

Fiscal Estimate - 2017 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 17-0821/1	Introduction Number AB-0118
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Description:
 disclosure of burial sites located on residential real estate and various changes relating to the preservation and disturbance of burial sites

Fiscal Effect

State:

- | | | |
|---|--|---|
| <input type="checkbox"/> No State Fiscal Effect
<input type="checkbox"/> Indeterminate
<input type="checkbox"/> Increase Existing Appropriations
<input type="checkbox"/> Decrease Existing Appropriations
<input type="checkbox"/> Create New Appropriations | <input type="checkbox"/> Increase Existing Revenues
<input type="checkbox"/> Decrease Existing Revenues | <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Decrease Costs |
|---|--|---|

Local:

- | | | |
|--|--|--|
| <input type="checkbox"/> No Local Government Costs
<input type="checkbox"/> Indeterminate
1. <input type="checkbox"/> Increase Costs
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
2. <input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 3. <input type="checkbox"/> Increase Revenue
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
4. <input type="checkbox"/> Decrease Revenue
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 5. Types of Local Government Units Affected
<input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities
<input type="checkbox"/> Counties <input type="checkbox"/> Others
<input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts |
|--|--|--|

Fund Sources Affected **Affected Ch. 20 Appropriations**

- GPR
 FED
 PRO
 PRS
 SEG
 SEGS

Agency/Prepared By WHS/ Shannon Wendt (608) 264-6456	Authorized Signature Shannon Wendt (608) 264-6456	Date 4/21/2017
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Fiscal Estimate Narratives

WHS 4/21/2017

LRB Number	17-0821/1	Introduction Number	AB-0118	Estimate Type	Updated
Description disclosure of burial sites located on residential real estate and various changes relating to the preservation and disturbance of burial sites					

Assumptions Used in Arriving at Fiscal Estimate

This is a revised fiscal estimate based on discussions with affected parties and new information gathered since the initial fiscal estimate was drafted. WHS has investigated more fully the impact on staff, software and hardware costs through communication with customers, reassessment of those existing processes, current and projected budgets, and streamlining opportunities that may be available to facilitate new and expanded burial law processes. As well, these financial assumptions are based on our previous experience with the current burial law, including appeals, hearings, associated fees; interactions with the public, sharing data, etc.

Burial Board Appeal Hearings.

The proposed legislation provides two new provisions for parties aggrieved by the Director's decisions to add or remove burial sites from the catalog to appeal those decisions to the Burial Board.

Because of the increased access to appeals afforded by the bill, we estimate that the Burial Board appeal clauses of the bill will result in eight new appeals per year. We will rely on existing application materials and documentation to support the initial in-house determination to catalog a site in any appeal hearing in front of the Burial Board. This will streamline hearing preparation creating two hours of additional staff time per case will be required to prepare for any such Burial Board appeals.

This can be absorbed into current workload and budget and has no fiscal impact.

Division of Hearings and Appeal Hearings

The proposed legislation provides two new provisions for parties aggrieved by Burial Board decisions to add or remove burial sites from the catalog to appeal those decisions to the Division of Hearings and Appeals. Because these are court proceedings, there will more time demands on existing staff.

We estimate that these appeal clauses, will result in two appeals per year. The additional costs for each appeal includes ten hours of additional staff time to research, compile documentation, provide legal notice, prepare and staff the hearing, arrange for expert testimony, coordinate with Society legal representation (if necessary). Total additional staff time is anticipated to be twenty (20) hours.

This can be absorbed into current workload and budget and has no fiscal impact.

Electronic submission of documents

Accepting electronic documents will require new database development, application development, and testing. Costs will be incurred for storing electronic documents in multiple formats including emails, MS Word and PDF documents, and images. The application must allow secure access from any internet connection including Society staff and the general public. The bill does not created a statutory deadline, which allows the Society the flexibility to fund this application internally.

