

ASSEMBLY BILL 537

An Act to renumber 703.02 (1); to amend 703.02 (16), 703.07 (1), 703.07 (2), 703.11 (2) (a), 703.11 (2) (d), 703.11 (3), 703.13 (4), 703.26 (3) (a), 703.26 (3) (b), 703.275 (1) and 703.28 (1); to repeal and recreate 703.275 (5); and to create 703.02 (1b), 703.02 (1h), 703.02 (14g), 703.095, 703.11 (2) (am), 703.115 and 703.28 (1m) of the statutes; relating to: recording requirements for condominium instruments. (FE)

1997

- 09-29-97. A. Introduced by Representatives Green, Grothman, Albers, Goetsch, F. Lasee, J. Lehman, Musser, Skindrud, Hanson, Otte, La Fave, Kelso, Seratti, Staskunas, Hahn, Porter, Baumgart and Ziegelbauer; cosponsored by Senators Roessler, A. Lasee, Plache, Wirsch and C. Potter.
- 09-29-97. A. Read first time and referred to committee on Housing. **306**
- 10-16-97. A. Public hearing held.
- 10-24-97. A. Fiscal estimate received.
- 10-24-97. A. Fiscal estimate received.

1998

- 02-04-98. A. Executive action taken.
- 02-04-98. A. Assembly substitute amendment **1** offered by committee on Housing. **551**
- 02-10-98. A. Report Assembly substitute amendment **1** adoption recommended by committee on Housing, Ayes 9, Noes 0. **561**
- 02-10-98. A. Report passage as amended recommended by committee on Housing, Ayes 9, Noes 0. **561**
- 02-10-98. A. Referred to committee on Rules. **561**
- 03-05-98. A. Placed on calendar 3-11-98 by committee on Rules.
- 03-11-98. A. Read a second time. **640**
- 03-11-98. A. Assembly amendment **1** to Assembly substitute amendment 1 offered by Representatives Wood and Green. **641**
- 03-11-98. A. Assembly amendment **1** to Assembly substitute amendment **1** **adopted** **641**
- 03-11-98. A. Assembly substitute amendment **1** **adopted** **641**
- 03-11-98. A. Ordered to a third reading. **641**
- 03-11-98. A. Rules suspended. **641**
- 03-11-98. A. Read a third time and **passed**. **641**
- 03-11-98. A. Ordered immediately messaged. **641**
- 03-12-98. S. Received from Assembly. **500**
- 03-12-98. S. Read first time and referred to committee on Economic Development, Housing and Government Operations. **501**
- 03-18-98. S. Public hearing held.
- 03-18-98. S. Executive action taken.
- 03-19-98. S. Report concurrence recommended by committee on Economic Development, Housing and Government Operations, Ayes 4, Noes 0. **524**
- 03-19-98. S. Available for scheduling.
- 04-01-98. S. Failed to concur in pursuant to Senate Joint Resolution 1. **575**
- 04-21-98. S. Revived pursuant to Senate Joint Resolution 47. **600**
- 04-28-98. S. Read a second time. **629**
- 04-28-98. S. Ordered to a third reading. **629**
- 04-28-98. S. Rules suspended. **629**
- 04-28-98. S. Read a third time and **concurred in**. **629**

04-30-98. S. Ordered immediately messaged.	631
04-30-98. A. Received from Senate concurred in.	834
05-27-98. A. Report correctly enrolled.	921
07-02-98. A. Report approved by the Governor on 7-1-98. 1997 Wisconsin Act 333.	960
07-07-98. A. Published 7-15-98.	961

BILL MEMORANDUM

March 11, 1998

To: Assembly Republican Legislators and Staff

From: Matthew Sande

Subject: Assembly Bill 537, relating to recording requirements for condominium instruments.

Under current law, a condominium "declaration" is an instrument that, once recorded with the register of deeds of the county in which the property is located, subjects a property to the law governing condominiums, specifically Chapter 703. A "condominium instrument" is the condominium declaration, the plats and plans of the condominium, and any attached exhibits or schedules.

Assembly Substitute Amendment (ASA) 1 to Assembly Bill 537 provides that a condominium instrument may only be modified by recording with the register of deeds an amendment, addendum or instrument of correction or by a removal of all or part of the condominium from Chapter 703. Correction instrument is defined as an instrument drafted by a licensed land surveyor that, upon recording, corrects an error in a condominium plat.

ASA 1 to AB 537 authorizes a county to adopt an ordinance requiring local review of condominium instruments prior to recording the plat with the register of deeds and to charge a fee reflecting the real cost of performing the review. If such a county ordinance is adopted, it must provide that a condominium may only be rejected if it fails to comply with certain statutory requirements.

Under current law, any two or more condominiums, if agreed to by the unit owners, may be merged or consolidated into a single condominium if certain requirements are met. ASA 1 to AB 537 provides that a merger or consolidation agreement is effective if the agreement is approved by the unit owners of units to which at least 75 percent, rather than the current law 80 percent, of the votes in each preexisting association are allocated.

Assembly Bill 537 was introduced on September 29, 1997, and referred to the Assembly Committee on Housing. A public hearing was held on October 16, 1997. On February 4, 1998, an executive session was held with the committee recommending passage of ASA 1 to AB 537 on a 9-0 vote.



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

One East Main Street, Suite 401; P.O. Box 2536; Madison, WI 53701-2536
Telephone (608) 266-1304
Fax (608) 266-3830

DATE: February 2, 1998

TO: REPRESENTATIVE CAROL OWENS, CHAIRPERSON; AND MEMBERS
OF THE ASSEMBLY COMMITTEE ON HOUSING

FROM: Mary Matthias, Senior Staff Attorney

SUBJECT: LRB-0330/4, an Assembly Substitute Amendment to 1997 Assembly Bill 537,
Relating to Recording Requirements for Condominium Instruments

This memorandum describes LRB-0330/4 (the Substitute Amendment), an Assembly Substitute Amendment to 1997 Assembly Bill 537 (the Bill), relating to recording requirements for condominium instruments. The Bill was introduced on September 29, 1997 by Representative Green and others; cosponsored by Senator Roessler and others. It was referred to the Assembly Committee on Housing, which held a public hearing on the Bill on October 16, 1997.

1. Definition of "Correction Instrument"

A condominium "declaration" is an instrument that, once recorded with the register of deeds of the county where the property is located, subjects a property to ch. 703, Stats., the law governing condominiums. A "condominium instrument" is the condominium declaration, the plats and plans of the condominium and any attached exhibits or schedules. [s. 703.01 (5) and (8), Stats.]

