

**2013 DRAFTING REQUEST**

**Senate Amendment (SA-SB502)**

Received: 2/18/2014 Received By: pkahler  
Wanted: Today Same as LRB:  
For: Frank Lasee (608) 266-3512 By/Representing: Rob Kovach  
May Contact: Drafter: pkahler  
Subject: Real Estate - plats Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email: Sen.Lasee@legis.wisconsin.gov  
Carbon copy (CC) to: Fern.Knepp@legis.wisconsin.gov

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**Pre Topic:**

No specific pre topic given

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**Topic:**

A change

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler 2/18/2014	scalvin 2/18/2014		_____			
/1		scalvin 2/18/2014	rschluet 2/18/2014	_____	lparisi 2/18/2014	lparisi 2/18/2014	

FE Sent For:

<END>

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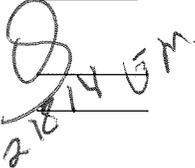
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/?	pkahler	1 sac 02/18/2014	1 sac 02/18/2014				

FE Sent For:

<END>

## Kahler, Pam

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**From:** Kovach, Robert  
**Sent:** Tuesday, February 18, 2014 9:58 AM  
**To:** Kahler, Pam  
**Subject:** FW: Amendment for 502

Sorry Pam, Tom says it doesn't work...

## Rob Kovach

Policy Advisor/Committee Clerk  
Office of Senator Frank Lasee  
(608) 266-3512

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**From:** Larson, Tom [<mailto:tlarson@wra.org>]  
**Sent:** Tuesday, February 18, 2014 9:50 AM  
**To:** Kovach, Robert  
**Cc:** Yahn, Nate - DOT  
**Subject:** Re: Amendment for 502

Rob,

This amendment is wrong! The DOT section is NOT limited to only changes in exterior boundaries boundaries only.

Please do not introduce it unless changed.

Thanks.

Tom

On Feb 18, 2014, at 9:15 AM, "Kovach, Robert" <[Robert.Kovach@legis.wisconsin.gov](mailto:Robert.Kovach@legis.wisconsin.gov)> wrote:

This amendment combines all of the provisions of SA2 with the DOT language we talked about yesterday. Pam said that would be the only way to make it clear.

## Rob Kovach

Policy Advisor/Committee Clerk  
Office of Senator Frank Lasee  
(608) 266-3512

<13a1847\_1.pdf>

**Kahler, Pam**

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**From:** Larson, Tom <tlarson@wra.org>  
**Sent:** Monday, February 17, 2014 3:40 PM  
**To:** Kovach, Robert; Kahler, Pam  
**Subject:** RE: SB 502

You could put it there, as a subsection to (a). Remember, we do not want to apply the DOT section to 1<sup>st</sup> class cities or counties with a population of 500,000 or more. I believe this is why Nate is suggested that we include this subsection after section (a).

Thanks.

\*\*\*\*\*

*Thomas D. Larson - Vice President of Legal and Public Affairs*

Wisconsin REALTORS Association

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Madison, WI 53704-7337

Phone 608-240-8254

Cell 608-212-0066

Fax 608-241-2901

<<<<http://www.wra.org/>>>>

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**From:** Kovach, Robert [<mailto:Robert.Kovach@legis.wisconsin.gov>]  
**Sent:** Monday, February 17, 2014 3:24 PM  
**To:** Kahler, Pam  
**Cc:** Larson, Tom  
**Subject:** FW: SB 502

Does this make sense to you?

**Rob Kovach**

Policy Advisor/Committee Clerk

Office of Senator Frank Lasee

(608) 266-3512

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**From:** Yahn, Nate - DOT [<mailto:Nate.Yahn@dot.wi.gov>]  
**Sent:** Monday, February 17, 2014 3:23 PM  
**To:** Kovach, Robert  
**Cc:** 'Larson, Tom'  
**Subject:** RE: SB 502

Rob,

Please insert this amendment language to SA 2, on Page 2 line 3: after "map."

**Nate Yahn**

*Legislative Advisor*  
Office of the Secretary  
Wisconsin Department of Transportation  
Phone: (608) 266-1114

---

**From:** Larson, Tom [mailto:tlarson@wra.org]  
**Sent:** Monday, February 17, 2014 3:18 PM  
**To:** Kovach, Robert - LEGIS  
**Cc:** Yahn, Nate - DOT  
**Subject:** SB 502

Hi Rob.

Nate and I spoke this afternoon about DOT's concern related to SB 502 and we think we came up with a solution that preserves the DOT's current review authority over changes to exterior boundaries of existing plats that constitute a "subdivision," as currently defined in Wis. Stat. s. 236.02.

Here is our suggested language change for an amendment:

SA-SA2-SB502

"The survey and the map shall comply with the rules of the department of transportation described in s. 236.13(1)(e) and shall be submitted to the department of transportation for a review of the compliance with those rules if the certified survey map does all of the following:

- (a) meets the definition of subdivision of s. 236.02(12),
- (b) changes the exterior boundaries of a recorded plat, and
- (c) the certified survey map or plat shows lots that abut or adjoin a state trunk highway or connecting highway."

Please let me know if you have questions, comments or concerns.

Thanks.

Tom

\*\*\*\*\*

*Thomas D. Larson - Vice President of Legal and Public Affairs*

Wisconsin REALTORS Association  
4801 Forest Run Road Suite 201  
Madison, WI 53704-7337  
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**From:** Yahn, Nate - DOT [<mailto:Nate.Yahn@dot.wi.gov>]  
**Sent:** Monday, February 17, 2014 2:47 PM  
**To:** Larson, Tom  
**Subject:** Proposed Language

"If the certified survey map does all of the following: meets the definition of subdivision of s. 236.02(12), changing exterior boundaries of a recorded plat, and the certified survey map or plat shows lots that abut or adjoin a state trunk highway or connecting highway, then the survey and the map shall comply with the rules of the department of transportation described in s. 236.13(1)(e) and shall be submitted to the department of transportation for a review of the compliance with those rules."

