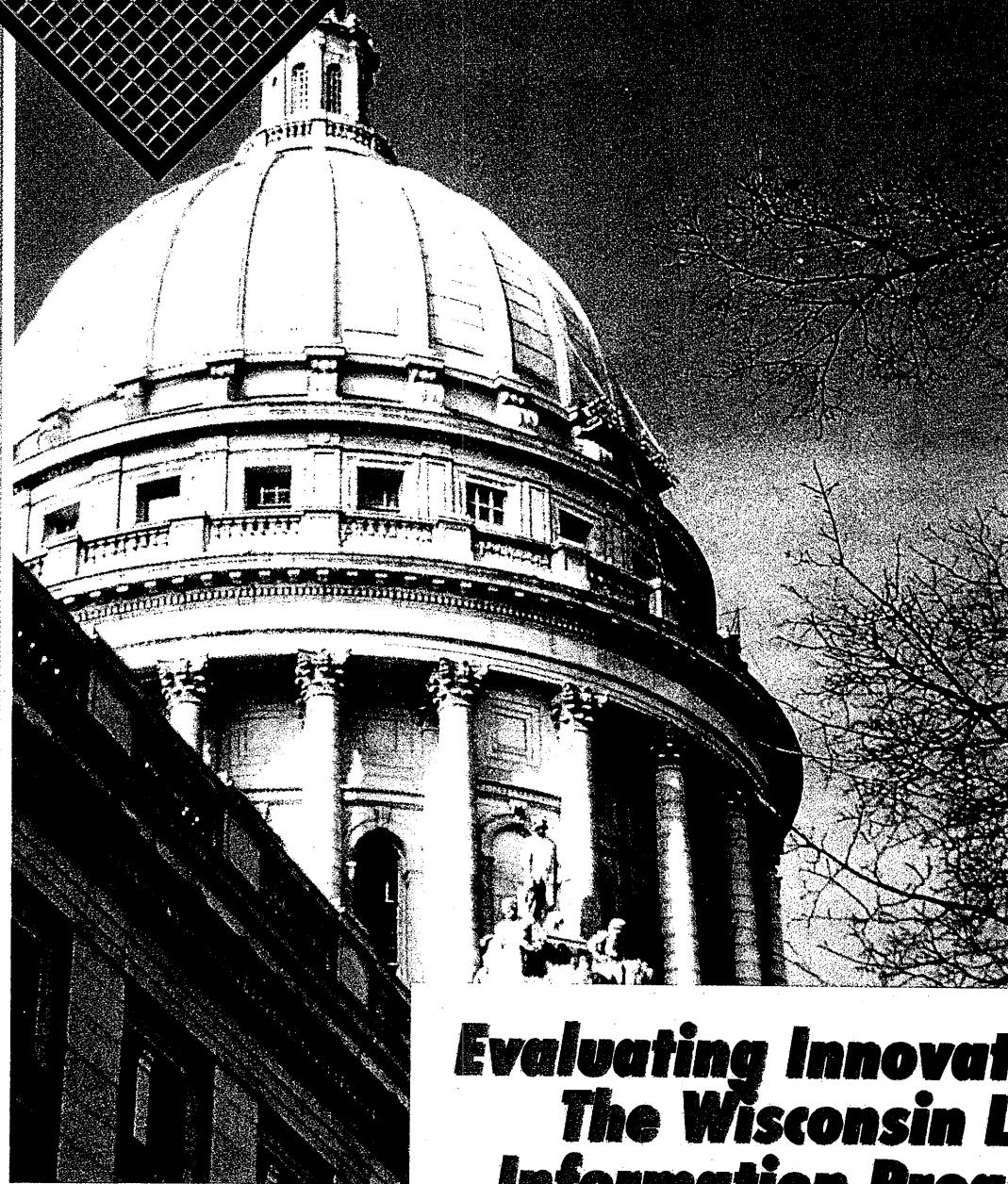


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Evaluating Innovation: The Wisconsin Land Information Program

