



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1634/PA P5
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DOA:.....Grinde - Land Information board and land council changes; land record fee

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

SOON

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- 1 AN ACT ...; relating to: abolition of the land information board and transferring
- 2 its functions, adding members to the Wisconsin land council, changing the
- 3 duties of the Wisconsin land council, and increasing the land records fee.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Currently, the land information board is attached to DOA. The board consists of the secretaries of five state agencies or their designees, the state cartographer and eight other persons appointed by the governor, four of whom are representatives of county or municipality governments in this state and four of whom are representatives of public utilities or private businesses in this state. The board serves as a state clearing house for access to land information and provides technical assistance to state agencies and local governmental units with land information responsibilities, reviews and approves county plans for land records modernization, and provides aids to counties, derived from recording fee revenues collected by counties, for land records modernization projects. Under current law, the board and its functions are abolished effective on September 1, 2003.

This bill abolishes the land information board on the day the bill becomes law and transfers its functions, together with its assets, liabilities, and employees, to DOA.

Currently, counties collect a land record fee for recording and filing most instruments that are recorded or filed with the register of deeds. The fee is ten dollars for the first page of an instrument and two dollars for each additional page. Until September 1, 2003, counties must remit two dollars of each ten dollars collected for recording or filing the first page of each instrument to the land information board, which the board uses to fund its general program operations and to make grants to counties for land records modernization projects. Currently, if a county does not have a land information office and uses four dollars of the fee for recording or filing the first page of an instrument for land records modernization, the county must remit six dollars of the fee for recording or filing the first page of an instrument to the land information board. On September 1, 2003, the fee for recording or filing the first page of an instrument is reduced from ten dollars to eight dollars and no portion is remitted to the state.

This bill increases the fee for recording or filing the first page of an instrument with a register of deeds from ten dollars to eleven dollars, and requires a county to remit either two dollars or seven dollars of this fee to the department of administration, depending on whether the county has a land information office and uses the fee for land records modernization.

Currently, DOA may provide grants to local governments to be used to finance a portion of the cost of certain comprehensive planning activities from general purpose revenue. This bill provides, in addition, for a portion of the land record fee received by DOA to be used for that purpose.

Currently, the land information board may provide technical assistance to counties and conduct educational seminars, courses, or conferences relating to land information. The board assesses and collects fees sufficient to cover the cost of these activities. This bill transfers the authority to provide assistance and conduct conferences to DOA, but deletes the authority and responsibility to assess and collect fees.

Under the current law, the Wisconsin land council exists in DOA. The purposes of the council include the following: 1) to identify and recommend to the governor land use goals and priorities; 2) to identify and study areas of conflict in the state's land use statutes, and conflicts between state and local land use statutes and ordinances, and recommend to the governor legislation to resolve the conflicts; 3) to study the development of a computer-based land information system and make recommendations to the governor in this area; 4) to identify procedures for facilitating local land use planning efforts and recommend to the governor legislation to implement the procedures; and 5) to gather and analyze information about the land use activities in Wisconsin of the federal government and American Indian governments. The council is required to submit to both houses of the legislature, and the governor, a report that evaluates its functions and activities. The report must be submitted not later than September 1, 2002.

This bill discontinues the council's function of studying the development of a computer-based land information system, and adds several new functions to the council's duties. Under the bill, the council must establish a land information working group that must study and recommend land information standards to the

council and DOA, advise the council and DOA on a Wisconsin land information system and on coordination of state and local land information, and review county land records modernization plans and make recommendations on approval to the council and DOA.

The council currently consists of 16 members. This bill adds three members to the council, one of whom would be a representative from a public utility, one of whom would be a representative from a professional land information organization, and one of whom would be nominated by a statewide association whose purposes include support of a network of statewide land information systems.

The bill also repeals the current law August 31, 2003, sunset date for the council.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 15.01 (4) of the statutes, as affected by 1999 Wisconsin Act 9, section
2 12n, is repealed and recreated to read:

3 15.01 (4) "Council" means a part-time body appointed to function on a
4 continuing basis for the study, and recommendation of solutions and policy
5 alternatives, of the problems arising in a specified functional area of state
6 government, except the Milwaukee River revitalization council has the powers and
7 duties specified in s. 23.18, the council on physical disabilities has the powers and
8 duties specified in s. 46.29 (1) and (2), the state council on alcohol and other drug
9 abuse has the powers and duties specified in s. 14.24 and, before January 1, 2001,
10 the council on health care fraud and abuse has the powers and duties specified in s.
11 146.36.

12 **SECTION 2.** 15.07 (1) (b) 16. of the statutes, as affected by 1997 Wisconsin Act
13 27, is repealed.

14 **SECTION 3.** 15.105 (16) of the statutes, as affected by 1997 Wisconsin Act 27,
15 is repealed.

1 **SECTION 4.** 15.107 (16) (b) 14. of the statutes is created to read:
2 15.107 (16) (b) 14. One member who is a representative from a public utility.

3 **SECTION 5.** 15.107 (16) (b) 15. of the statutes is created to read:
4 15.107 (16) (b) 15. One member who represents a professional land information
5 organization.

6 **SECTION 6.** 15.107 (16) (b) 16. of the statutes is created to read:
7 15.107 (16) (b) 16. One member who is nominated by a statewide association
8 whose purposes include support of a network of statewide land information systems.

9 **SECTION 7.** 15.107 (16) (d) of the statutes is amended to read:
10 15.107 (16) (d) *Terms, chairperson.* The members listed under par. (b) 8. to ~~13.~~
11 ~~16.~~ shall be appointed for 5-year terms. The governor shall appoint the chairperson
12 of the council, who shall serve at the pleasure of the governor.

13 **SECTION 8.** 15.107 (16) (e) of the statutes is repealed.

14 **SECTION 9.** 16.023 (1) (f) of the statutes is repealed.

15 **SECTION 10.** 16.023 (1) (fm) of the statutes is created to read:
16 16.023 (1) (fm) Establish a land information working group that is composed
17 of the state cartographer, a representative of the University of Wisconsin System
18 who has expertise in land ~~map~~ ^{information} issues and any other land ~~map~~ experts designated by
19 the council's chairperson, to conduct all of the following functions:

- 20 1. Study and recommend land information standards to the council and the
21 department.
- 22 2. Advise the council and the department on a Wisconsin land information
23 system.
- 24 3. Advise the council and the department on coordination of state and local land
25 information.

1 4. Review county land records modernization plans and make
2 recommendations on approval to the council and the department.

~~****NOTE: Who should compose the land information working group? Should the
composition be the same as in s. 16.023 (1) (f)?~~

3 **SECTION 11.** 16.023 (1) (m) of the statutes is repealed.

4 **SECTION 12.** 16.023 (1) (n) of the statutes is created to read:

5 16.023 (1) (n) Review land information grant applications that are made under
6 s. 16.967 (7) and make recommendations on approval to the department.

~~****NOTE: Are the grants cited in this paragraph the ones you mean?~~

7 **SECTION 13.** 16.023 (1) (o) of the statutes is created to read:

8 16.023 (1) (o) Review proposed expenditures to be made to finance planning
9 activities related to the transportation elements of comprehensive plans under s.
10 16.9651 (2) and make recommendations on approval to the department.

11 **SECTION 14.** 16.023 (2) of the statutes is amended to read:

12 16.023 (2) In conjunction with the working group established under sub. (1) (L)
13 1., the council shall, not later than one year after October 14, 1997, develop
14 evaluation criteria for its functions under sub. (1). The council shall complete a
15 report that contains an evaluation of its functions and activities not later than
16 September 1, 2002, and shall submit the report to the chief clerk of each house of the
17 legislature, for distribution to the legislature under s. 13.172 (2), and to the governor.
18 The report shall also include a recommendation as to whether the council should
19 ~~continue in existence past its sunset date specified in s. 15.107 (16) (e) and, if so, a~~
20 ~~recommendation as to whether any structural modifications should be made to the~~
21 council's functions or to the state's land use programs.

22 **SECTION 15.** 16.023 (3) of the statutes is repealed.

23 **SECTION 16.** 16.965 (2) of the statutes is amended to read:

1 16.965 (2) From the ~~appropriation~~ appropriations under ~~s. ss.~~ 20.505 (1) (cm)
2 and (if), the department may provide grants to local governmental units to be used
3 to finance the cost of planning activities, including contracting for planning
4 consultant services, public planning sessions and other planning outreach and
5 educational activities, or for the purchase of computerized planning data, planning
6 software or the hardware required to utilize that data or software. The department
7 shall require any local governmental unit that receives a grant under this section to
8 finance a percentage of the cost of the product or service to be funded by the grant
9 from the resources of the local governmental unit. The department shall determine
10 the percentage of the cost to be funded by a local governmental unit based on the
11 number of applications for grants and the availability of funding to finance grants
12 for the fiscal year in which grants are to be provided. A local governmental unit that
13 desires to receive a grant under this subsection shall file an application with the
14 department. The application shall contain a complete statement of the expenditures
15 proposed to be made for the purposes of the grant. No local governmental unit is
16 eligible to receive a grant under this subsection unless the local governmental unit
17 agrees to utilize the grant to finance planning for all of the purposes specified in s.
18 ~~66.0295~~ 66.1001 (2).

19 SECTION 17. 16.965 (3) of the statutes, as affected by 1999 Wisconsin Act 9,
20 section 110p, is repealed and recreated to read:

21 16.965 (3) Prior to awarding a grant to a local governmental unit under sub.
22 (2), the department shall forward a statement of the expenditures proposed to be
23 made under the grant to the Wisconsin land council for its recommendation
24 concerning approval.

1 **SECTION 18.** 16.965 (5) of the statutes, as affected by 1999 Wisconsin Act 9,
2 section 110t, is repealed and recreated to read:

3 16.965 (5) The department may promulgate rules specifying the methodology
4 whereby precedence will be accorded to applications in awarding grants under sub.
5 (2).

6 **SECTION 19.** 16.9651 (2) of the statutes is amended to read:

7 16.9651 (2) From the appropriation under s. 20.505 (1) (z), the department may
8 provide grants to local governmental units to be used to finance the cost of planning
9 activities related to the transportation element, as described in s. ~~66.0295 (2) (e)~~
10 66.1001 (2) (c), of a comprehensive plan, as defined in s. ~~66.0295 (1) (a)~~ 66.1001 (1)
11 (a), including contracting for planning consultant services, public planning sessions
12 and other planning outreach and educational activities, or for the purchase of
13 computerized planning data, planning software or the hardware required to utilize
14 that data or software. The department may require any local governmental unit that
15 receives a grant under this section to finance not more than 25% of the cost of the
16 product or service to be funded by the grant from the resources of the local
17 governmental unit. Prior to awarding a grant under this section, the department
18 shall forward a detailed statement of the expenditures to be made under the grant
19 to the Wisconsin land council for its recommendation concerning approval. The
20 department shall also forward a detailed statement of the proposed expenditures to
21 be made under the grant to the secretary of transportation and obtain his or her
22 written approval of the proposed expenditures.

23 **SECTION 20.** 16.966 (1) and (2) of the statutes, as affected by 1997 Wisconsin
24 Act 27, section 133b, are repealed and recreated to read:

1 16.966 (1) In this section, "state agency" has the meaning given for "agency"
2 under s. 16.045 (1) (a).

