



Chris Danou's Capitol Report

Assembly Bill 603 Attempts to Right Wrong Changes to Shoreland Zoning

The legislative process is meant to be deliberative. That's not to say it should be cumbersome or create unnecessary hurdles. However, when we're crafting statewide policy, it's important for us to be thoughtful, ask the right questions, let the public and other stakeholders weigh in, and make sure we "do our homework" before final votes are cast. Unfortunately, during the past few years, it seems as though legislative leaders would rather rush to get a bill passed and fix issues after the fact.

One example of this taking place right now is Assembly Bill 603 (AB 603), which relates to restrictions in a county shoreland zoning ordinance on activities within the shoreland setback area. With over 15,000 documented lakes in Wisconsin, AB 603 will impact people in every county who own water or lakefront property.

AB 603 has been labeled a "cleanup bill" after changes in the law were made over the summer, and issues have come up that need to be addressed and fixed. Part of the reason there has been so much trouble with the changes is because they were quickly slipped into the Governor's budget, which became law this past July. This is a practice that's becoming more commonplace with each budget being signed into law every two years. From my perspective, the budget is a fiscal document and should be treated as such without any type of policy being tucked into its pages.

People have asked me why lawmakers and the Governor do that with certain things, and the answer is a simple one. Lawmakers want to avoid the legislative process when dealing with some issues, especially those they know will be controversial or unpopular. Upon facing vocal opposition and public awareness from many citizens and stakeholders, the Governor and Republican legislators put changes to shoreland zoning in the budget.

Once the budget as a whole passed in both the Assembly and Senate to become law, so did the shoreland zoning changes since that were tucked in the 1,700+ page document. In only a matter of a few weeks, it became clear the changes they made were causing all kinds of problems for people who own lakefront property all over Wisconsin.

It's fair to give some credit to lawmakers for realizing there were mistakes with these changes. However, they either weren't listening to people or simply didn't understand the issues well enough when they slipped these policy changes into the budget. Maybe they just wanted them to become law and didn't care how it happened. No matter their intentions or thought-process, the changes became law and problematic, and are now facing changes in the legislature.

When AB 603 was before the Assembly Committee on Natural Resources and Sporting Heritage last week, I had a front row seat during its public hearing as a committee member. As we asked questions and listened to public testimony from people on both sides of the issue, it became clear to me that this is another example of

legislative leaders acting first and thinking second. Changes to state law should be well thought-out and planned on the front end, not fixed after-thoughts on the back end.

AB 603 is addressing issues that were brought up and discussed before changes became law, and they should have gone through the legislative process like other legislation. Stakeholders testified to say AB 603 is “necessary” or it “cleans up” changes in a responsible way. There might be some truth to this, but I can’t help and think this is like walking into an antique store, busting up the place and then coming back to the storeowner with a broom and dustpan. Sure, the mess is cleaned up, but only after something of financial value and personal connection is lost.

The people of Wisconsin and lakefront property owners deserve better from the Governor and majority party. It’s time for us to respect the legislative process and remember it was put in place so proposals are well vetted and earn their credibility through the legislative process. Laws should be written and enacted based on merit, not on political force that creates more issues to be dealt with later.