

### Fiscal Estimate - 2011 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>11-0992/1</b>	<b>Introduction Number</b> <b>SB-036</b>	
<b>Description</b> The application of shoreland zoning ordinances to certain unincorporated areas		
<b>Fiscal Effect</b>		
<b>State:</b>		
<input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
<b>Local:</b>		
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs      3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs      4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 5. Types of Local Government Units Affected <input checked="" type="checkbox"/> Towns <input checked="" type="checkbox"/> Village <input checked="" type="checkbox"/> Cities <input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
<b>Fund Sources Affected</b> <b>Affected Ch. 20 Appropriations</b>		
<input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.370 (4)(ma)		
<b>Agency/Prepared By</b>	<b>Authorized Signature</b>	<b>Date</b>
DNR/ Joe Polasek (608) 266-2794	Joe Polasek (608) 266-2794	3/29/2011

## Fiscal Estimate Narratives

DNR 3/29/2011

LRB Number	11-0992/1	Introduction Number	SB-036	Estimate Type	Original
<b>Description</b> The application of shoreland zoning ordinances to certain unincorporated areas					

### Assumptions Used in Arriving at Fiscal Estimate

This bill provides that a county shoreland zoning ordinance enacted by a county or adopted by DNR for a county does not apply to areas meeting certain criteria. Under the bill, a shoreland zoning ordinance does not apply if the majority of the buildings and structures in the area have been used since January 1, 1990, to conduct the affairs of small business, if all of the roads in the area are paved, if the area receives public water and sewer service, and if the area meets all other requirements specified by DNR by rule. The bill requires that every county, which enacts a shoreland zoning ordinance, include a provision to identify areas that are exempt from the shoreland zoning ordinance based on the specified criteria. The bill also provides that the DNR, after notice and hearing, may determine that an area, identified in an ordinance as exempt from the shoreland zoning ordinance, does not meet the specified criteria for the exemption and the shoreland zoning ordinance would then be applied to that area.

### State Fiscal Impact

The Department estimates that it will take approximately 820 hours of staff time to prepare draft administrative rules to implement the proposed statutory changes. The estimated hourly salary is \$31.00/hour and the fringe rate is 48.59%, so estimated salary and fringe is \$46.06/hour. Therefore, one-time costs for rulemaking are estimated to be \$37,800 (820 hours x \$46.06/hour).

The Department will incur ongoing staffing costs because local units of government will ask Department staff for technical assistance in how the statutory changes are interpreted and applied. The Department currently has 3.0 FTE assigned to staff the shoreland zoning program; however, it will be difficult to implement this legislation without investing additional staff resources to shoreland zoning work. Therefore, the Department estimates it will take approximately 1,040 hours of staff time annually (equivalent to 0.50 FTE) to carry out these oversight and technical assistance responsibilities. Using an estimated hourly salary and fringe of \$46.06/hour, ongoing costs for 1,040 staff hours are estimated to be \$47,900.

### Local Fiscal Impact

Counties will incur costs to revise their shoreland zoning ordinances and develop procedures to implement the provisions in this bill. Each county will need to devise a system and modify existing ordinances to specify what properties are part of the newly exempted area, and then will need to provide oversight of projects to assure all other general zoning provisions are met. It is also expected that local authorities will address requests to exempt specific properties on a case-by-case basis. Given the number of variables since each county will determine their own approach, the Department is unable to provide a specific estimate of the local fiscal impact, and therefore characterizes the overall impact on local government costs as "indeterminate".

### Long-Range Fiscal Implications

## Fiscal Estimate Worksheet - 2011 Session

Detailed Estimate of Annual Fiscal Effect

Original
  Updated
  Corrected
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<b>LRB Number 11-0992/1</b>		<b>Introduction Number SB-036</b>	
<b>Description</b> The application of shoreland zoning ordinances to certain unincorporated areas			
<b>I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):</b> \$37,800 for drafting of administrative rules			
<b>II. Annualized Costs:</b>		<b>Annualized Fiscal Impact on funds from:</b>	
		Increased Costs	Decreased Costs
<b>A. State Costs by Category</b>			
State Operations - Salaries and Fringes	\$47,900		\$
(FTE Position Changes)	(0.5 FTE)		
State Operations - Other Costs			
Local Assistance			
Aids to Individuals or Organizations			
<b>TOTAL State Costs by Category</b>	<b>\$47,900</b>		<b>\$</b>
<b>B. State Costs by Source of Funds</b>			
GPR	47,900		
FED			
PRO/PRS			
SEG/SEG-S			
<b>III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)</b>			
	Increased Rev	Decreased Rev	
GPR Taxes	\$		\$
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S			
<b>TOTAL State Revenues</b>	<b>\$</b>		<b>\$</b>
<b>NET ANNUALIZED FISCAL IMPACT</b>			
	<u>State</u>	<u>Local</u>	
NET CHANGE IN COSTS	\$47,900		\$
NET CHANGE IN REVENUE	\$		\$
<b>Agency/Prepared By</b>		<b>Authorized Signature</b>	<b>Date</b>
DNR/ Joe Polasek (608) 266-2794		Joe Polasek (608) 266-2794	3/29/2011