The *Bill* provides that a condominium instrument may only be modified by recording with the register of deeds an amendment, addendum or instrument of correction or by a removal of all or part of the condominium from the laws governing condominiums. *Current law* and the *Bill* do not contain a definition of the term "correction instrument."

The *Substitute Amendment* defines the term "correction instrument" as follows:

An instrument drafted by a licensed land surveyor that complies with the requirements of s. 59.43 (2m) and that, upon recording, corrects an error in a condominium plat. "Correction instrument" does not include an instrument of conveyance. [Section 59.43

(2m) sets forth the standard format requirements for documents to be recorded with the register of deeds.]

2. County Ordinance Requiring the Filing of Paper Copies When an Optical Imaging System is Used

The *Bill* authorizes a county that uses an optical imaging system for storage and retrieval of records to adopt an ordinance requiring the filing of legible paper copies of survey maps and floor plans with dimensions no greater than 8.5" in length and 14" in width, in addition to the statutorily prescribed archival maps and floor plans with dimensions of 14" in length and 22" in width.

The *Substitute Amendment* does not contain this provision.

3. Local Review of Condominium Instruments

The *Bill* authorizes a county to adopt an ordinance to require local review of condominium plats before recording the plat with the register of deeds and to charge a fee that reflects the actual cost of performing the review. The *Substitute Amendment* makes the following changes to this provision:

a. Provides that the county ordinance, if adopted, must require review of *condominium instruments* rather than *condominium plats*.

b. Provides that a county ordinance, if adopted, must require review of condominium instruments by *persons* employed by the county of recording or by a city, village or town that is located in whole or in part in the county of recording rather than by *reviewers* employed by those same entities.

c. The *Bill* provides that the county ordinance, if adopted, must require the reviewer to certify approval of the condominium plat if it complies with certain statutory requirements.

The *Substitute Amendment* deletes this provision and provides, instead, that a county ordinance, if adopted, must provide that a condominium instrument may be rejected only if it fails to comply with certain statutory requirements. The *Substitute Amendment* also slightly modifies the list of statutory requirements with which the county ordinance, if adopted, must require the condominium instrument to comply before it may be recorded.

4. Merger or Consolidation of Condominiums

Under *current law*, any two or more condominiums, by agreement of the unit owners, may be merged or consolidated into a single condominium, if certain requirements are met. One of those conditions is that the merger or consolidation agreement must be approved by the unit owners of units to which at least 80% of the votes in each preexisting association are allocated. If the declaration of a preexisting association specifies that a percentage greater than 80% of the votes in that association is required to approve a merger or consolidation agreement, the greater percentage applies to the vote of that association. [s. 703.275 (4), Stats.]

The **Bill** does not amend this provision.

The **Substitute Amendment** provides that a merger or consolidation agreement is effective if the agreement is approved by the unit owners of units to which at least **75%**, rather than **80%**, of the votes in each preexisting association are allocated. The Substitute Amendment further provides that if the declaration of a preexisting association specifies that a percentage greater than **75%**, rather than **80%**, of the votes in that association is required to approve a merger or consolidation agreement, the greater percentage applies to the votes of that association.

If you would like any further information on this subject, please feel free to contact me at the Legislative Council Staff offices.

MM:lah;jt;lah



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If you would like any further information on this subject, please feel free to contact me at the Legislative Council Staff offices.

MM:lah;jt;lah



Mark Green
State Representative
Majority Caucus Chair

MEMO

TO: Chairperson Carol Owens
Assembly Committee on Housing

FR: Representative Mark Green

DT: January 27, 1998

RE: AB 537 – relating to recording requirements for condominium instruments

Attached is a copy of Assembly Substitute Amendment LRBs0330/4 to AB 537 that I would like the Committee on Housing to consider for executive session.

Mary Matthias of the Legislative Council is preparing a memo to explain this substitute amendment.

Your assistance in this matter is greatly appreciated. Should you have any questions, please feel free to call me at 6-5840.

Fourth Assembly District

Office: P.O. Box 8952, Madison, WI 53708-8952 • 608 266-5840
District: P.O. Box 13103, Green Bay, WI 54307-3103 • 414 497-0838
Toll-Free Hotline: 1 800-362-WISC (9472) • Printed on recycled paper

Vote Record

Assembly Committee on Housing

Date: 2/4/98
 Moved by: LaFave Seconded by: Young
 AB: 537 Clearinghouse Rule: _____
 AB: _____ SB: _____ Appointment: _____
 AJR: _____ SJR: _____ Other: _____
 A: _____ SR: _____

A/S Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: LRBs0330/4
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- | | |
|--|--|
| <input type="checkbox"/> Passage | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Tabling |
| <input checked="" type="checkbox"/> Adoption | <input type="checkbox"/> Concurrence |
| <input type="checkbox"/> Rejection | <input type="checkbox"/> Nonconcurrence |
| | <input type="checkbox"/> Confirmation |

Committee Member

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Rep. Carol Owens, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Neal Kedzie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Steven Foti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Daniel Vrakas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Steve Wieckert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Johnnie Morris-Tatum	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. John La Fave	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Leon Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tammy Baldwin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 9 0 0 0

*Chair asked unanimous consent for introduction of assembly substitute amendment LRBs0330/4. GRANTED

Motion Carried Motion Failed

Vote Record

Assembly Committee on Housing

Date: 2/4/98
 Moved by: Foti Seconded by: Kedzie
 AB: 537 Clearinghouse Rule: _____
 AB: _____ SB: _____ Appointment: _____
 AJR: _____ SJR: _____ Other: _____
 A: _____ SR: _____

A/S Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- Passage *(as amended)*
 - Introduction
 - Adoption
 - Rejection

- Indefinite Postponement
- Tabling
- Concurrence
- Nonconcurrence
- Confirmation

Committee Member

Rep. Carol Owens, Chair
 Rep. Neal Kedzie
 Rep. Steven Foti
 Rep. Daniel Vrakas
 Rep. Steve Wieckert
 Rep. Johnnie Morris-Tatum
 Rep. John La Fave
 Rep. Leon Young
 Rep. Tammy Baldwin

<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 9 0 0 0

Motion Carried

Motion Failed

JAN 27 1998

1-27-98



Wisconsin Society of Land Surveyors

Affiliated with American Congress on Surveying and Mapping

2935 Coventry Lane
Waukesha, Wisconsin 53188
Phone (414) 549-1533



January 23, 1998

To: Housing Committee
Carol Owens, Chair, Neal Kedzie, Vice Chair, Steven Foti, Dan
Vrakas, Steve Wieckert, Johnnie Morris-Tatem, John La Fave, and
Leon Young

From: Wisconsin Society of Land Surveyors
Legislative Committee

C.C. Representative Mark Green

Re: AB 537 as it relates to the recording of Condominium Plats

The Wisconsin Society of Land Surveyors Legislative Committee has reviewed LRBs0330/4 and believe that this draft of the Assembly Substitute Amendment to 1997 Assembly Bill 537 address the concerns I expressed in the written testimony dated October 18, 1997.

