

### Fiscal Estimate - 2017 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> 17-0821/1	<b>Introduction Number</b> AB-0118
-----------------------------	------------------------------------

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

**Local:**

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

**Fund Sources Affected**

- GPR   
  FED   
  PRO   
  PRS   
  SEG   
  SEGS

**Affected Ch. 20 Appropriations**

<b>Agency/Prepared By</b> WHS/ Shannon Wendt (608) 264-6456	<b>Authorized Signature</b> Shannon Wendt (608) 264-6456	<b>Date</b> 3/9/2017
--	---	-------------------------

## Fiscal Estimate Narratives

WHS 3/9/2017

LRB Number	17-0821/1	Introduction Number	AB-0118	Estimate Type	Original
<b>Description</b> 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

#### Assumptions Used in Arriving at Fiscal Estimate

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.

We estimate that the Burial Board appeal clauses of the bill will result in eight new appeals per year. The additional costs for each appeal include 8 extra days of staff time to research, compile documentation, provide legal notice, prepare and staff the board meeting, additional staff time due to a longer meeting, arrange for expert testimony. It is expected that each appeal will cost an additional \$750 for a court reporter and \$500 for expert witness fees.

It is also expected that at least one additional Burial Board meeting will be required each year. Costs associated with preparation for a Burial Board meeting of 6 hours staff time and \$100 food; with 8 additional days of staff time preparing for the appeal hearing, board time travel expenses, plus \$750 in court reporting and \$500 in expert witness fees.

#### 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.

We estimate that these appeal clauses will result in three appeals per year. The additional costs for each appeal includes 8 additional days of staff time to research, compile documentation, provide legal notice, prepare and staff the hearing, arrange for expert testimony, coordinate with Society legal representation. It is expected that each appeal will cost an additional \$750 for court reporter and \$500 for expert witness fees.

#### Electronic submission of documents

Accepting electronic documents will require 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. Estimated development cost is \$250,000 with a nine month completion schedule. An ongoing cost for maintenance of hardware, software, and programming is estimated at \$25,000 per year.

#### Real Estate transfer disclosures

The bill requires disclosure of burials on the real estate disclosure form. There are 120,000 residential real estate transactions per year. Because the disclosure is mandatory, we could anticipate 120,000 contacts per year (or more when factoring in a realtor, a seller and at least one buyer for each transaction). It is possible that through development of a web-based application and an agreement with the Realtors association, the number of contacts could be significantly reduced. Currently, staff receives 350 phone

calls per year from individuals seeking non-mandatory parcel-specific archeological/burial site information. Each contact requires 15 minutes of staff time. This disclosure provision will also require training of real estate professionals, and preparation of explanatory materials. We estimate 2 formal training programs per year with the Realtors Assoc. for 10 days of staff time per 1 day training program. And, we anticipate 10 outreach trainings to realtors statewide, requiring 5 days per training for one staff.

#### Annual Legislative reporting

We believe that this requirement can be absorbed into current staff time.

#### 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 estimate on staff working 1 day of preparation time and 1 day of travel/participation time per WITRC meeting for a total of 4 additional days of prep and four days of travel to/participation in WITRC meetings.

### **Long-Range Fiscal Implications**

#### Long-Range Fiscal Implications

To administer the provisions of AB118, the Society will require 3.0 FTE positions @ \$21/hour plus a .47 fringe rate (total salary and fringe \$192,629), and \$27,100 in supplies and services for a total of \$219,729 annually. The development of two web-based applications to provide burial site information and accept materials electronically will require an additional one-time cost of \$250,000 in hardware, software and programming with an additional \$25,000 in annual maintenance costs for a total of \$275,000 with \$25,000 annually thereafter.

## Fiscal Estimate Worksheet - 2017 Session

Detailed Estimate of Annual Fiscal Effect

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> 17-0821/1	<b>Introduction Number</b> AB-0118	
<b>Description</b> disclosure of burial sites located on residential real estate and various changes relating to the preservation and disturbance of burial sites		
<b>I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):</b>  \$250,000		
<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	\$192,629	\$
(FTE Position Changes)	(3.0 FTE)	
State Operations - Other Costs	52,100	
Local Assistance		
Aids to Individuals or Organizations		
<b>TOTAL State Costs by Category</b>	<b>\$244,729</b>	<b>\$</b>
<b>B. State Costs by Source of Funds</b>		
GPR	244,729	
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	\$244,729	\$
NET CHANGE IN REVENUE	\$	\$
<b>Agency/Prepared By</b>	<b>Authorized Signature</b>	<b>Date</b>
WHS/ Shannon Wendt (608) 264-6456	Shannon Wendt (608) 264-6456	3/9/2017