3 (2) The department may assess any state agency for any amount that it
4 determines to be required for the functions of the Wisconsin land council under s.
5 16.023. For this purpose, the department may assess state agencies on a premium
6 basis and pay costs incurred on an actual basis. The department shall credit all
7 moneys received from state agencies under this subsection to the appropriation
8 account under s. 20.505 (1) (kt).

9 **SECTION 21.** 16.966 (4) of the statutes, as affected by 1997 Wisconsin Act 27,
10 section 133d, is repealed.

11 **SECTION 22.** 16.967 of the statutes, as affected by 1997 Wisconsin Act 27,
12 section 141am, and 1999 Wisconsin Act 9, section 114n, is repealed and recreated to
13 read:

14 **16.967 Land information program. (1) DEFINITIONS.** In this section:

15 (b) "Land information" means any physical, legal, economic, or environmental
16 information or characteristics concerning land, water, groundwater, subsurface
17 resources, or air in this state. "Land information" includes information relating to
18 topography, soil, soil erosion, geology, minerals, vegetation, land cover, wildlife,
19 associated natural resources, land ownership, land use, land use controls and
20 restrictions, jurisdictional boundaries, tax assessment, land value, land survey
21 records and references, geodetic control networks, aerial photographs, maps,
22 planimetric data, remote sensing data, historic and prehistoric sites, and economic
23 projections.

24 (c) "Land information system" means an orderly method of organizing and
25 managing land information and land records.

1 (d) "Land records" means maps, documents, computer files, and any other
2 information storage medium in which land information is recorded.

3 (e) "Systems integration" means land information that is housed in one
4 jurisdiction or jurisdictional subunit and is available to other jurisdictions,
5 jurisdictional subunits, public utilities, and other private sector interests.

6 (3) DUTIES OF THE DEPARTMENT. The department shall direct and supervise the
7 land information program and serve as the state clearinghouse for access to land
8 information. In addition, the department shall:

9 (a) Provide technical assistance and advice to state agencies and local
10 governmental units with land information responsibilities.

11 (b) Maintain and distribute an inventory of land information available for this
12 state, land records available for this state, and land information systems.

13 (c) Prepare guidelines to coordinate the modernization of land records and land
14 information systems.

15 (d) Review project applications received under sub. (7) and determine which
16 projects are approved.

17 (e) Review for approval a countywide plan for land records modernization
18 prepared under s. 59.72 (3) (b).

19 (f) Prior to the beginning of each fiscal year, provide to the Wisconsin land
20 council a statement of the department's proposed expenditures under s. 20.505 (1)
21 *relating to the land information program and aids to counties for*
(ie) for that fiscal year. *land information projects*

22 (4) FUNDING REPORT. The department shall identify and study possible program
23 revenue sources or other revenue sources for the purpose of funding the operations
24 of the department under this section, including grants to counties under sub. (7).

1 **(6) REPORTS.** By March 31, 1990, and biennially thereafter, the department of
2 agriculture, trade and consumer protection, the department of commerce, the
3 department of health and family services, the department of natural resources, the
4 department of tourism, the department of revenue, the department of
5 transportation, the board of regents of the University of Wisconsin System, the
6 public service commission, and the board of curators of the historical society shall
7 each submit to the department a plan to integrate land information to enable such
8 information to be readily translatable, retrievable, and geographically referenced for
9 use by any state, local governmental unit, or public utility.

10 **(7) AID TO COUNTIES.** (a) A county board that has established a county land
11 information office under s. 59.72 (3) may apply to the department on behalf of any
12 local governmental unit, as defined in s. 59.72 (1) (c), located wholly or partially
13 within the county for a grant for any of the following projects:

14 1. The design, development, and implementation of a land information system
15 that contains and integrates, at a minimum, property and ownership records with
16 boundary information, including a parcel identifier referenced to the U.S. public land
17 survey; tax and assessment information; soil surveys, if available; wetlands
18 identified by the department of natural resources; a modern geodetic reference
19 system; current zoning restrictions; and restrictive covenants.

20 2. The preparation of parcel property maps that refer boundaries to the public
21 land survey system and are suitable for use by local governmental units for accurate
22 land title boundary line or land survey line information.

23 3. The preparation of maps that include a statement documenting accuracy if
24 the maps do not refer boundaries to the public land survey system and that are
25 suitable for use by local governmental units for planning purposes.

1 4. Systems integration projects.

2 (b) Grants shall be paid from the appropriation under s. 20.505 (1) (ie). A grant
3 under this subsection may not exceed \$100,000. The department may award more
4 than one grant to a county board.

5 (8) **ADVICE; COOPERATION.** In carrying out its duties under this section, the
6 department may seek advice and assistance from the University of Wisconsin
7 System, state agencies, local governmental units, and other experts involved in
8 collecting and managing land information. State agencies shall cooperate with the
9 department in the coordination of land information collection.

10 (9) **TECHNICAL ASSISTANCE; EDUCATION.** The department may provide technical
11 assistance to counties and conduct educational seminars, courses, or conferences
12 relating to land information.

13 (10) **SOIL SURVEYS AND MAPPING.** The department may conduct soil surveys and
14 soil mapping activities.

15 **SECTION 23.** 16.968 of the statutes, as affected by 1997 Wisconsin Act 27,
16 section 142am, is repealed and recreated to read:

17 **16.968 Groundwater survey and analysis.** The department shall allocate
18 funds for programs of groundwater survey and analysis to the department of natural
19 resources and the geological and natural history survey following review and
20 approval of a mutually agreed upon division of responsibilities concerning
21 groundwater programs between the department of natural resources and the
22 geological and natural history survey, a specific expenditure plan, and groundwater
23 data collection standards consistent with the purposes of s. 16.967. State funds
24 allocated under this section shall be used to match available federal funds prior to
25 being used for solely state-funded activities.

1 **SECTION 24.** 20.505 (1) (title) of the statutes, as affected by 1997 Wisconsin Act
2 27, section 666h, is repealed and recreated to read:

3 20.505 (1) (title) **SUPERVISION AND MANAGEMENT.**

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 **SECTION 25.** 20.505 (1) (cm) (title) of the statutes is amended to read:

5 20.505 (1) (cm) (title) *Comprehensive planning grants; general purpose*
6 *revenue.*

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 **SECTION 26.** 20.505 (1) (ie) of the statutes, as affected by 1997 Wisconsin Act
8 27, section 666p, is repealed and recreated to read:

9 20.505 (1) (ie) *Land information; proposed incorporations and annexations.*

10 From the moneys received by the department under s. 59.72 (5) (a), all moneys not
11 appropriated under par. (if) for administration of the land information program
12 under ss. 16.967 and 16.966 (3), for the purpose of providing aids to counties for land
13 information projects under s. 16.967 (7) and for reviews of proposed municipal
14 incorporations and annexations.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

 ****NOTE: This SECTION assumes incorporation of LRB-1839/1 into the budget bill. If LRB-1839/1 is not incorporated, this SECTION must be redrafted.

15 **SECTION 27.** 20.505 (1) (if) of the statutes is created to read:

16 20.505 (1) (if) *Comprehensive planning grants; program revenue.* From the
17 moneys received by the department under s. 59.72 (5) (a), the amounts in the
18 schedule to provide comprehensive planning grants to local governments under s.
19 16.965 (2).

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 SECTION 28. 20.505 (1) (ig) of the statutes, as affected by 1997 Wisconsin Act
2 27, section 666q, is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 SECTION 29. 20.505 (1) (ij) of the statutes, as affected by 1997 Wisconsin Act
4 27, section 666r, is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 SECTION 30. 20.505 (1) (ik) of the statutes, as affected by 1999 Wisconsin Act
6 9, section 514, is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 31. 20.505 (1) (ka) of the statutes, as affected by 1999 Wisconsin Act
9, section 519, is repealed and recreated to read:

20.505 (1) (ka) *Materials and services to state agencies and certain districts.*

The amounts in the schedule to provide services primarily to state agencies or local professional baseball park districts created under subch. III of ch. 229, other than services specified in pars. ^(im)~~(sm)~~, (is) and ^{(kb) to (ku)}~~(kw) to (ka)~~ and subs. (2) (k) and (5) (ka), and to repurchase inventory items sold primarily to state agencies or such districts.

All moneys received from the provision of services primarily to state agencies and such districts and from the sale of inventory items primarily to state agencies and such districts, other than moneys received and disbursed under pars. ^(im)~~(sm)~~, (is) and ^{(kb) to (ku)}~~(kw) to (ka)~~ and subs. (2) (k) and (5) (ka), shall be credited to this appropriation account.

19 SECTION 32. 20.505 (1) (ks) of the statutes, as affected by 1997 Wisconsin Act
20 27, section 672m, is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

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1 **SECTION 33.** 20.505 (1) (kt) of the statutes is amended to read:

2 20.505 (1) (kt) ~~Soil surveys and mapping; state agency support and Wisconsin~~
3 ~~land council.~~ All moneys received from state agencies to conduct soil surveys and soil
4 mapping activities and to support the functions of the Wisconsin land council, to be
5 used for that purpose.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 **SECTION 34.** 23.27 (3) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
7 section 769ad, is repealed and recreated to read:

8 23.27 (3) (a) *Duties.* The department, with the advice of the council, shall
9 conduct a natural heritage inventory program. The department shall cooperate with
10 the department of administration under s. 16.967 and consider any
11 recommendations of the Wisconsin land council in conducting this program. This
12 program shall establish a system for determining the existence and location of
13 natural areas, the degree of endangerment of natural areas, an evaluation of the
14 importance of natural areas, information related to the associated natural values of
15 natural areas, and other information and data related to natural areas. This
16 program shall establish a system for determining the existence and location of native
17 plant and animal communities and endangered, threatened, and critical species, the
18 degree of endangerment of these communities and species, the existence and location
19 of habitat areas associated with these communities and species, and other
20 information and data related to these communities and species. This program shall
21 establish and coordinate standards for the collection, storage, and management of
22 information and data related to the natural heritage inventory.

1 **SECTION 35.** 23.32 (2) (d) of the statutes, as affected by 1997 Wisconsin Act 27,
2 is repealed and recreated to read:

3 23.32 (2) (d) The department shall cooperate with the department of
4 administration under s. 16.967 and consider any recommendations of the Wisconsin
5 land council in conducting wetland mapping activities or any related land
6 information collection activities.

7 **SECTION 36.** 23.325 (1) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
8 is repealed and recreated to read:

9 23.325 (1) (a) Shall consult with the department of administration, the
10 department of transportation, and the state cartographer, shall consider any
11 recommendations of the Wisconsin land council, and may consult with other
12 potential users of the photographic products resulting from the survey, to determine
13 the scope and character of the survey.

14 **SECTION 37.** 36.09 (1) (e) of the statutes, as affected by 1999 Wisconsin Act 42,
15 section 18, is repealed and recreated to read:

16 36.09 (1) (e) The board shall appoint a president of the system; a chancellor for
17 each institution; a dean for each college campus; the state geologist; the director of
18 the laboratory of hygiene; the director of the psychiatric institute; the state
19 cartographer, with the advice of the department of administration and the Wisconsin
20 land council; and the requisite number of officers, other than the vice presidents,
21 associate vice presidents and assistant vice presidents of the system; faculty;
22 academic staff and other employees and fix the salaries, subject to the limitations
23 under par. (j) and ss. 20.923 (4g) and 230.12 (3) (e), the duties and the term of office
24 for each. The board shall fix the salaries, subject to the limitations under par. (j) and
25 ss. 20.923 (4g) and 230.12 (3) (e), and the duties for each chancellor, vice president,

1 associate vice president and assistant vice president of the system. No sectarian or
2 partisan tests or any tests based upon race, religion, national origin or sex shall ever
3 be allowed or exercised in the appointment of the employees of the system.