- 1 - definition of archbms will change dramatically / address this later
- 2 - duplicate copy (pg 5)
 - ↳ need a notation that these are not the originals
 - ↳ okay w/ both parties to dup language on page 5 / ^{lines} 4-7
 - ↳ producer doesn't have to provide up front

- 3 - 703.11 - limited for local review / pg. 5
 - ↳ amendment primarily from State Bar
 - ↳ LRB - 2959/3

703.11 (1) books - delete
 (4) Surveyor certificates

a c d 3&4 plus
 req. for land surveyor

10 day review is okay

11/19
 Dub.
 Amend.
 in the way!

TO Carol DATE 11/4/97 TIME 10:30 A.M. P.M.

FROM *Dave Jolley* OF

PHONE (800) 236-0381 EXT TELEPHONED

FAX # () *called 11-4-395 good* RETURNED CALL

MESSAGE *AB 537 - flats -* PLEASE CALL

2 separate documents big items WILL CALL AGAIN

need a double mat (mylar) CAME TO SEE YOU

WANTS TO SEE YOU

SIGNED *J.D. Maybe rules could state criteria 703.* **URGENT**

TO Carol DATE 11/4/97 TIME 10:26 A.M. P.M.

FROM *Mark Haddell* OF *Racine City Register of Deeds*

PHONE (414) 636-3709 EXT TELEPHONED

FAX # () RETURNED CALL

MESSAGE *Concerned he has* PLEASE CALL

with AB 537 WILL CALL AGAIN

called - good - 2 parties CAME TO SEE YOU

will try to work it out first WANTS TO SEE YOU

SIGNED *J.D. We expect until both* **URGENT**

are comfortable 11-4-97 - 3:00 PM

Supports wants to talk to
STATE OF WISCONSIN *surveyors*

To _____
 Date 11/4/97 Time 8:50

WHILE YOU WERE OUT

M Jan Licket
 of _____
 Phone 267-8814

Telephoned	<input checked="" type="checkbox"/>	Please Call	<input type="checkbox"/>
Called to See You	<input type="checkbox"/>	Rush	<input type="checkbox"/>
Returned Your Call	<input type="checkbox"/>	Will Call Again	<input type="checkbox"/>

Message AB 537, would like to talk to you re: about this bill.

 Party Receiving Call



Called 11-4-97

we need to keep in touch will

11/13/97

Rec'd call from
Julie (Green's office). A
meeting will not be
held until week of Nov.
17th to work on "compromise
language (amend.). Hold off
on exec. !!

OCT 31 1997



Wisconsin Society of Land Surveyors

Affiliated with American Congress on Surveying and Mapping

2935 Coventry Lane
Waukesha, Wisconsin 53188
Phone (414) 549-1533



October 18, 1997

To: Housing Committee
Carol Owens, Chair, Neal Kedzie, Vice Chair, Steven Foti, Dan Vrakas, Steve Wieckert, Johnnie Morris-Tatem, John La Fave, and Leon Young

From: Wisconsin Society of Land Surveyors
Legislative Committee

Re: **AB 537** as it relates to the recording of Condominium Plats

As Land Surveyors in Wisconsin, this proposal does have an impact on our clients and businesses. Since Chapter 703 of the statutes requires Condominium plats be prepared by Land Surveyors, our members have a practical knowledge of the workings of the law. Our members also use and need to use these documents in our efforts to protect the property rights of the citizens of Wisconsin.

In Section 11, page 5 line 2, it is not necessary to require double mat polyester film. Since the image is only on one side, the double mat simply increases the price of the drawings without any impact on the quality of the document. We request that the bill be changed to allow for the use of single matt polyester film.

Our second concern is also with section 11, page 5, lines 4 through 7. The portion that describes the preparation of a second document for counties with imaging systems. There is confusion as to what this section is saying. Is it saying that the Register of deeds can photographic reproduce the document for scanning or does it mean that the scanned image that would be a different document from the one that is recorded.

Do we really want two different documents in the public records for the same condominium?

What methods are in this bill that will insure that the citizens of Wisconsin can rely on the documents that are held in the Register of Deeds office?

How are these documents going to be filed?

Is there going to be some sort of notification attached to the document telling the public that it is not an original plat?

Will this second document have the same recording data as the original?

Which document is the original?

Anyone who has used a copy of a document which is not a photo reproduction knows that it may not be the same as the original. If the size of the document changes, won't the look of the scanned document differ from and

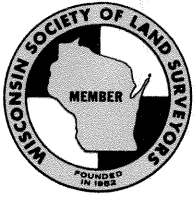
contain different data on each page than the recorded data? There have been a number of occasions where just prior to recording a note was added or in some way the original was changed. If this would happen to a condominium under this bill, two different documents may be placed on file in the Register of Deeds office. We think that the scanned image would be the used most often and would not be the correct document.

One of the reason for the creation of the Register of deeds office is to insure that the citizens of Wisconsin can rely on the documents they use for the securing of their property rights. If there are going to be two copies of a document in the register of deeds office how is the consumer to know what they are getting. Is the second document to be prepared by a Land Surveyor?

We think that the Register of Deeds using imaging systems should either scan the original document or have the original photographically reduced for scanning so that there will only be one document in the public records. An imaging system will be of little value if it does not contain images of original documents. We would ask that you delete this portion of this bill. We can not see how having this second document will benefit the consumers enough to out weight the possible cost of repairing the damage of one incomplete or incorrect document scanned into the public records.

The last concern we have with this bill is Section 13. It appears that the review would be confined only to the condominium plat. Would this review also include field checks? Are the reviewers to be land surveyors? We don't think that the review can be more than superficial. It will delay the recording and increase the cost of the condominium plat and will not benefit the citizens of Wisconsin. We also wonder why the reviewer would be required to sign and certify the face of the document. This bill reserves much of the first sheet for information that is of no value to the owner of the Condominium and will increase the number of pages in the Register of Deeds Office without improving the quality of information on the documents.

