

Legislative Priorities-2015-16 Legislative Session Adopted January 2015

Established nationally in 1967 and in the State of Wisconsin in 2003, NAIOP is the leading organization for developers, owners and investors of office, industrial, retail and mixed-use real estate. NAIOP provides abundant advocacy, education and business opportunities and connects more than 16,000 members through a powerful North American network.

With our dedicated Government Affairs staff leading the charge, and bolstered by the strength of NAIOP's Political Action Committee, NAIOP communicates the commercial real estate industry's top priorities to congressional lawmakers. Frequent engagement with lawmakers, administration officials and regulators by NAIOP members and staff is imperative in order to educate policy makers about issues that affect the welfare of our industry-and by extension, greatly impact the economy.

Tax Reform

1. Property tax reform – Further reduce property taxes in Wisconsin by removing services and programs that are currently paid for by the property tax such as:
 - a. State forest program (\$80 million)
 - b. County court system (\$150 million)
 - c. Technical colleges (\$200 million)
2. Levy limits – Modify the new growth exception to the levy limits to encourage greater economic development at the local level.
3. Local fees – Expand the list of services that cannot be shifted from the property tax to a separate fee (e.g., Madison – Emerald Ash Borer).

Economic Development

1. Tax Increment Financing (TIF) – Seek changes to Wisconsin's TIF law to provide more flexibility at the local level to encourage greater local economic development opportunities.
2. Liquor licenses -- Lift the quotas on Class B liquor licenses which is now based on the number of licenses previously issued by the municipality and the municipality's population. Current law provides quota exceptions for a full-service restaurant that has a seating capacity of 300 or more persons.
3. Eminent Domain – Oppose changes to the eminent domain laws that would further restrict the use of eminent domain for the purpose of economic development.

- a. Allowing for the use of the income approach in determining the value of commercial property to be acquired through eminent domain.
4. Annexation – Oppose changes to the annexation laws that would make it more difficult, expensive or time consuming for municipalities to annex unincorporated land.

Regulatory Reform

1. Authority of Towns to Regulate in Shoreland Areas – Address concerns raised by the Hegwood v. Town of Eagle Board of Appeals case without creating regulatory overlap in shoreland areas.
2. Trans 233 – Modify Trans. 233, as necessary, to provide WisDOT with greater flexibility to allow improvements within the setback area.
3. Mortgage Satisfaction – Make technical changes to mortgage satisfaction act 1) to better reflect the mortgage industry practice as to payoff statements as they relate to the affidavit process and 2) to expand the reliability of payoff statements section of the legislation to apply to all types of property, not only to residential.
4. Use Value Penalty – Eliminate the penalty for converting agricultural land to another use under certain conditions.
5. Wetlands – Modify Wisconsin’s wetland laws to continued concerns about previously delineated sites, mitigation, and wetland banking.
6. General Contractor Liability Lien Law Reform – Modify Wisconsin’ construction lien law to, among other things, reduce disputes by improving requirements for notice of lien rights given to general contractors.
7. Smart Growth – Amend Wis. Stat. § 66.1001(4) so that the Plan Commission RECOMMENDS changes to the comprehensive, but the elected body (e.g., city council, village board) ultimately decides – just as it would for zoning issues.
8. Standard of review (local ordinances) – Change the standard of review for local ordinances to de novo or a balancing of property rights vs. community interests. See Ottman v. Town of Primrose, 2011 WI 18.