4 SECTION 38. 36.25 (12m) (intro.) of the statutes, ^{as} affected by 1997 Wisconsin
5 Act 27, is repealed and recreated to read: ← Fix

6 36.25 (12m) STATE CARTOGRAPHER. (intro.) In coordination and consultation
7 with the department of administration, the state cartographer shall:

8 SECTION 39. 59.43 (1) (u) of the statutes, as affected by 1997 Wisconsin Act 27,
9 is repealed and recreated to read:

10 59.43 (1) (u) Submit that portion of recording fees collected under sub. (2) ^(Ag) ← Fix
11 1. and (e) and not retained by the county to the department of administration under
12 s. 59.72 (5). ^(Ag)

13 SECTION 40. 59.43 (2) ^(Ag) 1. of the statutes, as affected by 1997 Wisconsin Act
14 27, is repealed and recreated to read: ^(Ag) ← Fix

15 59.43 (2) ^(Ag) 1. After June 30, 1991, and subject to s. 59.72 (5), for recording ← Fix
16 any instrument entitled to be recorded in the office of the register of deeds, \$11 for
17 the first page and \$2 for each additional page, except that no fee may be collected for
18 recording a change of address that is exempt from a filing fee under s. 185.83 (1) (b).

19 SECTION 41. 59.43 (2) (e) of the statutes, as affected by 1997 Wisconsin Act 27,
20 is repealed and recreated to read:

21 59.43 (2) (e) After June 30, 1991, and subject to s. 59.72 (5), for filing any
22 instrument which is entitled to be filed in the office of register of deeds and for which
23 no other specific fee is specified, \$11 for the first page and \$2 for each additional page.

24 SECTION 42. 59.72 of the statutes, as affected by 1997 Wisconsin Act 27, is
25 repealed and recreated to read:

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59.72 Land information. (1) DEFINITIONS. In this section:

(a) "Land information" has the meaning given in s. 16.967 (1) (b).

(am) "Land information system" has the meaning given in s. 16.967 (1) (c).

(b) "Land records" has the meaning given in s. 16.967 (1) (d).

(c) "Local governmental unit" means a municipality, regional planning commission, special purpose district, or local governmental association, authority, board, commission, department, independent agency, institution, or office.

(3) LAND INFORMATION OFFICE. The board may establish a county land information office or may direct that the functions and duties of the office be performed by an existing department, board, commission, agency, institution, authority, or office. If the board establishes a county land information office, the office shall:

(a) Coordinate land information projects within the county, between the county and local governmental units, between the state and local governmental units, and among local governmental units, the federal government, and the private sector.

(b) Within 2 years after the land information office is established, develop and receive approval for a ~~countywide~~ ^{countywide} plan for land records modernization. The plan shall be submitted for approval to the department of administration under s. 16.967 (3) (e).

(c) Review and recommend projects from local governmental units for grants from the department of administration under s. 16.967 (7).

(4) AID TO COUNTIES. A board that has established a land information office under sub. (3) may apply to the department of administration for a grant for a land information project under s. 16.967 (7).

← one word ← FIX

16th

1 (5) LAND RECORD MODERNIZATION FUNDING. (a) Before the 16th day of each ← Fix
 2 month a register of deeds shall submit to the department of administration \$7 from
 3 the fee for recording the first page of each instrument that is recorded under s. 59.43
 4 (2)(Ag) 1. and (e), less any amount retained by the county under par. (b). ← Fix

5 (b) A county may retain \$5 of the \$7 submitted under par. (a) from the fee for
 6 recording the first page of each instrument that is recorded under s. 59.43 (2)(Ag) ← (Ag)
 7 1. and (e) if all of the following conditions are met:

8 1. The county has established a land information office under sub. (3).
 9 2. A land information office has been established for less than 2 years or has
 10 received approval for a ~~countyside~~ countywide ← one word ← Fix
 11 (3) (b).

12 3. The county uses the fees retained under this paragraph to develop,
 13 implement and maintain the ~~countyside~~ countywide ← one word ← Fix
 14 plan for land records modernization.

15 SECTION 43. 92.10 (4) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
 16 is repealed and recreated to read:

17 92.10 (4) (a) *Data*. The department shall develop a systematic method of
 18 collecting and organizing data related to soil erosion. The department shall
 19 cooperate with the department of administration under s. 16.967 and consider any
 20 recommendations of the Wisconsin land council in developing this methodology or
 21 any related activities related to land information collection.

22 SECTION 44. 227.01 (1) of the statutes, as affected by 1999 Wisconsin Act 9,
 23 section 2353n, is repealed and recreated to read:

24 227.01 (1) "Agency" means a board, commission, committee, department or
 25 officer in the state government, except the governor, a district attorney or a military
 or judicial officer.

1 **SECTION 45.** 1997 Wisconsin Act 27 section 9101 (11m) is repealed.

2 **SECTION 46.** 1997 Wisconsin Act 27, section 9456 (3m) is repealed.

3 **SECTION 47.** 1999 Wisconsin Act 9, section 9401 (2zt) is repealed.

4 **SECTION 48.** 1999 Wisconsin Act 9, section 9401 (2zu) is repealed.

5 **SECTION 9101. Nonstatutory provisions; administration.**

6 ~~✱~~ **ABOLITION OF LAND INFORMATION BOARD.**

7 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
8 liabilities of the land information board, as determined by the secretary of
9 administration, shall become the assets and liabilities of the department of
10 administration.

11 (b) *Tangible personal property.* On the effective date of this paragraph, all
12 tangible personal property, including records, of the land information board, as
13 determined by the secretary of administration, is transferred to the department of
14 administration.

15 (c) *Contracts.* All contracts entered into by the land information board in effect
16 on the effective date of this paragraph remain in effect and are transferred to the
17 department of administration. The department of administration shall carry out
18 any obligations under such a contract until the contract is modified or rescinded by
19 the department of administration to the extent allowed under the contract.

20 (d) *Rules and orders.* All rules promulgated by the land information board that
21 are in effect on the effective date of this paragraph remain in effect until their
22 specified expiration dates or until amended or repealed by the department of
23 administration. All orders issued by the land information board that are in effect on
24 the effective date of this paragraph remain in effect until their specified expiration
25 date or until modified or rescinded by the department of administration.

1 (e) *Pending matters.* Any matter pending with the land information board on
2 the effective date of this paragraph is transferred to the department of
3 administration and all materials submitted to or actions by the land information
4 board with respect to the pending matter are considered as having been submitted
5 to or taken by the department of administration.

6 **SECTION 9201. Appropriation changes; administration.**

7 (1) LAND INFORMATION BOARD GRANT FUNDING. The unencumbered balance in the
8 appropriation account under section 20.505 (1) (ij), 1999 stats., is transferred to the
9 appropriation account under section 20.505 (1) (ie) of the statutes, as affected by this
10 act.

11

(END)

Handwritten note: "FWS 20-5" with an arrow pointing to the section header.

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1634/P5ins
JTK.....

PWS 20-5

~~✗~~ LAND INFORMATION REPORT. Notwithstanding section 16.967 (3) (f) of the statutes, as affected by this act, the department of administration shall submit a report under that paragraph to the Wisconsin land council for the 2001-02 fiscal year no later than 10 days after the date of publication of this act.



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1634/P 6

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fit request sheet

DOA:.....Grinde - Land Information board and land council changes; land record fee

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

D-NOTE

Do not join

repealing the requirement that the department of revenue submit a land information modernization and integration plan,

- 1 AN ACT...; relating to: abolition of the land information board and transferring
- 2 its functions, adding members to the Wisconsin land council, changing the
- 3 duties of the Wisconsin land council, and increasing the land records fee.

Analysis by the Legislative Reference Bureau
STATE GOVERNMENT
OTHER STATE GOVERNMENT

Currently, the land information board is attached to DOA. The board consists of the secretaries of five state agencies or their designees, the state cartographer and eight other persons appointed by the governor, four of whom are representatives of county or municipality governments in this state and four of whom are representatives of public utilities or private businesses in this state. The board serves as a state clearing house for access to land information and provides technical assistance to state agencies and local governmental units with land information responsibilities, reviews and approves county plans for land records modernization, and provides aids to counties, derived from recording fee revenues collected by counties, for land records modernization projects. Under current law, the board and its functions are abolished effective on September 1, 2003.

This bill abolishes the land information board on the day the bill becomes law and transfers its functions, together with its assets, liabilities, and employees, to DOA.

INS
ANL-MES →

Currently, counties collect a land record fee for recording and filing most instruments that are recorded or filed with the register of deeds. The fee is ten dollars for the first page of an instrument and two dollars for each additional page. Until September 1, 2003, counties must remit two dollars of each ten dollars collected for recording or filing the first page of each instrument to the land information board, which the board uses to fund its general program operations and to make grants to counties for land records modernization projects. Currently, if a county does not have a land information office and uses four dollars of the fee for recording or filing the first page of an instrument for land records modernization, the county must remit six dollars of the fee for recording or filing the first page of an instrument to the land information board. On September 1, 2003, the fee for recording or filing the first page of an instrument is reduced from ten dollars to eight dollars and no portion is remitted to the state.

This bill increases the fee for recording or filing the first page of an instrument with a register of deeds from ten dollars to eleven dollars, and requires a county to remit either two dollars or seven dollars of this fee to the department of administration, depending on whether the county has a land information office and uses the fee for land records modernization.

Currently, DOA may provide grants to local governments to be used to finance a portion of the cost of certain comprehensive planning activities from general purpose revenue. This bill provides, in addition, for a portion of the land record fee received by DOA to be used for that purpose.

Currently, the land information board may provide technical assistance to counties and conduct educational seminars, courses, or conferences relating to land information. The board assesses and collects fees sufficient to cover the cost of these activities. This bill transfers the authority to provide assistance and conduct conferences to DOA, but deletes the authority and responsibility to assess and collect fees.

Under the current law, the Wisconsin land council exists in DOA. The purposes of the council include the following: 1) to identify and recommend to the governor land use goals and priorities; 2) to identify and study areas of conflict in the state's land use statutes, and conflicts between state and local land use statutes and ordinances, and recommend to the governor legislation to resolve the conflicts; 3) to study the development of a computer-based land information system and make recommendations to the governor in this area; 4) to identify procedures for facilitating local land use planning efforts and recommend to the governor legislation to implement the procedures; and 5) to gather and analyze information about the land use activities in Wisconsin of the federal government and American Indian governments. The council is required to submit to both houses of the legislature, and the governor, a report that evaluates its functions and activities. The report must be submitted not later than September 1, 2002.

This bill discontinues the council's function of studying the development of a computer-based land information system, and adds several new functions to the council's duties. Under the bill, the council must establish a land information working group that must study and recommend land information standards to the

council and DOA, advise the council and DOA on a Wisconsin land information system and on coordination of state and local land information, and review county land records modernization plans and make recommendations on approval to the council and DOA.