Thank you again for allowing us the opportunity to express our concerns.



Wisconsin Society of Land Surveyors

Affiliated with American Congress on Surveying and Mapping

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Waukesha, Wisconsin 53188
Phone (414) 549-1533



Wisconsin Society of Land Surveyors

Proposed amendments to Assembly Bill 537

At the locations indicated, amend the bill as follows:

1. Page 5, line 2: delete the word "double" and replace it with "single."
2. Page 5, line 4: delete the material beginning with "If a county" and ending with "width."
3. Page 5, line 23: after s. 703.11 add (2)(a)(d),(3) and (4).

Wisconsin Society of Land Surveyors Legislative Committee

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(608)274-0500 Fax (608)274-4530

Francis R. Thousand
Arnold & O'Sheridan, Inc.
5113 Spaanem Ave.
Madison, WI 53716
O(608)271-9651 Fax (608)271-7284
thousand@mailbag.com

Leslie D. Van Horn
PO Box 23600
Green Bay, WI 54305
O(414)448-4485

Donald A. Barnes
Rock County Surveyor
51 South Main Street
Janesville, WI 53545
(608)7575608

David D. Eisele
1919 American Ct.
Neenah, WI 54956
O(800)236-0381
mandesur@aol.com

Donald D. Frisque
Becher-Hoppe Associates
330 Fourth Street
Wausau, WI 54401
O(715)845-8000 Fax (715)845-8008

Robert J. Wetzel
412 N. Pine Street
Burlington, WI 53105
O(414)767-0225

Howard F. Licht
Held and Associates
RT 7 7574 Valley View Ct.
Verona, WI 53593
O(608)833-7373 Fax (608)833-3527
licht@itis.com

Dennis G. Mickesh
Route 3 Box 5
Chippewa Falls, WI 54729
O(715)726-7931 Fax (715)7267987

Michael J. Romportl
4133 Trails End Road
Rhineland, WI 54501
O(715)369-6179

Richard D. Talarczyk
P O Box 235
New Glarus, WI 53574
O(608)527-5216

Paul H. Vanhenkelum
545 Bay View Rd
Mukwonago, WI 53149
O(414)363-2004

Robert H. Winat
3023 Crescent Road
Rhineland, WI 54501
O(715)365-5739 Fax (715)365-5780

AB 531

10/19

Received a call from Julie in Green's office.

This bill was worked on by the State Bar and Register of Deeds. When draft "3" was done, a mistake was made - some language was left out. Therefore, a simple amendment is being drafted - to be introduced by the Committee.

So far - these folks are testifying in support w/ simple amendment:

1) Chuck Coleman

2) Mark Haack?

3) Jane Hight / Dane Cty. Register of Deeds

AB 537

- legislation is severely needed! Current statutes are out-of-date!
- all parties involved are on board with this legislation.
- clear up confusion for the

TO: THE ASSEMBLY COMMITTEE ON HOUSING

FROM: THE REAL PROPERTY, PROBATE AND TRUST LAW
SECTION OF THE STATE BAR OF WISCONSIN
By: CHARLES W. COLEMAN

DATE: OCTOBER 16, 1997

Good morning Madam Chair, and Members of the Assembly Committee On Housing. It's good to be back!

For the record, my name is Chuck Coleman. I am a paralegal for the Godfrey Law Firm in Elkhorn, and here today to speak on behalf of the Real Property, Probate and Trust Law Section of the State Bar. This Section of the State Bar is prepared to support Assembly Bill 537 and recommend it for passage after consideration is given to an amendment that has been submitted to the Committee.

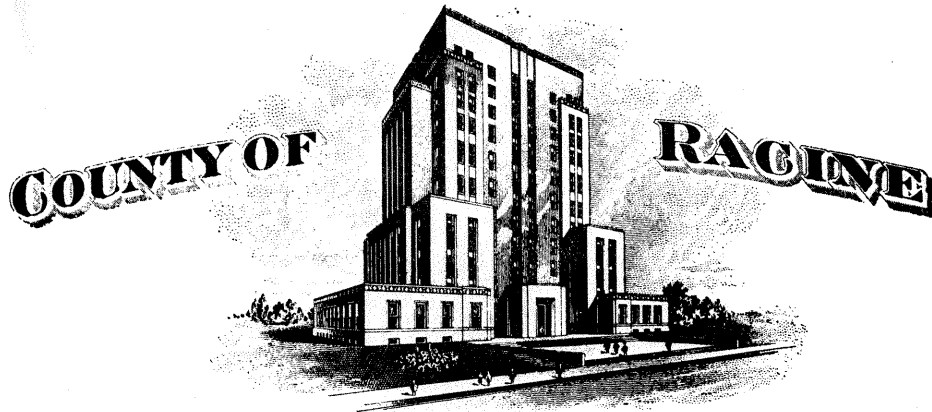
The amendment (L.R.B. 0864/1) seeks to restore a provision that was unknowingly deleted from Draft 2 of AB 537 prior to its introduction. Specifically, the amendment addresses the Local Review of Condominium Plats, which is created on page 5, line 14 of the Bill, by providing that "the reviewer may reject a

condominium plat only if it fails to comply with the requirements of s. 703.11, and, if applicable, ss. 703.095, 703.275(5) and 703.28(1m),"

The Real Property, Probate and Trust Law Section, which had concerns about the local review process, agreed to support the local review of condominium plats by reviewers if this provision were in the Bill. We feel that such provision is necessary to statutorily define the reasons for rejecting a condominium plat.

Thus, we ask for your consideration of this amendment and for the restoration of a provision that makes the Bill agreeable to us.

Thank you very much.



RACINE COUNTY COURT HOUSE
1931

730 Wisconsin Avenue

RACINE, WISCONSIN

53403

REGISTER OF DEEDS
MARK A. LADD

PHONE 414-636-3208
Racine County Courthouse Toll Free
1-800-242-4202 Ext. 3208

October 16, 1997

Chairperson Owens,
Members of the Committee,

Thank you for this opportunity to appear before you today to testify regarding Assembly Bill 537, which Rep. Mark Green has authored at the request of the Wisconsin Register of Deeds Association. AB537 proposes several technical revisions to chapter 703 of the Wisconsin Statutes primarily relating to the recording requirements when a condominium is first developed.

This proposed legislation is the result of a combined effort between Registers of Deeds, Surveyors, Real Property Listers and members of the State Bar Association and has been three years in development.