The Society currently has in its operating budget sufficient funding for the first year of development of this new system.. The Society is developing a plan to generate additional monies for subsequent year development, testing and implementation of the new electronic submittal system. Development is estimated at 3 to 5 years, but will not be certain until system needs and information architecture are developed. The Society is committed to development of this application, but may only move as quickly as funding is available.

The Society is able to absorb associated costs and will have no fiscal impact.

Real Estate transfer disclosures

The bill requires disclosure of burials on the real estate disclosure form beginning July 1, 2018. We have consulted with the Wisconsin Realtors Association and determined that establishing a public access database for sellers /buyers of residential property will satisfy the information sharing requirement of this new provision of law. Because this is a new requirement, there will be staffing implications, but technology may be used to minimize the fiscal impact.

Currently, staff receives 350 phone calls per year from individuals seeking parcel-specific archaeological/burial site information, when no disclosure is required. Each contact requires 15 minutes of staff time. Because owner disclosure is mandatory and the Real Estate Disclosure form will provide specific Society contact information, we estimate that 5% of all property transactions may generate inquiries to the Society. Thus, we anticipate that additional staff time will be required to field questions from and provide information to the public about the presence or absence of burial sites on property and about the statutory implications of burial sites on property; to produce informational materials to provide to requesting constituents; to produce informational materials for public access through the Society website; and to maintain the new public access database. We anticipate more than 2000 hours per year of staff time to carry out the terms of this new statutory provision.

The Society will be unable to accurately gauge the staffing implications of this provision until the law goes into effect. We believe that there will be associated costs and will begin tracking the impact on staff on July 1, 2018. If we determine that this provision cannot be supported by additional staff, we will submit a revision pursuant to Wis Stats 13.10 for the necessary staff time to support this requirement.

Annual Legislative reporting

We believe that this requirement can be absorbed into current staff time and has no fiscal impact

Wisconsin Intertribal Repatriation Committee

It is anticipated that the Wisconsin Intertribal Repatriation Committee (WITRC) will have expenses related to this bill which we have not attempted to estimate. The Society will also have additional expenses related to additional coordination with WITRC surrounding repatriation and reburial decisions. We anticipate one staff preparing for four hours for each meeting eight hours of travel/participation time per WITRC meeting for a total of forty-eight (48) additional hours of prep and WITRC meeting participation/travel.

The Society will absorb these costs and there is no fiscal impact on the Society.

Long-Range Fiscal Implications

The Society will be unable to accurately gauge the staffing implications of this provision until the law goes into effect. We believe that there will be associated costs and will begin tracking the impact on staff on July 1, 2018. If we determine that this provision cannot be supported by additional staff, we will submit a revision pursuant to Wis Stats 13.10 for the necessary staff time to support this requirement.

Fiscal Estimate Worksheet - 2017 Session

Detailed Estimate of Annual Fiscal Effect

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Description disclosure of burial sites located on residential real estate and various changes relating to the preservation and disturbance of burial sites		
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):		
II. Annualized Costs:		
Annualized Fiscal Impact on funds from:		
	Increased Costs	Decreased Costs
A. State Costs by Category		
State Operations - Salaries and Fringes	\$	\$
(FTE Position Changes)		
State Operations - Other Costs		
Local Assistance		
Aids to Individuals or Organizations		
TOTAL State Costs by Category	\$	\$
B. State Costs by Source of Funds		
GPR		
FED		
PRO/PRS		
SEG/SEG-S		
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)		
	Increased Rev	Decreased Rev
GPR Taxes	\$	\$
GPR Earned		
FED		
PRO/PRS		
SEG/SEG-S		
TOTAL State Revenues	\$	\$
NET ANNUALIZED FISCAL IMPACT		
	<u>State</u>	<u>Local</u>
NET CHANGE IN COSTS	\$	\$
NET CHANGE IN REVENUE	\$	\$
Agency/Prepared By		
Authorized Signature		Date
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