The council currently consists of 16 members. This bill adds three members to the council, one of whom would be a representative from a public utility, one of whom would be a representative from a professional land information organization, and one of whom would be nominated by a statewide association whose purposes include support of a network of statewide land information systems.

The bill also repeals the current law August 31, 2003, sunset date for the council.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 15.01 (4) of the statutes, as affected by 1999 Wisconsin Act 9, section
2 12n, is repealed and recreated to read:

3 15.01 (4) "Council" means a part-time body appointed to function on a
4 continuing basis for the study, and recommendation of solutions and policy
5 alternatives, of the problems arising in a specified functional area of state
6 government, except the Milwaukee River revitalization council has the powers and
7 duties specified in s. 23.18, the council on physical disabilities has the powers and
8 duties specified in s. 46.29 (1) and (2), ^{and} the state council on alcohol and other drug
9 abuse has the powers and duties specified in s. 14.24 ~~and, before January 1, 2001,~~
10 ~~the council on health care fraud and abuse has the powers and duties specified in s.~~

11 ~~146.26.~~ *NOTE: THIS IS REPEALED S. 15.01(4). THIS SECTION*
has been affected by drafts with the following LRB #'s; LRB-1474/1
and LRB-1634/P5.

12 SECTION 2. 15.07 (1) (b) 16. of the statutes, as affected by 1997 Wisconsin Act
13 27, is repealed.

14 SECTION 3. 15.105 (16) of the statutes, as affected by 1997 Wisconsin Act 27,
15 is repealed.

1 **SECTION 4.** 15.107 (16) (b) 14. of the statutes is created to read:

2 15.107 (16) (b) 14. One member who is a representative from a public utility.

3 **SECTION 5.** 15.107 (16) (b) 15. of the statutes is created to read:

4 15.107 (16) (b) 15. One member who represents a professional land information
5 organization.

6 **SECTION 6.** 15.107 (16) (b) 16. of the statutes is created to read:

7 15.107 (16) (b) 16. One member who is nominated by a statewide association
8 whose purposes include support of a network of statewide land information systems.

9 **SECTION 7.** 15.107 (16) (d) of the statutes is amended to read:

10 15.107 (16) (d) *Terms, chairperson.* The members listed under par. (b) 8. to ~~13.~~
11 16. shall be appointed for 5-year terms. The governor shall appoint the chairperson
12 of the council, who shall serve at the pleasure of the governor.

13 **SECTION 8.** 15.107 (16) (e) of the statutes is repealed.

14 **SECTION 9.** 16.023 (1) (f) of the statutes is repealed.

15 **SECTION 10.** 16.023 (1) (fm) of the statutes is created to read:

16 16.023 (1) (fm) Establish a land information working group that is composed
17 of the state cartographer, a representative of the University of Wisconsin System
18 who has expertise in land information issues and any other land information experts
19 designated by the council's chairperson, to conduct all of the following functions:

20 1. Study and recommend land information standards to the council and the
21 department.

22 2. Advise the council and the department on a Wisconsin land information
23 system.

24 3. Advise the council and the department on coordination of state and local land
25 information.

1 4. Review county land records modernization plans and make
2 recommendations on approval to the council and the department.

3 **SECTION 11.** 16.023 (1) (m) of the statutes is repealed.

4 **SECTION 12.** 16.023 (1) (n) of the statutes is created to read:

5 16.023 (1) (n) Review land information grant applications that are made under
6 s. 16.967 (7) and make recommendations on approval to the department.

7 **SECTION 13.** 16.023 (1) (o) of the statutes is created to read:

8 16.023 (1) (o) Review proposed expenditures to be made to finance planning
9 activities related to the transportation elements of comprehensive plans under s.
10 16.9651 (2) and make recommendations on approval to the department.

11 **SECTION 14.** 16.023 (2) of the statutes is amended to read:

12 16.023 (2) In conjunction with the working group established under sub. (1) (L)
13 1., the council shall, not later than one year after October 14, 1997, develop
14 evaluation criteria for its functions under sub. (1). The council shall complete a
15 report that contains an evaluation of its functions and activities not later than
16 September 1, 2002, and shall submit the report to the chief clerk of each house of the
17 legislature, for distribution to the legislature under s. 13.172 (2), and to the governor.
18 The report shall also include a recommendation as to whether ~~the council should~~
19 ~~continue in existence past its sunset date specified in s. 15.107 (16) (e) and, if so, a~~
20 ~~recommendation as to whether~~ any structural modifications should be made to the
21 council's functions or to the state's land use programs.

22 **SECTION 15.** 16.023 (3) of the statutes is repealed.

23 **SECTION 16.** 16.965 (2) of the statutes is amended to read:

24 16.965 (2) From the ~~appropriation~~ appropriations under s. ss. 20.505 (1) (cm)
25 and (if), the department may provide grants to local governmental units to be used

1 to finance the cost of planning activities, including contracting for planning
2 consultant services, public planning sessions and other planning outreach and
3 educational activities, or for the purchase of computerized planning data, planning
4 software or the hardware required to utilize that data or software. The department
5 shall require any local governmental unit that receives a grant under this section to
6 finance a percentage of the cost of the product or service to be funded by the grant
7 from the resources of the local governmental unit. The department shall determine
8 the percentage of the cost to be funded by a local governmental unit based on the
9 number of applications for grants and the availability of funding to finance grants
10 for the fiscal year in which grants are to be provided. A local governmental unit that
11 desires to receive a grant under this subsection shall file an application with the
12 department. The application shall contain a complete statement of the expenditures
13 proposed to be made for the purposes of the grant. No local governmental unit is
14 eligible to receive a grant under this subsection unless the local governmental unit
15 agrees to utilize the grant to finance planning for all of the purposes specified in s.
16 ~~66.0295~~ 66.1001 (2).

17 **SECTION 17.** 16.965 (3) of the statutes, as affected by 1999 Wisconsin Act 9,
18 section 110p, is repealed and recreated to read:

19 16.965 (3) Prior to awarding a grant to a local governmental unit under sub.
20 (2), the department shall forward a statement of the expenditures proposed to be
21 made under the grant to the Wisconsin land council for its recommendation
22 concerning approval.

23 **SECTION 18.** 16.965 (5) of the statutes, as affected by 1999 Wisconsin Act 9,
24 section 110t, is repealed and recreated to read:

1 16.965 (5) The department may promulgate rules specifying the methodology
2 whereby precedence will be accorded to applications in awarding grants under sub.
3 (2).

4 **SECTION 19.** 16.9651 (2) of the statutes is amended to read:

5 16.9651 (2) From the appropriation under s. 20.505 (1) (z), the department may
6 provide grants to local governmental units to be used to finance the cost of planning
7 activities related to the transportation element, as described in s. ~~66.0295 (2) (c)~~
8 66.1001 (2) (c), of a comprehensive plan, as defined in s. ~~66.0295 (1) (a)~~ 66.1001 (1)
9 (a), including contracting for planning consultant services, public planning sessions
10 and other planning outreach and educational activities, or for the purchase of
11 computerized planning data, planning software or the hardware required to utilize
12 that data or software. The department may require any local governmental unit that
13 receives a grant under this section to finance not more than 25% of the cost of the
14 product or service to be funded by the grant from the resources of the local
15 governmental unit. Prior to awarding a grant under this section, the department
16 shall forward a detailed statement of the expenditures to be made under the grant
17 to the Wisconsin land council for its recommendation concerning approval. The
18 department shall also forward a detailed statement of the proposed expenditures to
19 be made under the grant to the secretary of transportation and obtain his or her
20 written approval of the proposed expenditures.

21 **SECTION 20.** 16.966 (1) and (2) of the statutes, as affected by 1997 Wisconsin
22 Act 27, section 133b, are repealed and recreated to read:

23 16.966 (1) In this section, “state agency” has the meaning given for “agency”
24 under s. 16.045 (1) (a).

1 (2) The department may assess any state agency for any amount that it
2 determines to be required for the functions of the Wisconsin land council under s.
3 16.023. For this purpose, the department may assess state agencies on a premium
4 basis and pay costs incurred on an actual basis. The department shall credit all
5 moneys received from state agencies under this subsection to the appropriation
6 account under s. 20.505 (1) (kt).

7 **SECTION 21.** 16.966 (4) of the statutes, as affected by 1997 Wisconsin Act 27,
8 section 133d, is repealed.

9 **SECTION 22.** 16.967 of the statutes, as affected by 1997 Wisconsin Act 27,
10 section 141am, and 1999 Wisconsin Act 9, section 114n, is repealed and recreated to
11 read:

12 **16.967 Land information program. (1) DEFINITIONS.** In this section:

13 (b) "Land information" means any physical, legal, economic, or environmental
14 information or characteristics concerning land, water, groundwater, subsurface
15 resources, or air in this state. "Land information" includes information relating to
16 topography, soil, soil erosion, geology, minerals, vegetation, land cover, wildlife,
17 associated natural resources, land ownership, land use, land use controls and
18 restrictions, jurisdictional boundaries, tax assessment, land value, land survey
19 records and references, geodetic control networks, aerial photographs, maps,
20 planimetric data, remote sensing data, historic and prehistoric sites, and economic
21 projections.

22 (c) "Land information system" means an orderly method of organizing and
23 managing land information and land records.

24 (d) "Land records" means maps, documents, computer files, and any other
25 information storage medium in which land information is recorded.

1 (e) "Systems integration" means land information that is housed in one
2 jurisdiction or jurisdictional subunit and is available to other jurisdictions,
3 jurisdictional subunits, public utilities, and other private sector interests.

4 **(3) DUTIES OF THE DEPARTMENT.** The department shall direct and supervise the
5 land information program and serve as the state clearinghouse for access to land
6 information. In addition, the department shall:

7 (a) Provide technical assistance and advice to state agencies and local
8 governmental units with land information responsibilities.

9 (b) Maintain and distribute an inventory of land information available for this
10 state, land records available for this state, and land information systems.

11 (c) Prepare guidelines to coordinate the modernization of land records and land
12 information systems.

13 (d) Review project applications received under sub. (7) and determine which
14 projects are approved.

15 (e) Review for approval a countywide plan for land records modernization
16 prepared under s. 59.72 (3) (b).

17 (f) Prior to the beginning of each fiscal year, provide to the Wisconsin land
18 council a statement of the department's proposed expenditures under s. 20.505 (1)
19 (ie) relating to the land information program and aids to counties for land
20 information projects for that fiscal year.

21 **(4) FUNDING REPORT.** The department shall identify and study possible program
22 revenue sources or other revenue sources for the purpose of funding the operations
23 of the department under this section, including grants to counties under sub. (7).

24 **(6) REPORTS.** By March 31, 1990, and biennially thereafter, the department of
25 agriculture, trade and consumer protection, the department of commerce, the

1 department of health and family services, the department of natural resources, the
2 department of tourism, the department of revenue, the department of
3 transportation, the board of regents of the University of Wisconsin System, the
4 public service commission, and the board of curators of the historical society shall
5 each submit to the department a plan to integrate land information to enable such
6 information to be readily translatable, retrievable, and geographically referenced for
7 use by any state, local governmental unit, or public utility.