As you read this proposal it is admittedly very technical and you may be led to ask, "Why is this needed?"

Our experience, especially in the Register of Deeds and Real Property Listing offices throughout the state has been that attorneys and developers have proven to be extremely creative in interpreting certain provisions of the statutes and their interpretations are not always in the best interest of the public. This proposal seeks to tighten some of the more troublesome loopholes that currently exist.

I will not attempt to touch on each of the items proposed, as there are others here today who can more eloquently address some of these issues. I would, however, like to give you a quick overview of some of the bill's provisions beginning with an item that I see as exemplary of the creative interpretations that we must deal with and the problems created by this type of abuse.

Currently, chapter 703.07(1) reads, "A condominium **may be** created by recording condominium instruments with the register of deeds...".

Please remember that a condominium is a division of land and registers of deeds are charged with tracking interests in and divisions of land and, further, real property listers are charged with insuring that the right people get the right property tax bills for the right amount.

Some attorneys and developers have said the statutes say "may be created" and not "may only be created" and proceed to create condominium ownership without recording the proper instruments with the register of deeds. This makes it impossible for our office to correctly track the division of and ownership interest in these developments. It also keeps the real property lister from producing correct property tax bills for the property owners. Hence, we are proposing the adoption of the language that states, "A condominium may only be created by recording condominium instruments with the register of deeds..."

The primary function of the register of deeds office is to provide constructive public notice regarding real property interests in our counties. In an attempt to make the public record, clear and consistent, this bill standardizes the naming nomenclature for condominium instruments.

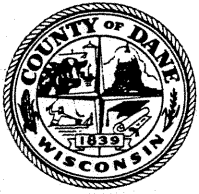
Another provision of this legislation creates an option for local review of condominium instruments, prior to recording, as another step to proactively reduce problems which can plunge unsuspecting condominium buyers into financial and legal problems that were created in a manner they could not possibly have the expertise to foresee, before they are created .

I want to assure you that our purpose is not to regulate for regulation's sake nor to restrict the development of condominiums. Our purpose is to protect the long term interests of those who rely on our records as well as the interests of those who desire to purchase condominium units in Wisconsin.

Thank you again for this opportunity to speak on behalf of AB537. I urge your support for this proposal.



Mark A. Ladd
Racine County Register of Deeds
2nd Vice President, Wisconsin Register of Deeds Association



JANE LICHT

Dane County Register of Deeds

DEPUTIES
Darlene Duckert
Marge Gunderson
Diane Martin
Barbara Oliverson
Colleen Schroeder
Beth Steinhauer
Karen Subera

CHIEF DEPUTY
Joyce Smith

Date: October 16, 1997

To: Assembly Committee on Housing

From: Jane Licht, Dane County Register of Deeds

phone: (608)267-8814 FAX: (608)267-3110 e-mail: licht@co.dane.wi.us

Re: AB 537, Condominium Law Revision

I am asking you to support the condominium law revision proposed by the Wisconsin Register of Deeds Association and the Wisconsin Real Property Listers Association. Our members who have to deal with condominium declarations and condominium plats have experienced a real need for better clarification of Chapter 703, condominium law. We established a condominium study committee several years ago. The recommendations of that study committee are embodied in AB 537. We included a private surveyor and several attorneys on our committee. Everyone agree to the need for changes--even attorney Lowell Sweet who crafted much of the original law. Right now, some developers submit condo plats with duplicate unit numbers, duplicate names within the county and other problems that make it impossible to properly index, access and assign tax numbers to the units. We cannot reject condominium documents with these problems because of a lack of statutory authority. These technical problems place the interests of the home owners in jeopardy when it is not clear exactly what their interests are in the property.

Just as Chapter 236, which deals with subdivision plats and certified survey maps, is very detailed and technical in nature, Chapter 703 is also very technical. It is extremely important to give more explicit directions to developers, attorneys and surveyors who are creating condominium documents. This must be done through legislation since there is no rule-making authority to make adjustments and no state review of condominiums. Because the current mood is not in favor of increasing state government, we are recommending that counties be allowed a review process for condominiums if they so desire. Counties where condominiums are very popular may wish to do so to avoid these problems which end up costing much staff time, and necessitate the re-recording of legal documents by the condominium home owners. Two counties which have managed to implement an informal review process, Walworth and Racine, experience very few problems with these documents.

I urge your support of this bill. Of the hundreds of types of legal documents we accept for recording and filing, there is no other document that causes as many problems for both local government and consumers as condominium documents.

Thanks for your time and consideration.



AFFIDAVIT OF CORRECTION

I, [REDACTED] attorney at law, affirm that the unit numbers assigned to the First Amendment to **Steeplechase Condominium** declaration recorded and filed as document number 2866459 on June 30, 1997, are hereby re-assigned as follows:

Old Buiding & Unit Designation	Corresponding Street Address	New Unit Number
1, G	5717	1
1, C	5719	2
1, H	5721	3
2, A	5722	4
2, C	5720	5
2, D	5718	6
3, AA	5710	7
3, B	5708	8
3, C	5706	9
3, DD	5704	10
E	5701	11
B	5703	12
C	5705	13
F	5707	14
F	5692	15
C	5694	16
E	5696	17
E	5691	18
C	5693	19
F	5695	20
F	5682	21
C	5684	22
E	5686	23

Recording Area

Name and return address:

Parcel identification number

NOTE: Parcel Identifier Numbers have not yet been assigned

Signed: _____, October 8, 1997

AUTHENTICATION

The above named person came before me this _____ day of _____ (year) to me known to be the person who executed this instrument.

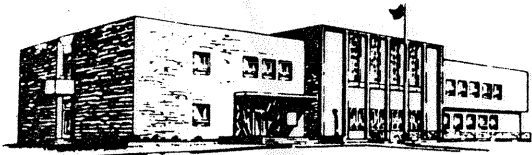
Signature

Name printed

Notary Public, Dane County, Wisconsin

My Commission Expires: _____

Document drafted by [REDACTED]



REAL PROPERTY LISTER OF WASHINGTON COUNTY

Phone 335-4370

BRIAN W. BRAITHWAITE

432 East Washington Street
P.O. Box 1986
West Bend, WI 53095-7986

Assemblywoman Carol Owens
Chair, The Assembly Committee on Housing
P O Box 8953
Madison, WI 53708

October 14, 1997

Dear Assemblywoman Owens:

I am writing to voice my support for AB 537 during its hearing before your committee. The bill will provide positive changes to the law regarding the preparation and recording of condominium instruments.

