3/2	Seb 3/2			

FE Sent For:

<END>

Gary, Aaron

From: Pagel, Matt
Sent: Friday, February 27, 2009 3:00 PM
To: Gary, Aaron
Subject: RE: Companion to LRB-2029

Yes, thanks.

Matthew Pagel
Office of Senator Pat Kreitlow
Wisconsin State Senate - 23rd District

Room 10 South - State Capitol
PO Box 7882
Madison, WI 53703-7882
Phone: 608-266-7511 or 888-437-9436
Matt.Pagel@legis.wisconsin.gov

From: Gary, Aaron
Sent: Friday, February 27, 2009 3:00 PM
To: Pagel, Matt
Subject: Companion to LRB-2029

Hi Matt,

Am I authorized to draft a companion to LRB-2029, nonconforming outdoor advertising signs, for Rep. Staskunas? Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

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LRB-2029/1

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RMNR

2009 BILL

Regen.

1 AN ACT *to amend* 84.30 (5) (bm); and *to create* 84.30 (5) (e) of the statutes;
2 **relating to:** the removal of nonconforming outdoor advertising signs.

Analysis by the Legislative Reference Bureau

The federal Highway Beautification Act requires states to restrict advertising along interstate and federal-aid primary highways, and current state law incorporates these requirements. Current law prohibits, with certain exceptions, the erection or maintenance of outdoor advertising signs within 660 feet of, or otherwise visible (and intended to be visible) from, the main-traveled way of an interstate or federal-aid primary highway. The Department of Transportation may remove signs that do not conform to applicable requirements but, for each sign removed, must pay just compensation to the owner of the sign and to the owner of the land on which the sign is located. Current law permits customary maintenance of certain nonconforming signs but, if the nonconforming sign is enlarged, replaced, or relocated, the sign may be removed without compensation.

This bill provides that any nonconforming sign may be removed without compensation if the costs of repairing and maintaining the sign within any 36 consecutive months exceed 50 percent of the replacement costs of the sign and that such repairs and maintenance do not constitute customary maintenance.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

BILL**SECTION 1**

1 **SECTION 1.** 84.30 (5) (bm) of the statutes is amended to read:

2 84.30 (5) (bm) Signs lawfully erected, but which do not conform to the
3 requirements of sub. (3) (c), are declared nonconforming but are not subject to
4 removal, except as otherwise provided in this paragraph and par. (e). To allow such
5 signs to exist, to perform customary maintenance thereon or to change the
6 advertising message thereof, does not constitute a violation of sub. (3), but to enlarge,
7 replace or relocate such signs, or to erect additional signs, shall constitute a violation
8 subjecting the sign to removal without compensation, unless upon completion of such
9 work all signs upon the property conform to the requirements of sub. (3).

10 **SECTION 2.** 84.30 (5) (e) of the statutes is created to read:

11 84.30 (5) (e) Notwithstanding sub. (6), any sign declared nonconforming under
12 this subsection shall be subject to removal without compensation if the costs of
13 repairs and maintenance to the sign within any 36-consecutive-month period
14 exceed 50 percent of the replacement costs of the sign. Such repairs and maintenance
15 do not constitute customary maintenance for the purposes of this subsection.

16 **SECTION 3. Initial applicability.**

17 (1) This act first applies to the 36-consecutive-month period immediately
18 preceding the effective date of this subsection.

19 **SECTION 4. Effective date.**

20 (1) This act takes effect on the first day of the first month beginning after
21 publication.

22

(END)

Basford, Sarah

From: Kelly, Tom
Sent: Monday, March 02, 2009 9:07 AM
To: LRB.Legal
Subject: Draft Review: LRB 09-2260/1 Topic: Nonconforming outdoor advertising signs

Please Jacket LRB 09-2260/1 for the ASSEMBLY.