8 (7) AID TO COUNTIES. (a) A county board that has established a county land
9 information office under s. 59.72 (3) may apply to the department on behalf of any
10 local governmental unit, as defined in s. 59.72 (1) (c), located wholly or partially
11 within the county for a grant for any of the following projects:

12 1. The design, development, and implementation of a land information system
13 that contains and integrates, at a minimum, property and ownership records with
14 boundary information, including a parcel identifier referenced to the U.S. public land
15 survey; tax and assessment information; soil surveys, if available; wetlands
16 identified by the department of natural resources; a modern geodetic reference
17 system; current zoning restrictions; and restrictive covenants.

18 2. The preparation of parcel property maps that refer boundaries to the public
19 land survey system and are suitable for use by local governmental units for accurate
20 land title boundary line or land survey line information.

21 3. The preparation of maps that include a statement documenting accuracy if
22 the maps do not refer boundaries to the public land survey system and that are
23 suitable for use by local governmental units for planning purposes.

24 4. Systems integration projects.

, except that beginning with the plan that is due on March 31, 2002, the
department of revenue is not required to submit a plan under this
subsection

1 (b) Grants shall be paid from the appropriation under s. 20.505 (1) (ie). A grant
2 under this subsection may not exceed \$100,000. The department may award more
3 than one grant to a county board.

4 (8) ADVICE; COOPERATION. In carrying out its duties under this section, the
5 department may seek advice and assistance from the University of Wisconsin
6 System, state agencies, local governmental units, and other experts involved in
7 collecting and managing land information. State agencies shall cooperate with the
8 department in the coordination of land information collection.

9 (9) TECHNICAL ASSISTANCE; EDUCATION. The department may provide technical
10 assistance to counties and conduct educational seminars, courses, or conferences
11 relating to land information.

12 (10) SOIL SURVEYS AND MAPPING. The department may conduct soil surveys and
13 soil mapping activities.

14 SECTION 23. 16.968 of the statutes, as affected by 1997 Wisconsin Act 27,
15 section 142am, is repealed and recreated to read:

16 **16.968 Groundwater survey and analysis.** The department shall allocate
17 funds for programs of groundwater survey and analysis to the department of natural
18 resources and the geological and natural history survey following review and
19 approval of a mutually agreed upon division of responsibilities concerning
20 groundwater programs between the department of natural resources and the
21 geological and natural history survey, a specific expenditure plan, and groundwater
22 data collection standards consistent with the purposes of s. 16.967. State funds
23 allocated under this section shall be used to match available federal funds prior to
24 being used for solely state-funded activities.

1 **SECTION 24.** 20.505 (1) (title) of the statutes, as affected by 1997 Wisconsin Act
2 27, section 666h, is repealed and recreated to read:

3 20.505 (1) (title) SUPERVISION AND MANAGEMENT.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 **SECTION 25.** 20.505 (1) (cm) (title) of the statutes is amended to read:

5 20.505 (1) (cm) (title) *Comprehensive planning grants; general purpose*
6 *revenue.*

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 **SECTION 26.** 20.505 (1) (ie) of the statutes, as affected by 1997 Wisconsin Act
8 27, section 666p, is repealed and recreated to read:

9 20.505 (1) (ie) *Land information; proposed incorporations and annexations.*

10 From the moneys received by the department under s. 59.72 (5) (a), all moneys not
11 appropriated under par. (if) for administration of the land information program
12 under ss. 16.967 and 16.966 (3), for the purpose of providing aids to counties for land
13 information projects under s. 16.967 (7) and for reviews of proposed municipal
14 incorporations and annexations.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

 ****NOTE: This SECTION assumes incorporation of LRB-1839/1 into the budget bill. If LRB-1839/1 is not incorporated, this SECTION must be redrafted.

15 **SECTION 27.** 20.505 (1) (if) of the statutes is created to read:

16 20.505 (1) (if) *Comprehensive planning grants; program revenue.* From the
17 moneys received by the department under s. 59.72 (5) (a), the amounts in the
18 schedule to provide comprehensive planning grants to local governments under s.
19 16.965 (2).

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 20.505 (1) (kt) ~~Soil surveys and mapping; state agency support and Wisconsin~~
2 ~~land council.~~ All moneys received from state agencies to conduct soil surveys and soil
3 mapping activities and to support the functions of the Wisconsin land council, to be
4 used for that purpose.

 ****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

5 **SECTION 34.** 23.27 (3) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
6 section 769ad, is repealed and recreated to read:

7 23.27 (3) (a) *Duties.* The department, with the advice of the council, shall
8 conduct a natural heritage inventory program. The department shall cooperate with
9 the department of administration under s. 16.967 and consider any
10 recommendations of the Wisconsin land council in conducting this program. This
11 program shall establish a system for determining the existence and location of
12 natural areas, the degree of endangerment of natural areas, an evaluation of the
13 importance of natural areas, information related to the associated natural values of
14 natural areas, and other information and data related to natural areas. This
15 program shall establish a system for determining the existence and location of native
16 plant and animal communities and endangered, threatened, and critical species, the
17 degree of endangerment of these communities and species, the existence and location
18 of habitat areas associated with these communities and species, and other
19 information and data related to these communities and species. This program shall
20 establish and coordinate standards for the collection, storage, and management of
21 information and data related to the natural heritage inventory.

22 **SECTION 35.** 23.32 (2) (d) of the statutes, as affected by 1997 Wisconsin Act 27,
23 is repealed and recreated to read:

1 23.32 (2) (d) The department shall cooperate with the department of
2 administration under s. 16.967 and consider any recommendations of the Wisconsin
3 land council in conducting wetland mapping activities or any related land
4 information collection activities.

5 **SECTION 36.** 23.325 (1) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
6 is repealed and recreated to read:

7 23.325 (1) (a) Shall consult with the department of administration, the
8 department of transportation, and the state cartographer, shall consider any
9 recommendations of the Wisconsin land council, and may consult with other
10 potential users of the photographic products resulting from the survey, to determine
11 the scope and character of the survey.

12 **SECTION 37.** 36.09 (1) (e) of the statutes, as affected by 1999 Wisconsin Act 42,
13 section 18, is repealed and recreated to read:

14 36.09 (1) (e) The board shall appoint a president of the system; a chancellor for
15 each institution; a dean for each college campus; the state geologist; the director of
16 the laboratory of hygiene; the director of the psychiatric institute; the state
17 cartographer, with the advice of the department of administration and the Wisconsin
18 land council; and the requisite number of officers, other than the vice presidents,
19 associate vice presidents and assistant vice presidents of the system; faculty;
20 academic staff and other employees and fix the salaries, subject to the limitations
21 under par. (j) and ss. 20.923 (4g) and 230.12 (3) (e), the duties and the term of office
22 for each. The board shall fix the salaries, subject to the limitations under par. (j) and
23 ss. 20.923 (4g) and 230.12 (3) (e), and the duties for each chancellor, vice president,
24 associate vice president and assistant vice president of the system. No sectarian or

1 partisan tests or any tests based upon race, religion, national origin or sex shall ever
2 be allowed or exercised in the appointment of the employees of the system.

3 **SECTION 38.** 36.25 (12m) (intro.) of the statutes, as affected by 1997 Wisconsin
4 Act 27, is repealed and recreated to read:

5 36.25 (12m) STATE CARTOGRAPHER. (intro.) In coordination and consultation
6 with the department of administration, the state cartographer shall:

7 **SECTION 39.** 59.43 (1) (u) of the statutes, as affected by 1997 Wisconsin Act 27,
8 is repealed and recreated to read:

9 59.43 (1) (u) Submit that portion of recording fees collected under sub. (2) (ag)
10 1. and (e) and not retained by the county to the department of administration under
11 s. 59.72 (5).

12 **SECTION 40.** 59.43 (2) (ag) 1. of the statutes, as affected by 1997 Wisconsin Act
13 27, is repealed and recreated to read:

14 59.43 (2) (ag) 1. After June 30, 1991, and subject to s. 59.72 (5), for recording
15 any instrument entitled to be recorded in the office of the register of deeds, \$11 for
16 the first page and \$2 for each additional page, except that no fee may be collected for
17 recording a change of address that is exempt from a filing fee under s. 185.83 (1) (b).

18 **SECTION 41.** 59.43 (2) (e) of the statutes, as affected by 1997 Wisconsin Act 27,
19 is repealed and recreated to read:

20 59.43 (2) (e) After June 30, 1991, and subject to s. 59.72 (5), for filing any
21 instrument which is entitled to be filed in the office of register of deeds and for which
22 no other specific fee is specified, \$11 for the first page and \$2 for each additional page.

23 **SECTION 42.** 59.72 of the statutes, as affected by 1997 Wisconsin Act 27, is
24 repealed and recreated to read:

25 **59.72 Land information. (1) DEFINITIONS.** In this section:

1 (a) "Land information" has the meaning given in s. 16.967 (1) (b).

2 (am) "Land information system" has the meaning given in s. 16.967 (1) (c).

3 (b) "Land records" has the meaning given in s. 16.967 (1) (d).

4 (c) "Local governmental unit" means a municipality, regional planning
5 commission, special purpose district, or local governmental association, authority,
6 board, commission, department, independent agency, institution, or office.

7 (3) LAND INFORMATION OFFICE. The board may establish a county land
8 information office or may direct that the functions and duties of the office be
9 performed by an existing department, board, commission, agency, institution,
10 authority, or office. If the board establishes a county land information office, the
11 office shall:

12 (a) Coordinate land information projects within the county, between the county
13 and local governmental units, between the state and local governmental units, and
14 among local governmental units, the federal government, and the private sector.

15 (b) Within 2 years after the land information office is established, develop and
16 receive approval for a countywide plan for land records modernization. The plan
17 shall be submitted for approval to the department of administration under s. 16.967
18 (3) (e).

19 (c) Review and recommend projects from local governmental units for grants
20 from the department of administration under s. 16.967 (7).

21 (4) AID TO COUNTIES. A board that has established a land information office
22 under sub. (3) may apply to the department of administration for a grant for a land
23 information project under s. 16.967 (7).

24 (5) LAND RECORD MODERNIZATION FUNDING. (a) Before the 16th day of each month
25 a register of deeds shall submit to the department of administration \$7 from the fee

1 for recording the first page of each instrument that is recorded under s. 59.43 (2) (ag)
2 1. and (e), less any amount retained by the county under par. (b).

3 (b) A county may retain \$5 of the \$7 submitted under par. (a) from the fee for
4 recording the first page of each instrument that is recorded under s. 59.43 (2) (ag) 1.
5 and (e) if all of the following conditions are met:

6 1. The county has established a land information office under sub. (3).

7 2. A land information office has been established for less than 2 years or has
8 received approval for a countywide plan for land records modernization under sub.
9 (3) (b).

10 3. The county uses the fees retained under this paragraph to develop,
11 implement and maintain the countywide plan for land records modernization.

12 **SECTION 43.** 92.10 (4) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
13 is repealed and recreated to read:

14 92.10 (4) (a) *Data.* The department shall develop a systematic method of
15 collecting and organizing data related to soil erosion. The department shall
16 cooperate with the department of administration under s. 16.967 and consider any
17 recommendations of the Wisconsin land council in developing this methodology or
18 any related activities related to land information collection.

19 **SECTION 44.** 227.01 (1) of the statutes, as affected by 1999 Wisconsin Act 9,
20 section 2353n, is repealed and recreated to read:

21 227.01 (1) “Agency” means a board, commission, committee, department or
22 officer in the state government, except the governor, a district attorney or a military
23 or judicial officer.