In my experience as the Real Property Lister for Washington County, can assure you that AB 537 will be beneficial to local governments throughout the state. This bill would clarify the distinction between condominium addendums and condominium amendments. Currently, these terms are often interchanged. Also this bill eliminates alphanumeric unit numbering schemes, which in the past have proven awkward. Additionally AB 537, in authorizing counties to adopt ordinances requiring local review of condominium plats, provides local governments an opportunity to better manage land use and development within their jurisdictions.

In closing I am pleased to see that my Assembly Representative, Glen Grothman is a sponsor of AB 537 and I ask that my letter to you become part of the record for this hearing.

Sincerely yours,

Brian W. Braithwaite



**STATE BAR
OF WISCONSIN**

402 W. Wilson Street
P.O. Box 7158
Madison, WI 53707-7158

MEMORANDUM

To: Members of the Assembly Housing Committee
From: Real Property, Probate and Trust Law Section
Date: October 16, 1997
Re: Proposed Amendment to Assembly Bill 537

Assembly Bill 537 ("Bill") authorizes a county unit of government to adopt an ordinance requiring that proposed condominium plats be reviewed by 'reviewers' employed by the county or by a city, village, or town before being recorded. There were many legitimate questions asked about the reasons for creating such a process, such as:

1. Is there a demonstrated need for this review?
2. Will the reviewers have the experience and expertise to pass judgment?
3. Are we unnecessarily creating more government jobs?
4. How long will it be before the permissive authority granted to the county becomes a mandatory policy, *i.e.*, government mandate?

To protect the interest of condominium developers, § 703.115(1)(c), Wisconsin Statutes, was incorporated into the Bill (LRB 2959/2). This provision "[p]rovides that the reviewer may reject a condominium plat only if it fails to comply with the requirements of § 703.095 or 703.11."

Section 703.095, Wisconsin Statutes, relates to the modification and correction of recorded condominium instruments, amendments, and addenda.

Section 703.11, Wisconsin Statutes, relates to condominium plats.

The Bill draft that was subsequently introduced as Assembly Bill 537 (LRB 2959/3) deleted this provision and subsequently gave the reviewer the possibility of rejecting the plat for reasons other than those specifically identified in § 703.115(1)(c), Wisconsin Statutes.

Thus, an Assembly Amendment ("Amendment") is being offered (LRB 0864/1) that will restore this provision to the Bill. The Amendment "[p]rovides that the reviewer may reject a condominium plats only if it fails to comply with the



requirements of s.703.11 and, if applicable, ss. 703.095, 703.275(5) and 703.28(1m).”

Section 703.275(5), Wisconsin Statutes, relates to the recording of the merger of condominiums.

Section 703.28(1m), Wisconsin Statutes, relates to the removal of condominiums from the provisions Chapter 703, Wisconsin Statutes.

This Amendment eliminates the possibility, of any reviewer rejecting a condominium plat for an undefined, unspecified reason. Approval of this Amendment and restoration of the provision deleted from LRB 2959/2 is requested by the Real Property, Probate and Trust Law Section of the State Bar of Wisconsin. The Section supports the adoption of Assembly Bill 537 and recommends it for passage as amended by LRB 0864/1 which is being offered to the Committee.

WISCONSIN REAL PROPERTY LISTERS ASSOCIATION

Condominium Law

WHEREAS, members of the Wisconsin Real Property Listers Association (WRPLA) have experienced difficulties regarding condominium documents. Unlike subdivision plats, there is no provision in state law for a careful review process for condominium documents. After they have been recorded, real property listers process these documents and problems often come to light.

AND WHEREAS, examples of actual situations that occurred in Wisconsin are: the assigning of duplicate unit numbers within the same condominium, assigning duplicate condominium names within the same county, changing the condominium name or unit numbers years after the original condominium was established, using a removal of condominium document to convey land, and recording a certified survey map for land inside an active condominium,

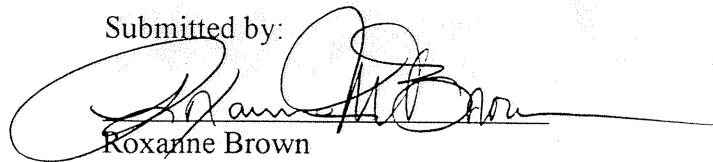
AND WHEREAS, these troublesome situations are the cause of inconvenience at the least, and may even be harmful, for our citizen-customers,

AND WHEREAS, there is no standard procedures for naming documents which modify condominium plats and declarations, resulting in confusion and difficulty accessing records,

AND WHEREAS, a special RSP (Registers, Surveyors & Real Property Listers) Condominium Study Committee was established in January of 1995 which has discussed the issue and gathered information from interested groups,

NOW THEREFORE BE IT RESOLVED that the WRPLA supports the recommendations of the RSP Condominium Committee and directs the Legislative Committee to promote the necessary legislative changes.

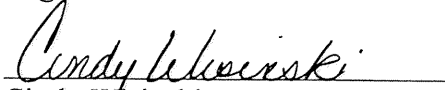
Submitted by:



Roxanne Brown
President, WRPLA



Clyde Tellock
Legislative Chairman WRPLA



Cindy Wisinski
Secretary WRPLA



Wisconsin Society of Land Surveyors

Affiliated with American Congress on Surveying and Mapping

2935 Coventry Lane
Waukesha, Wisconsin 53188
Phone (414) 549-1533



October 16, 1997

To: Housing Committee
Carol Owens, Chair, Neal Kedzie, Vice Chair, Steven Foti, Dan
Vrakas, Steve Wieckert, Johnnie Morris-Tatem, John La Fave, and
Leon Young

From: Wisconsin Society of Land Surveyors
Francis R. Thousand, Legislative Committee

Re: AB 537 as it relates to the recording of Condominium Plats

Thank you for this opportunity to address the proposal before you this morning. The Wisconsin Society of Land Surveyors represent about 600 Land Surveyors practicing in this state. Our members have expressed concern over parts of AB537. Unfortunately, our members are unable to appear in person and testify before this Public Hearing.

As Land Surveyors in Wisconsin, this proposal does have an impact on our clients and businesses. Since Chapter 703 of the statutes requires Condominium plats be prepared by Land Surveyors, our members have a practical knowledge of the workings of the law in regards to the preparation of these plats. Our members also use and need to use these documents in our efforts to protect the property rights of the citizens of Wisconsin.