-  
**Nate Yahn**  
*Legislative Advisor*  
Office of the Secretary  
Wisconsin Department of Transportation  
Phone: (608) 266-1114  
Email: [nate.yahn@dot.wi.gov](mailto:nate.yahn@dot.wi.gov)

[www.dot.wisconsin.gov](http://www.dot.wisconsin.gov)



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBa1613/1  
PJK:sac: [signature]

1863/1

SENATE AMENDMENT 2  
TO SENATE BILL 502

Now

February 10, 2014 - Offered by Senator LASEE.

1 At the locations indicated, amend the bill as follows:

2 1. Page 5, line 24: after that line insert:

3 "SECTION 11m. 236.34 (1m) (em) of the statutes is created to read:

4 236.34 (1m) (em) 1. Except as provided in subd. 2., if the certified survey map

5 divides land into more than 4 parcels in accordance with an ordinance enacted or

6 resolution adopted under sub. (1) (ar) 1., notwithstanding pars. (b) and (c), the survey

7 and the map shall comply with ss. 236.15, 236.20, and 236.21 (1) and (2) and with

8 the rules of the department of transportation described in s. 236.13 (1) (e) and the

9 map shall be submitted to the department of administration for a review of the

10 compliance with those sections and to the department of transportation for a review

11 of the compliance with those rules.

12 2. Subdivision 1. does not apply if any of the following applies:

1 a. The certified survey map is only changing the boundaries of lots and outlots

2 in a recorded plat, recorded assessor's plat under s. 70.27, or recorded certified

3 survey map. *regardless of whether the certified survey map crosses*

4 b. The certified survey map is dividing land that is wholly situated in a 1st class

5 city.

6 c. The certified survey map is dividing unincorporated land in a county with

7 a population of 500,000 or more. *?*

8 (END)

*the exterior boundary of the recorded plat, assessor's plat, or certified survey map*

*Insert 2-7*

**2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa1863/?ins  
PJK:.....

**INSERT 2-7**

1           **SECTION 11r.** 236.34 (1m) (er) of the statutes is created to read:

2           236.34 (1m) (er) 1. Except as provided in subd. 2., the certified survey map and  
3 survey shall comply with the rules of the department of transportation described in  
4 s. 236.13 (1) (e) and the map shall be submitted to the department of transportation  
5 for a review of the compliance with those rules if all of the following apply:

6           a. The certified survey map divides land into more than 4 parcels in accordance  
7 with an ordinance enacted or resolution adopted under sub. (1) (ar) 1.

8           b. The certified survey map is changing the external boundary of a recorded  
9 plat, recorded assessor's plat, or recorded certified survey map.

10           c. The certified survey map shows lots that abut or adjoin a state trunk highway  
11 or connecting highway.

12           2. Subdivision 1. does not apply if any of the following applies:

13           a. The certified survey map is dividing land that is wholly situated in a 1st class  
14 city.

15           b. The certified survey map is dividing unincorporated land in a county with  
16 a population of 500,000 or more.”.

**(END OF INSERT 2-7)**



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBa1863/1  
PJK:sac:fs

*Stays 11*

SENATE AMENDMENT ,  
TO SENATE BILL 502

*Additional change to 11 before being submitted*

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 5, line 24: after that line insert:
- 3 **"SECTION 11m.** 236.34 (1m) (em) of the statutes is created to read:
- 4 236.34 **(1m)** (em) 1. Except as provided in subd. 2., if the certified survey map
- 5 divides land into more than 4 parcels in accordance with an ordinance enacted or
- 6 resolution adopted under sub. (1) (ar) 1., notwithstanding pars. (b) and (c), the survey
- 7 and the map shall comply with ss. 236.15, 236.20, and 236.21 (1) and (2) and the map
- 8 shall be submitted to the department of administration for a review of the compliance
- 9 with those sections.
- 10 **2.** Subdivision 1. does not apply if any of the following applies:
- 11 a. The certified survey map is only changing the boundaries of lots and outlots
- 12 in a recorded plat, recorded assessor's plat under s. 70.27, or recorded certified

1 survey map, regardless of whether the certified survey map crosses the exterior  
2 boundary of the recorded plat, assessor’s plat, or certified survey map.

3 b. The certified survey map is dividing land that is wholly situated in a 1st class  
4 city.

5 c. The certified survey map is dividing unincorporated land in a county with  
6 a population of 500,000 or more.

7 **SECTION 11r.** 236.34 (1m) (er) of the statutes is created to read:

8 236.34 (1m) (er) 1. Except as provided in subd. 2., the certified survey map and  
9 survey shall comply with the rules of the department of transportation described in  
10 s. 236.13 (1) (e) and the map shall be submitted to the department of transportation  
11 for a review of the compliance with those rules if all of the following apply:

12 a. The certified survey map divides land into more than 4 parcels in accordance  
13 with an ordinance enacted or resolution adopted under sub. (1) (ar) 1.

14 b. The certified survey map is changing the external boundary of a recorded  
15 plat, recorded assessor’s plat, or recorded certified survey map.

16 c. The certified survey map shows lots that abut or adjoin a state trunk highway  
17 or connecting highway. *→ or recorded plat, assessor's plat, or certified survey map* *→ recorded*

18 2. Subdivision 1. does not apply if any of the following applies:

19 a. The certified survey map is dividing land that is wholly situated in a 1st class  
20 city.

21 b. The certified survey map is dividing unincorporated land in a county with  
22 a population of 500,000 or more.”.

23 (END)