24 **SECTION 45.** 1997 Wisconsin Act 27 section 9101 (11m) is repealed.

25 **SECTION 46.** 1997 Wisconsin Act 27, section 9456 (3m) is repealed.

1 **SECTION 47.** 1999 Wisconsin Act 9, section 9401 (2zt) is repealed.

2 **SECTION 48.** 1999 Wisconsin Act 9, section 9401 (2zu) is repealed.

3 **SECTION 9101. Nonstatutory provisions; administration.**

4 (1) **ABOLITION OF LAND INFORMATION BOARD.**

5 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
6 liabilities of the land information board, as determined by the secretary of
7 administration, shall become the assets and liabilities of the department of
8 administration.

9 (b) *Tangible personal property.* On the effective date of this paragraph, all
10 tangible personal property, including records, of the land information board, as
11 determined by the secretary of administration, is transferred to the department of
12 administration.

13 (c) *Contracts.* All contracts entered into by the land information board in effect
14 on the effective date of this paragraph remain in effect and are transferred to the
15 department of administration. The department of administration shall carry out
16 any obligations under such a contract until the contract is modified or rescinded by
17 the department of administration to the extent allowed under the contract.

18 (d) *Rules and orders.* All rules promulgated by the land information board that
19 are in effect on the effective date of this paragraph remain in effect until their
20 specified expiration dates or until amended or repealed by the department of
21 administration. All orders issued by the land information board that are in effect on
22 the effective date of this paragraph remain in effect until their specified expiration
23 date or until modified or rescinded by the department of administration.

24 (e) *Pending matters.* Any matter pending with the land information board on
25 the effective date of this paragraph is transferred to the department of

1 administration and all materials submitted to or actions by the land information
2 board with respect to the pending matter are considered as having been submitted
3 to or taken by the department of administration.

4 (2) LAND INFORMATION REPORT. Notwithstanding section 16.967 (3) (f) of the
5 statutes, as affected by this act, the department of administration shall submit a
6 report under that paragraph to the Wisconsin land council for the 2001-02 fiscal year
7 no later than 10 days after the date of publication of this act.

8 **SECTION 9201. Appropriation changes; administration.**

9 (1) LAND INFORMATION BOARD GRANT FUNDING. The unencumbered balance in the
10 appropriation account under section 20.505 (1) (ij), 1999 stats., is transferred to the
11 appropriation account under section 20.505 (1) (ie) of the statutes, as affected by this
12 act.

13 (END)

D-Note

attached

Kirsten Grinde and Paul Ziegler:

*This draft reconciles LRB-1634/P5 and LRB-0936/1. It
replaces LRB-0936 in the compiled bill.*

AMZ

DOA:.....Ziegler - Land information modernization plan, remove department of revenue participation requirement

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: repealing the requirement that the department of
2 revenue submit a land information modernization and integration plan.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

~~OTHER STATE GOVERNMENT~~

Under the land information program, a number of state agencies, including DOA, DATCP, DHFS, DNR, and DOR, are required to submit biennially to the land information board a plan to integrate land information so that the information is readily translatable, retrievable, and geographically referenced for use by any state, local governmental unit, or public utility.

~~This bill removes the requirement that DOR submit such a plan.~~ # Beginning with the bill first
applies the plan that is due on March 31, 2002. (this)

For further information see the ~~state~~ fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 16.967 (6) of the statutes is amended to read:

FNS
ANL-MES

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1634/P6
JTK & MES. *hmk*
66

Date

Dan Caucutt/Kirsten Grinde/John Montgomery/Paul Ziegler:

This draft reconciles LRB-0936/1, LRB-1474/1, LRB-1634/P5, LRB-1832/2, and LRB-1857/4. This draft replaces LRB-0936 in the compiled bill. LRB-1474, LRB-1634, LRB-1832 and LRB-1857 should continue to appear in the compiled bill.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: marc.shovers@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1634/P6dn
JTK&MES:hmh:jf

February 7, 2001

Dan Caucutt/Kirsten Grinde/John Montgomery/Paul Ziegler:

This draft reconciles LRB-0936/1, LRB-1474/1, LRB-1634/P5, LRB-1832/2 and LRB-1857/4. This draft replaces LRB-0936 in the compiled bill. LRB-1474, LRB-1634, LRB-1832, and LRB-1857 should continue to appear in the compiled bill.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: marc.shovers@legis.state.wi.us

Barman, Mike

From: Barman, Mike
Sent: Wednesday, February 07, 2001 3:37 PM
To: Caucutt, Dan; Montgomery, John; Ziegler, Paul
Subject: LRB-1634/P6



01-1634/P6



01-1634/P6dn

Mike Barman

Mike Barman - Senior Program Asst. (PH. 608-266-3561)
(E-Mail: mike.barman@legis.state.wi.us) (FAX: 608-264-6948)

State of Wisconsin
Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1634/P6
MES&JTK:cjs&hnh:jf

DOA:.....Grinde – Land Information board and land council changes; land record fee

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** abolition of the land information board and transferring
2 its functions, adding members to the Wisconsin land council, changing the
3 duties of the Wisconsin land council, repealing the requirement that the
4 department of revenue submit a land information modernization and
5 integration plan, and increasing the land records fee.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Currently, the land information board is attached to DOA. The board consists of the secretaries of five state agencies or their designees, the state cartographer and eight other persons appointed by the governor, four of whom are representatives of county or municipality governments in this state and four of whom are representatives of public utilities or private businesses in this state. The board serves as a state clearing house for access to land information and provides technical assistance to state agencies and local governmental units with land information responsibilities, reviews and approves county plans for land records modernization, and provides aids to counties, derived from recording fee revenues collected by

counties, for land records modernization projects. Under current law, the board and its functions are abolished effective on September 1, 2003.

This bill abolishes the land information board on the day the bill becomes law and transfers its functions, together with its assets, liabilities, and employees, to DOA.

Under the land information program, a number of state agencies, including DOA, DATCP, DHFS, DNR, and DOR, are required to submit biennially to the land information board a plan to integrate land information so that the information is readily translatable, retrievable, and geographically referenced for use by any state, local governmental unit, or public utility.

Beginning with the plan that is due on March 31, 2002, this bill removes the requirement that DOR submit such a plan.

Currently, counties collect a land record fee for recording and filing most instruments that are recorded or filed with the register of deeds. The fee is ten dollars for the first page of an instrument and two dollars for each additional page. Until September 1, 2003, counties must remit two dollars of each ten dollars collected for recording or filing the first page of each instrument to the land information board, which the board uses to fund its general program operations and to make grants to counties for land records modernization projects. Currently, if a county does not have a land information office and uses four dollars of the fee for recording or filing the first page of an instrument for land records modernization, the county must remit six dollars of the fee for recording or filing the first page of an instrument to the land information board. On September 1, 2003, the fee for recording or filing the first page of an instrument is reduced from ten dollars to eight dollars and no portion is remitted to the state.

This bill increases the fee for recording or filing the first page of an instrument with a register of deeds from ten dollars to eleven dollars, and requires a county to remit either two dollars or seven dollars of this fee to the department of administration, depending on whether the county has a land information office and uses the fee for land records modernization.

Currently, DOA may provide grants to local governments to be used to finance a portion of the cost of certain comprehensive planning activities from general purpose revenue. This bill provides, in addition, for a portion of the land record fee received by DOA to be used for that purpose.

Currently, the land information board may provide technical assistance to counties and conduct educational seminars, courses, or conferences relating to land information. The board assesses and collects fees sufficient to cover the cost of these activities. This bill transfers the authority to provide assistance and conduct conferences to DOA, but deletes the authority and responsibility to assess and collect fees.

Under the current law, the Wisconsin land council exists in DOA. The purposes of the council include the following: 1) to identify and recommend to the governor land use goals and priorities; 2) to identify and study areas of conflict in the state's land use statutes, and conflicts between state and local land use statutes and ordinances, and recommend to the governor legislation to resolve the conflicts; 3) to

study the development of a computer-based land information system and make recommendations to the governor in this area; 4) to identify procedures for facilitating local land use planning efforts and recommend to the governor legislation to implement the procedures; and 5) to gather and analyze information about the land use activities in Wisconsin of the federal government and American Indian governments. The council is required to submit to both houses of the legislature, and the governor, a report that evaluates its functions and activities. The report must be submitted not later than September 1, 2002.

This bill discontinues the council's function of studying the development of a computer-based land information system, and adds several new functions to the council's duties. Under the bill, the council must establish a land information working group that must study and recommend land information standards to the council and DOA, advise the council and DOA on a Wisconsin land information system and on coordination of state and local land information, and review county land records modernization plans and make recommendations on approval to the council and DOA.

The council currently consists of 16 members. This bill adds three members to the council, one of whom would be a representative from a public utility, one of whom would be a representative from a professional land information organization, and one of whom would be nominated by a statewide association whose purposes include support of a network of statewide land information systems.

The bill also repeals the current law August 31, 2003, sunset date for the council.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 15.01 (4) of the statutes, as affected by 1999 Wisconsin Act 9, section
2 12n, is repealed and recreated to read:

3 15.01 (4) "Council" means a part-time body appointed to function on a
4 continuing basis for the study, and recommendation of solutions and policy
5 alternatives, of the problems arising in a specified functional area of state
6 government, except the Milwaukee River revitalization council has the powers and
7 duties specified in s. 23.18, the council on physical disabilities has the powers and

1 duties specified in s. 46.29 (1) and (2), and the state council on alcohol and other drug
2 abuse has the powers and duties specified in s. 14.24.

****NOTE: This is reconciled s. 15.01 (4). This SECTION has been affected by drafts
with the following LRB numbers: LRB-1474/1 and LRB-1634/P5.

3 **SECTION 2.** 15.07 (1) (b) 16. of the statutes, as affected by 1997 Wisconsin Act
4 27, is repealed.

5 **SECTION 3.** 15.105 (16) of the statutes, as affected by 1997 Wisconsin Act 27,
6 is repealed.

7 **SECTION 4.** 15.107 (16) (b) 14. of the statutes is created to read:

8 15.107 (16) (b) 14. One member who is a representative from a public utility.

9 **SECTION 5.** 15.107 (16) (b) 15. of the statutes is created to read:

10 15.107 (16) (b) 15. One member who represents a professional land information
11 organization.

12 **SECTION 6.** 15.107 (16) (b) 16. of the statutes is created to read:

13 15.107 (16) (b) 16. One member who is nominated by a statewide association
14 whose purposes include support of a network of statewide land information systems.

15 **SECTION 7.** 15.107 (16) (d) of the statutes is amended to read:

16 15.107 (16) (d) *Terms, chairperson.* The members listed under par. (b) 8. to ~~13.~~
17 16. shall be appointed for 5-year terms. The governor shall appoint the chairperson
18 of the council, who shall serve at the pleasure of the governor.

19 **SECTION 8.** 15.107 (16) (e) of the statutes is repealed.

20 **SECTION 9.** 16.023 (1) (f) of the statutes is repealed.

21 **SECTION 10.** 16.023 (1) (fm) of the statutes is created to read:

22 16.023 (1) (fm) Establish a land information working group that is composed
23 of the state cartographer, a representative of the University of Wisconsin System

1 who has expertise in land information issues and any other land information experts
2 designated by the council's chairperson, to conduct all of the following functions:

3 1. Study and recommend land information standards to the council and the
4 department.