We are preparing a detailed analyses of our concerns and will send to the Committee and its members for their consideration in deliberations on AB 537. We will also provide a list of contacts if there are any questions from the Committee.

Thank you again for allowing us the opportunity to express our concerns.



JANET FILIP

County Treasurer/Real Property Lister
West Square Building
505 Broadway, Rm 146
Baraboo, WI 53913

OCT 14 1997

(608) 355-3275

October 10, 1997

Carol Owens, Chair
Assembly Committee on Housing
PO Box 8953
Madison, WI 53708

RE: AB 537

Dear Ms. Owens:

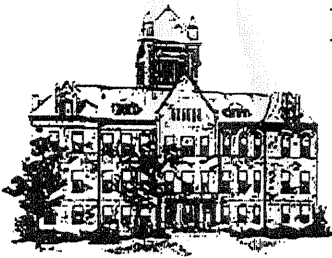
This letter is in regard to proposed 1997 Assembly Bill 537. The provisions of this legislation would make much clearer what is required in order to create or vacate a condominium. Current legislation is sadly lacking in this area, and our county has witnessed the problems that can be caused by this. An example is a case in which a condominium plat was recorded without the accompanying declaration, and then the developer changed his mind about creating the condominium so did not record the declaration. The result is a very confusing record. In another example, additional units were built but were not reflected in the recorded documents. New parcels could not be created for the units until legally recorded, making the maintenance of assessment records very confusing. Cases such as this would be avoided if the proposed legislation is enacted.

I realize that the developers of condominiums wish to have a lot of leeway in the laws so as to make possible a variety of development options, but it is essential that certain guidelines such as those being proposed be followed, both for the maintenance of accurate property description and ownership records and for the protection of the consumer who is purchasing interest in condominiums. The proposed legislation is a result of the joint efforts of representatives of many associations affected by condominium law. As a Real Property Specialist for Sauk County, I encourage the passage of this legislation.

I request that this letter be submitted as testimony and entered into the record at the hearing on October 16, 1997.

Sincerely,
Sauk County Treasurer's Office

Ann Burton
Ann Burton, Real Property Specialist



MONROE COUNTY BOARD OF SUPERVISORS

COURTHOUSE

SPARTA, WISCONSIN 54656

PHONE 608-269-8718

608-372-8718

FAX 608-269-8747

OCT 13 1997

October 10, 1997

Carol Owens, Chair
Assembly Committee on Housing
PO BOX 8953
Madison, WI 53708

Dear Ms. Owens:

The Monroe County Board of Supervisors' Administrative/Executive Committee, did at today's meeting unanimously favor urging your support of **AB-357** Condominiums.

537

Monroe County's Tax Lister, Lorraine Mattheisen, has shared with the committee absurd instances regarding condominium formations. It is hoped that this bill would spell out the things that can and cannot be done in forming a condominium, and further, that it would lend guidance to the Listers when putting this information in the assessment roll.

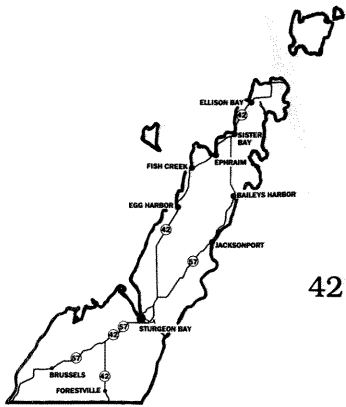
Your attention to this concern is appreciated.

On behalf of the Administrative/
Executive Committee:

Chris Williams, County Clerk

cc: Lorraine Mattheisen
Harvey Jernander, Committee Chair
George Baker, Committee Member
George Lundy, Committee Member
Joe Schaitel, Committee Member
Howard Zastoupil, Committee Member

MONROE COUNTY BOARD OF SUPERVISORS
COURTHOUSE
SPARTA, WISCONSIN 54656
PHONE 608-269-8718
FAX 608-269-8747



Door County Real Property Listing

OCT 13 1997

Holly Baudhuin

Door County Courthouse

421 Nebraska Street, P.O. Box 670, Sturgeon Bay, WI 54235-0670

(414) 746-2287 FAX 746-2330

October 10, 1997

Carol Owens, Chair
Assembly Committee on Housing
PO Box 8953
Madison WI 53708

Re: Assembly Bill 537 - Condominiums

Dear Ms. Owens:

I am writing this letter in support of AB-537. Our County at this time has 137 condominium complexes consisting of about 3,960 individual units. These complexes consist of regular condominiums, land only condominiums, storage building condominiums and dockominiums which I believe are unique to Door County.

One problem that our county has recently encountered is a Certified Survey Map was just recorded creating two parcels of land. The problem is the two parcels lie within a recorded condominium, there has been no removal of that land from the condominium and the surveyor has stated there is no where in the statutes that prohibits him from doing this. Our county has also tried unsuccessfully to include condominium plats in the review process for our land division ordinance. The local surveyors have stated that our Planing and Zoning Department can't include the condominium plats in the ordinance because it is not covered in State Statute 703. The amendments being suggested I believe would elevate a number of problems that many counties have to face. Please enter this letter into the record for the hearing being held on October 16th, 1997 and I ask you to support and pass the bill on to the floor of the Assembly for vote.

Sincerely,

Holly M. Baudhuin

JAN 27 1998

1-27-98



Wisconsin Society of Land Surveyors

Affiliated with American Congress on Surveying and Mapping

2935 Coventry Lane
Waukesha, Wisconsin 53188
Phone (414) 549-1533



January 23, 1998

To: Housing Committee
Carol Owens, Chair, Neal Kedzie, Vice Chair, Steven Foti, Dan
Vrakas, Steve Wieckert, Johnnie Morris-Tatem, John La Fave, and
Leon Young

From: Wisconsin Society of Land Surveyors
Legislative Committee

C.C. Representative Mark Green

Re: AB 537 as it relates to the recording of Condominium Plats

The Wisconsin Society of Land Surveyors Legislative Committee has reviewed LRBs0330/4 and believe that this draft of the Assembly Substitute Amendment to 1997 Assembly Bill 537 address the concerns I expressed in the written testimony dated October 18, 1997.