5 2. Advise the council and the department on a Wisconsin land information
6 system.

7 3. Advise the council and the department on coordination of state and local land
8 information.

9 4. Review county land records modernization plans and make
10 recommendations on approval to the council and the department.

11 **SECTION 11.** 16.023 (1) (m) of the statutes is repealed.

12 **SECTION 12.** 16.023 (1) (n) of the statutes is created to read:

13 16.023 (1) (n) Review land information grant applications that are made under
14 s. 16.967 (7) and make recommendations on approval to the department.

15 **SECTION 13.** 16.023 (1) (o) of the statutes is created to read:

16 16.023 (1) (o) Review proposed expenditures to be made to finance planning
17 activities related to the transportation elements of comprehensive plans under s.
18 16.9651 (2) and make recommendations on approval to the department.

19 **SECTION 14.** 16.023 (2) of the statutes is amended to read:

20 16.023 (2) In conjunction with the working group established under sub. (1) (L)
21 1., the council shall, not later than one year after October 14, 1997, develop
22 evaluation criteria for its functions under sub. (1). The council shall complete a
23 report that contains an evaluation of its functions and activities not later than
24 September 1, 2002, and shall submit the report to the chief clerk of each house of the
25 legislature, for distribution to the legislature under s. 13.172 (2), and to the governor.

1 The report shall also include a recommendation as to whether ~~the council should~~
2 ~~continue in existence past its sunset date specified in s. 15.107 (16) (e) and, if so, a~~
3 ~~recommendation as to whether~~ any structural modifications should be made to the
4 council's functions or to the state's land use programs.

5 **SECTION 15.** 16.023 (3) of the statutes is repealed.

6 **SECTION 16.** 16.965 (2) of the statutes is amended to read:

7 16.965 (2) From the ~~appropriation~~ appropriations under s. ss. 20.505 (1) (cm)
8 and (if), the department may provide grants to local governmental units to be used
9 to finance the cost of planning activities, including contracting for planning
10 consultant services, public planning sessions and other planning outreach and
11 educational activities, or for the purchase of computerized planning data, planning
12 software or the hardware required to utilize that data or software. The department
13 shall require any local governmental unit that receives a grant under this section to
14 finance a percentage of the cost of the product or service to be funded by the grant
15 from the resources of the local governmental unit. The department shall determine
16 the percentage of the cost to be funded by a local governmental unit based on the
17 number of applications for grants and the availability of funding to finance grants
18 for the fiscal year in which grants are to be provided. A local governmental unit that
19 desires to receive a grant under this subsection shall file an application with the
20 department. The application shall contain a complete statement of the expenditures
21 proposed to be made for the purposes of the grant. No local governmental unit is
22 eligible to receive a grant under this subsection unless the local governmental unit
23 agrees to utilize the grant to finance planning for all of the purposes specified in s.
24 ~~66.0295~~ 66.1001 (2).

1 **SECTION 17.** 16.965 (3) of the statutes, as affected by 1999 Wisconsin Act 9,
2 section 110p, is repealed and recreated to read:

3 16.965 (3) Prior to awarding a grant to a local governmental unit under sub.
4 (2), the department shall forward a statement of the expenditures proposed to be
5 made under the grant to the Wisconsin land council for its recommendation
6 concerning approval.

7 **SECTION 18.** 16.965 (5) of the statutes, as affected by 1999 Wisconsin Act 9,
8 section 110t, is repealed and recreated to read:

9 16.965 (5) The department may promulgate rules specifying the methodology
10 whereby precedence will be accorded to applications in awarding grants under sub.
11 (2).

12 **SECTION 19.** 16.966 (1) and (2) of the statutes, as affected by 1997 Wisconsin
13 Act 27, section 133b, are repealed and recreated to read:

14 16.966 (1) In this section, “state agency” has the meaning given for “agency”
15 under s. 16.045 (1) (a).

16 (2) The department may assess any state agency for any amount that it
17 determines to be required for the functions of the Wisconsin land council under s.
18 16.023. For this purpose, the department may assess state agencies on a premium
19 basis and pay costs incurred on an actual basis. The department shall credit all
20 moneys received from state agencies under this subsection to the appropriation
21 account under s. 20.505 (1) (kt).

22 **SECTION 20.** 16.966 (4) of the statutes, as affected by 1997 Wisconsin Act 27,
23 section 133d, is repealed.

1 **SECTION 21.** 16.967 of the statutes, as affected by 1997 Wisconsin Act 27,
2 section 141am, and 1999 Wisconsin Act 9, section 114n, is repealed and recreated to
3 read:

4 **16.967 Land information program. (1) DEFINITIONS.** In this section:

5 (b) “Land information” means any physical, legal, economic, or environmental
6 information or characteristics concerning land, water, groundwater, subsurface
7 resources, or air in this state. “Land information” includes information relating to
8 topography, soil, soil erosion, geology, minerals, vegetation, land cover, wildlife,
9 associated natural resources, land ownership, land use, land use controls and
10 restrictions, jurisdictional boundaries, tax assessment, land value, land survey
11 records and references, geodetic control networks, aerial photographs, maps,
12 planimetric data, remote sensing data, historic and prehistoric sites, and economic
13 projections.

14 (c) “Land information system” means an orderly method of organizing and
15 managing land information and land records.

16 (d) “Land records” means maps, documents, computer files, and any other
17 information storage medium in which land information is recorded.

18 (e) “Systems integration” means land information that is housed in one
19 jurisdiction or jurisdictional subunit and is available to other jurisdictions,
20 jurisdictional subunits, public utilities, and other private sector interests.

21 **(3) DUTIES OF THE DEPARTMENT.** The department shall direct and supervise the
22 land information program and serve as the state clearinghouse for access to land
23 information. In addition, the department shall:

24 (a) Provide technical assistance and advice to state agencies and local
25 governmental units with land information responsibilities.

1 (b) Maintain and distribute an inventory of land information available for this
2 state, land records available for this state, and land information systems.

3 (c) Prepare guidelines to coordinate the modernization of land records and land
4 information systems.

5 (d) Review project applications received under sub. (7) and determine which
6 projects are approved.

7 (e) Review for approval a countywide plan for land records modernization
8 prepared under s. 59.72 (3) (b).

9 (f) Prior to the beginning of each fiscal year, provide to the Wisconsin land
10 council a statement of the department's proposed expenditures under s. 20.505 (1)
11 (ie) relating to the land information program and aids to counties for land
12 information projects for that fiscal year.

13 (4) FUNDING REPORT. The department shall identify and study possible program
14 revenue sources or other revenue sources for the purpose of funding the operations
15 of the department under this section, including grants to counties under sub. (7).

16 (6) REPORTS. By March 31, 1990, and biennially thereafter, the department of
17 agriculture, trade and consumer protection, the department of commerce, the
18 department of health and family services, the department of natural resources, the
19 department of tourism, the department of revenue, the department of
20 transportation, the board of regents of the University of Wisconsin System, the
21 public service commission, and the board of curators of the historical society shall
22 each submit to the department a plan to integrate land information to enable such
23 information to be readily translatable, retrievable, and geographically referenced for
24 use by any state, local governmental unit, or public utility, except that beginning

1 with the plan that is due on March 31, 2002, the department of revenue is not
2 required to submit a plan under this subsection.

3 (7) AID TO COUNTIES. (a) A county board that has established a county land
4 information office under s. 59.72 (3) may apply to the department on behalf of any
5 local governmental unit, as defined in s. 59.72 (1) (c), located wholly or partially
6 within the county for a grant for any of the following projects:

7 1. The design, development, and implementation of a land information system
8 that contains and integrates, at a minimum, property and ownership records with
9 boundary information, including a parcel identifier referenced to the U.S. public land
10 survey; tax and assessment information; soil surveys, if available; wetlands
11 identified by the department of natural resources; a modern geodetic reference
12 system; current zoning restrictions; and restrictive covenants.

13 2. The preparation of parcel property maps that refer boundaries to the public
14 land survey system and are suitable for use by local governmental units for accurate
15 land title boundary line or land survey line information.

16 3. The preparation of maps that include a statement documenting accuracy if
17 the maps do not refer boundaries to the public land survey system and that are
18 suitable for use by local governmental units for planning purposes.

19 4. Systems integration projects.

20 (b) Grants shall be paid from the appropriation under s. 20.505 (1) (ie). A grant
21 under this subsection may not exceed \$100,000. The department may award more
22 than one grant to a county board.

23 (8) ADVICE; COOPERATION. In carrying out its duties under this section, the
24 department may seek advice and assistance from the University of Wisconsin
25 System, state agencies, local governmental units, and other experts involved in

1 collecting and managing land information. State agencies shall cooperate with the
2 department in the coordination of land information collection.

3 (9) TECHNICAL ASSISTANCE; EDUCATION. The department may provide technical
4 assistance to counties and conduct educational seminars, courses, or conferences
5 relating to land information.

6 (10) SOIL SURVEYS AND MAPPING. The department may conduct soil surveys and
7 soil mapping activities.

8 SECTION 22. 16.968 of the statutes, as affected by 1997 Wisconsin Act 27,
9 section 142am, is repealed and recreated to read:

10 **16.968 Groundwater survey and analysis.** The department shall allocate
11 funds for programs of groundwater survey and analysis to the department of natural
12 resources and the geological and natural history survey following review and
13 approval of a mutually agreed upon division of responsibilities concerning
14 groundwater programs between the department of natural resources and the
15 geological and natural history survey, a specific expenditure plan, and groundwater
16 data collection standards consistent with the purposes of s. 16.967. State funds
17 allocated under this section shall be used to match available federal funds prior to
18 being used for solely state-funded activities.

19 SECTION 23. 20.505 (1) (title) of the statutes, as affected by 1997 Wisconsin Act
20 27, section 666h, is repealed and recreated to read:

21 20.505 (1) (title) SUPERVISION AND MANAGEMENT.

****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

22 SECTION 24. 20.505 (1) (cm) (title) of the statutes is amended to read:

1 20.505 (1) (cm) (title) *Comprehensive planning grants; general purpose*
2 *revenue.*

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 **SECTION 25.** 20.505 (1) (ie) of the statutes, as affected by 1997 Wisconsin Act
4 27, section 666p, is repealed and recreated to read:

5 20.505 (1) (ie) *Land information; proposed incorporations and annexations.*
6 From the moneys received by the department under s. 59.72 (5) (a), all moneys not
7 appropriated under par. (if) for administration of the land information program
8 under ss. 16.967 and 16.966 (3), for the purpose of providing aids to counties for land
9 information projects under s. 16.967 (7) and for reviews of proposed municipal
10 incorporations and annexations.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

 ****NOTE: This SECTION assumes incorporation of LRB-1839/1 into the budget bill. If LRB-1839/1 is not incorporated, this SECTION must be redrafted.

11 **SECTION 26.** 20.505 (1) (if) of the statutes is created to read:

12 20.505 (1) (if) *Comprehensive planning grants; program revenue.* From the
13 moneys received by the department under s. 59.72 (5) (a), the amounts in the
14 schedule to provide comprehensive planning grants to local governments under s.
15 16.965 (2).

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

16 **SECTION 27.** 20.505 (1) (ig) of the statutes, as affected by 1997 Wisconsin Act
17 27, section 666q, is repealed.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

18 **SECTION 28.** 20.505 (1) (ij) of the statutes, as affected by 1997 Wisconsin Act
19 27, section 666r, is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 **SECTION 29.** 20.505 (1) (ik) of the statutes, as affected by 1999 Wisconsin Act
2 9, section 514, is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 **SECTION 30.** 20.505 (1) (ka) of the statutes, as affected by 1999 Wisconsin Act
4 9, section 519, is repealed and recreated to read:

5 20.505 (1) (ka) *Materials and services to state agencies and certain districts.*
6 The amounts in the schedule to provide services primarily to state agencies or local
7 professional baseball park districts created under subch. III of ch. 229, other than
8 services specified in pars. (im) and (kb) to (ku) and subs. (2) (k) and (5) (ka), and to
9 repurchase inventory items sold primarily to state agencies or such districts. All
10 moneys received from the provision of services primarily to state agencies and such
11 districts and from the sale of inventory items primarily to state agencies and such
12 districts, other than moneys received and disbursed under pars. (im) and (kb) to (ku)
13 and subs. (2) (k) and (5) (ka), shall be credited to this appropriation account.

****NOTE: This is reconciled s. 20.505 (1) (ka). This SECTION has been affected by drafts with the following LRB numbers: LRB-1634/P5 and LRB-1857/4.

14 **SECTION 31.** 20.505 (1) (ks) of the statutes, as affected by 1997 Wisconsin Act
15 27, section 672m, is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

16 **SECTION 32.** 20.505 (1) (kt) of the statutes is amended to read: .
17 20.505 (1) (kt) *Soil surveys and mapping; state agency support and Wisconsin*
18 *land council.* All moneys received from state agencies to conduct soil surveys and soil
19 mapping activities and to support the functions of the Wisconsin land council, to be
20 used for that purpose.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 **SECTION 33.** 23.27 (3) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
2 section 769ad, is repealed and recreated to read:

3 23.27 (3) (a) *Duties.* The department, with the advice of the council, shall
4 conduct a natural heritage inventory program. The department shall cooperate with
5 the department of administration under s. 16.967 and consider any
6 recommendations of the Wisconsin land council in conducting this program. This
7 program shall establish a system for determining the existence and location of
8 natural areas, the degree of endangerment of natural areas, an evaluation of the
9 importance of natural areas, information related to the associated natural values of
10 natural areas, and other information and data related to natural areas. This
11 program shall establish a system for determining the existence and location of native
12 plant and animal communities and endangered, threatened, and critical species, the
13 degree of endangerment of these communities and species, the existence and location
14 of habitat areas associated with these communities and species, and other
15 information and data related to these communities and species. This program shall
16 establish and coordinate standards for the collection, storage, and management of
17 information and data related to the natural heritage inventory.

18 **SECTION 34.** 23.32 (2) (d) of the statutes, as affected by 1997 Wisconsin Act 27,
19 is repealed and recreated to read:

20 23.32 (2) (d) The department shall cooperate with the department of
21 administration under s. 16.967 and consider any recommendations of the Wisconsin
22 land council in conducting wetland mapping activities or any related land
23 information collection activities.

1 **SECTION 35.** 23.325 (1) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
2 is repealed and recreated to read:

3 23.325 (1) (a) Shall consult with the department of administration, the
4 department of transportation, and the state cartographer, shall consider any
5 recommendations of the Wisconsin land council, and may consult with other
6 potential users of the photographic products resulting from the survey, to determine
7 the scope and character of the survey.

8 **SECTION 36.** 36.09 (1) (e) of the statutes, as affected by 1999 Wisconsin Act 42,
9 section 18, is repealed and recreated to read:

10 36.09 (1) (e) The board shall appoint a president of the system; a chancellor for
11 each institution; a dean for each college campus; the state geologist; the director of
12 the laboratory of hygiene; the director of the psychiatric institute; the state
13 cartographer, with the advice of the department of administration and the Wisconsin
14 land council; and the requisite number of officers, other than the vice presidents,
15 associate vice presidents and assistant vice presidents of the system; faculty;
16 academic staff and other employees and fix the salaries, subject to the limitations
17 under par. (j) and ss. 20.923 (4g) and 230.12 (3) (e), the duties and the term of office
18 for each. The board shall fix the salaries, subject to the limitations under par. (j) and
19 ss. 20.923 (4g) and 230.12 (3) (e), and the duties for each chancellor, vice president,
20 associate vice president and assistant vice president of the system. No sectarian or
21 partisan tests or any tests based upon race, religion, national origin or sex shall ever
22 be allowed or exercised in the appointment of the employees of the system.

23 **SECTION 37.** 36.25 (12m) (intro.) of the statutes, as affected by 1997 Wisconsin
24 Act 27, is repealed and recreated to read:

1 **36.25 (12m) STATE CARTOGRAPHER.** (intro.) In coordination and consultation
2 with the department of administration, the state cartographer shall:

3 **SECTION 38.** 59.43 (1) (u) of the statutes, as affected by 1997 Wisconsin Act 27,
4 is repealed and recreated to read:

5 59.43 (1) (u) Submit that portion of recording fees collected under sub. (2) (ag)
6 1. and (e) and not retained by the county to the department of administration under
7 s. 59.72 (5).

8 **SECTION 39.** 59.43 (2) (ag) 1. of the statutes, as affected by 1997 Wisconsin Act
9 27, is repealed and recreated to read:

10 59.43 (2) (ag) 1. After June 30, 1991, and subject to s. 59.72 (5), for recording
11 any instrument entitled to be recorded in the office of the register of deeds, \$11 for
12 the first page and \$2 for each additional page, except that no fee may be collected for
13 recording a change of address that is exempt from a filing fee under s. 185.83 (1) (b).

14 **SECTION 40.** 59.43 (2) (e) of the statutes, as affected by 1997 Wisconsin Act 27,
15 is repealed and recreated to read:

16 59.43 (2) (e) After June 30, 1991, and subject to s. 59.72 (5), for filing any
17 instrument which is entitled to be filed in the office of register of deeds and for which
18 no other specific fee is specified, \$11 for the first page and \$2 for each additional page.

19 **SECTION 41.** 59.72 of the statutes, as affected by 1997 Wisconsin Act 27, is
20 repealed and recreated to read:

21 **59.72 Land information. (1) DEFINITIONS.** In this section:

22 (a) “Land information” has the meaning given in s. 16.967 (1) (b).

23 (am) “Land information system” has the meaning given in s. 16.967 (1) (c).

24 (b) “Land records” has the meaning given in s. 16.967 (1) (d).

1 (c) "Local governmental unit" means a municipality, regional planning
2 commission, special purpose district, or local governmental association, authority,
3 board, commission, department, independent agency, institution, or office.

4 (3) LAND INFORMATION OFFICE. The board may establish a county land
5 information office or may direct that the functions and duties of the office be
6 performed by an existing department, board, commission, agency, institution,
7 authority, or office. If the board establishes a county land information office, the
8 office shall:

9 (a) Coordinate land information projects within the county, between the county
10 and local governmental units, between the state and local governmental units, and
11 among local governmental units, the federal government, and the private sector.

12 (b) Within 2 years after the land information office is established, develop and
13 receive approval for a countywide plan for land records modernization. The plan
14 shall be submitted for approval to the department of administration under s. 16.967

15 (3) (e).

16 (c) Review and recommend projects from local governmental units for grants
17 from the department of administration under s. 16.967 (7).

18 (4) AID TO COUNTIES. A board that has established a land information office
19 under sub. (3) may apply to the department of administration for a grant for a land
20 information project under s. 16.967 (7).

21 (5) LAND RECORD MODERNIZATION FUNDING. (a) Before the 16th day of each month
22 a register of deeds shall submit to the department of administration \$7 from the fee
23 for recording the first page of each instrument that is recorded under s. 59.43 (2) (ag)
24 1. and (e), less any amount retained by the county under par. (b).

1 (b) A county may retain \$5 of the \$7 submitted under par. (a) from the fee for
2 recording the first page of each instrument that is recorded under s. 59.43 (2) (ag) 1.
3 and (e) if all of the following conditions are met:

4 1. The county has established a land information office under sub. (3).

5 2. A land information office has been established for less than 2 years or has
6 received approval for a countywide plan for land records modernization under sub.
7 (3) (b).

8 3. The county uses the fees retained under this paragraph to develop,
9 implement and maintain the countywide plan for land records modernization.

10 **SECTION 42.** 92.10 (4) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
11 is repealed and recreated to read:

12 92.10 (4) (a) *Data.* The department shall develop a systematic method of
13 collecting and organizing data related to soil erosion. The department shall
14 cooperate with the department of administration under s. 16.967 and consider any
15 recommendations of the Wisconsin land council in developing this methodology or
16 any related activities related to land information collection.

17 **SECTION 43.** 227.01 (1) of the statutes, as affected by 1999 Wisconsin Act 9,
18 section 2353n, is repealed and recreated to read:

19 227.01 (1) “Agency” means a board, commission, committee, department or
20 officer in the state government, except the governor, a district attorney or a military
21 or judicial officer.

22 **SECTION 44.** 1997 Wisconsin Act 27 section 9101 (11m) is repealed.

23 **SECTION 45.** 1997 Wisconsin Act 27, section 9456 (3m) is repealed.

24 **SECTION 46.** 1999 Wisconsin Act 9, section 9401 (2zt) is repealed.

25 **SECTION 47.** 1999 Wisconsin Act 9, section 9401 (2zu) is repealed.

1 **SECTION 9101. Nonstatutory provisions; administration.**

2 (1) ABOLITION OF LAND INFORMATION BOARD.

3 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
4 liabilities of the land information board, as determined by the secretary of
5 administration, shall become the assets and liabilities of the department of
6 administration.

7 (b) *Tangible personal property.* On the effective date of this paragraph, all
8 tangible personal property, including records, of the land information board, as
9 determined by the secretary of administration, is transferred to the department of
10 administration.

11 (c) *Contracts.* All contracts entered into by the land information board in effect
12 on the effective date of this paragraph remain in effect and are transferred to the
13 department of administration. The department of administration shall carry out
14 any obligations under such a contract until the contract is modified or rescinded by
15 the department of administration to the extent allowed under the contract.

16 (d) *Rules and orders.* All rules promulgated by the land information board that
17 are in effect on the effective date of this paragraph remain in effect until their
18 specified expiration dates or until amended or repealed by the department of
19 administration. All orders issued by the land information board that are in effect on
20 the effective date of this paragraph remain in effect until their specified expiration
21 date or until modified or rescinded by the department of administration.

22 (e) *Pending matters.* Any matter pending with the land information board on
23 the effective date of this paragraph is transferred to the department of
24 administration and all materials submitted to or actions by the land information

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1 board with respect to the pending matter are considered as having been submitted
2 to or taken by the department of administration.

3 (2) LAND INFORMATION REPORT. Notwithstanding section 16.967 (3) (f) of the
4 statutes, as affected by this act, the department of administration shall submit a
5 report under that paragraph to the Wisconsin land council for the 2001-02 fiscal year
6 no later than 10 days after the date of publication of this act.

7 **SECTION 9201. Appropriation changes; administration.**

8 (1) LAND INFORMATION BOARD GRANT FUNDING. The unencumbered balance in the
9 appropriation account under section 20.505 (1) (ij), 1999 stats., is transferred to the
10 appropriation account under section 20.505 (1) (ie) of the statutes, as affected by this
11 act.

12 (END)