LRB or Bill No./Adm. Rule No.
Assembly Bill 537
Amendment No. if Applicable

FISCAL ESTIMATE
DOA-2048 N(R10/94)

- ORIGINAL
- CORRECTED
- UPDATED
- SUPPLEMENTAL

Subject
Recording Requirements for Condominium Instruments

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation
- Decrease Existing Appropriation
- Create New Appropriation
- Increase Existing Revenues
- Decrease Existing Revenues

Increase Costs - May be possible to Absorb Within Agency's Budget Yes No

Decrease Costs

Local: No local government costs

- 1. Increase Costs
 - Permissive
 - Mandatory
- 2. Decrease Costs
 - Permissive
 - Mandatory

- 3. Increase Revenues
 - Permissive
 - Mandatory
- 4. Decrease Revenues
 - Permissive
 - Mandatory

5. Types of Local Governmental Units Affected:

- Towns
- Villages
- Cities
- Counties
- Others _____
- School Districts
- WTCS Districts

Fund Sources Affected

- GPR
- FED
- PRO
- PRS
- SEG
- SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

This bill makes a number of changes related to recording requirements for condominium instruments. The county registers of deeds are statutorily charged with charging the following fees for recording documents: plats of 1 to 50 lots are \$25.00 and each additional lot is \$.10; other instruments are \$10 for the first page and \$2 for each additional page. Some of the changes in this bill will have an impact on the revenues for county registers of deeds. Other provisions clarify current standard procedure, or will have no fiscal impact. The requirements that may impact the registers of deeds are:

1. Provides that a condominium instrument may only be modified by recording an amendment, addendum or instrument of correction or by removal of all or part of the condominium from the law governing condominiums.
2. Provides that if two or more condominiums merge, a restatement of the condominium declaration and an addendum to the plat must be filed.
3. Requires documents providing for the removal of a condominium from the law governing condominiums before a new plat or certified survey map may be recorded for the same property and requires documents removing condominiums that have merged and which results in the creation of a new plat.
4. Authorizes counties that use an optical imaging system for storage of records to require filing an additional paper copy that has smaller dimensions than the standard archival maps.

Currently, there is no standard definition of what must be done in order to accomplish items 1 through 3 above. Some counties may be receiving the documents as prescribed above, while others receive different documents for completing the activities. Consequently, the registers of deeds process a variety of different documents that are meant to accomplish these activities. This creates difficulty in maintaining an effective record of the actions related to condominiums. The provisions in this bill may result in increased revenues for counties due to any increase in the number of documents that must be filed as a result of the provisions in 1 through 4 above. However, it is not possible to determine the fiscal impact on the counties because it is not possible to determine if there will be more documents processed and if more documents are processed, the increased volume and costs that will result.

Long-Range Fiscal Implications

Agency/Prepared by: (Name & Phone No.)
Commerce/Louis Cornelius, 266-8629

Authorized Signature/Telephone No.
Louis Cornelius 266-8629

Date
October 12, 1997

FISCAL ESTIMATE WORKSHEET

1997 Session

Detailed Estimate of Annual Fiscal Effect
DOA-2047 (R10/94)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No. Assembly Bill 537	Amendment No.
--	---------------

Subject
Recording Requirements for Condominium Instruments

I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

II. Annualized Costs:

A. State Costs by Category

	Annualized Fiscal impact on State funds from:	
	Increased Costs	Decreased Costs
State Operations - Salaries and Fringes	\$	\$ -
(FTE Position Changes)	(FTE)	(- FTE)
State Operations - Other Costs		-
Local Assistance		-
Aids to Individuals or Organizations		-
TOTAL State Costs by Category	\$	\$ -

B. State Costs by Source of Funds

	Increased Costs	Decreased Costs
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

STATE

LOCAL

NET CHANGE IN COSTS \$ _____ \$ See Text of Note

NET CHANGE IN REVENUES \$ _____ \$ See Text of Note

Agency/Prepared by: (Name & Phone No.)
Commerce/Louis Cornelius, 266-8629

Authorized Signature/Telephone No.

Louis Cornelius

266-8629

Date
October 12, 1997

FISCAL ESTIMATE
DOA-2048 N(R10/94)

- ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

Subject

Recording Requirements for Condominium Instruments

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation

- Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

Increase Costs - May be Possible to Absorb Within Agency's Budget Yes No

Decrease Costs

see text of fiscal note

Local: No Local Government Costs

1. Increase Costs
 Permissive Mandatory
2. Decrease Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory
4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:

- Towns Villages Cities
 Counties Others
 School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

The bill makes a number of technical changes regarding condominium instruments. For example, the bill requires each condominium in a county to have a unique name and the units in a condominium to be numbered consecutively. The technical changes are expected to reduce the amount of time needed by registers of deeds and real property listers to record and process condominium instruments. The bill may also result in fewer errors on condominium deeds and on assessment rolls. It is not possible to reliably estimate the amount of time that may be saved or the reduction in the number of errors that may result from the bill.

Also, under the bill, a county may enact an ordinance requiring a review of condominium plats for compliance with state law, and charge a fee reflecting the actual cost of such a review. According to the Wisconsin Registers of Deeds Association, counties that enact an ordinance requiring a fee for reviewing a condominium plat are most likely to charge \$25 to \$50, although some may charge up to \$100 for a condominium plat review.

Long-Range Fiscal Implications

Agency/Prepared by: (Name & Phone No.)	Authorized Signature/Telephone No.	Date
Wisconsin Department Of Revenue Blair P. Kruger, (608) 266-1310	Yeang-Eng Braun (608) 266-2700 <i>Yeang Eng Braun</i>	10/14/97

FISCAL ESTIMATE WORKSHEET
Detailed Estimate of Annual Fiscal Effect
DOA-2047(R10/94)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB OR Bill No./Adm. Rule No.	Amendment No.
AB 537	

Subject

Recording Requirements for Condominium Instruments

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 State Funds from:	
A. State Costs by Category	Increased Costs	Decreased Costs
State Operations - Salaries and Fringe (FTE Position Changes)	\$	\$ -
State Operations-Other Costs	(FTE)	(- FTE)
Local Assistance		-
Aids to Individuals or Organizations		-
TOTAL State Costs by Category	\$	\$ -
B. State Costs by Source of Funds	Increased Costs	Decreased Costs
GPR		\$ -
FED		-
PRO/PRS		-
SEG/SEG-S State Forestry Taxes		-
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	\$ _____	\$ - unknown
NET CHANGE IN REVENUES	\$ _____	\$ see text of fiscal note

Agency/Prepared By: (Name & Phone No.) Wisconsin Department of Revenue Blair P. Kruger 266-1310	Authorized Signature/Telephone No. Yeang-Eng Braun (608) 266-2700 <i>Yeang Eng Braun</i>	Date 10/14/97
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Handwritten signature: David Nesbitt

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