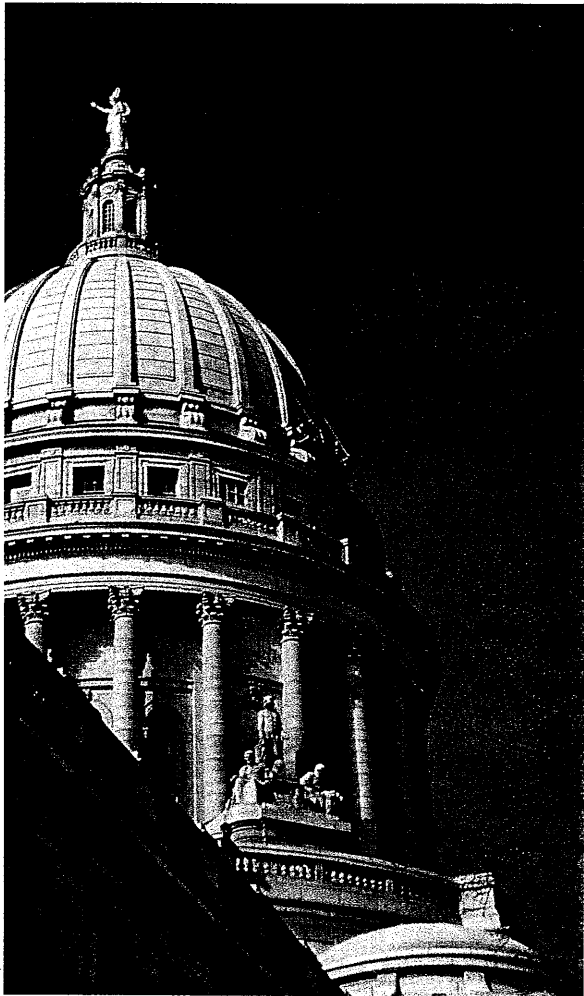
David Tulloch and Bernard J. Niemann Jr.

Evaluating Innovation: The Wisconsin Land Information Program

David Tulloch

Bernard J. Niemann Jr.

University of Wisconsin-Madison



This article describes the voluntary Wisconsin Land Information Program (WLIP), which provides financial support for land records modernization efforts in the state's 72 counties. Various surveys provide evidence that the statewide process is well under way.

Appearances can be deceiving. Wisconsin, the bucolic state that most people think of as "America's Dairyland," leads the United States in land records modernization with a revolutionary approach. This approach is helping put land information system (LIS) solutions to work in even the most rural courthouses. What is allowing a variety of counties — having populations from 4,000 to 1,000,000 — to advance their work with land information so quickly? Much of the credit has to be given to the Wisconsin Land Information Program (WLIP), Wisconsin Land Information Board (WLIB, Madison), and Wisconsin Land Information Association (WLIA).

WLIB's policies are set by a thirteen-member board appointed by the governor. The board is attached for administrative purposes to the Wisconsin Department of Administration (Madison). Dr. Douglas King serves as executive director.

VOLUNTARY PROGRAM

WLIP is a voluntary, statewide program providing financial support for land records modernization efforts in local governments. WLIB — an independent state body appointed by the governor — oversees WLIP. As the culmination of more than 20 years of efforts by concerned local government professionals, WLIB and WLIP were created by the Wisconsin legislature in 1989 through the efforts of the

Wisconsin Land Information Association.

All 72 of Wisconsin's counties voluntarily participate in the program. For a county to be eligible for retaining fees, it must have an approved modernization plan in place and a land information officer (LIO) designated by its county board.

The legislation created a six dollar increase in land recordation fees statewide, with two dollars from each transaction being held by WLIB and four dollars remaining in the county where the fee was generated. WLIB redistributes its portion as grants-in-aid to local governments, allowing some areas to receive greater amounts than they might have by fees alone (see Figure 1). This increase has resulted in about \$6 million annually for land records modernization, although this figure fluctuates (see Figure 2) because it is dependent on the level of activity in land transactions.

Since the program's inception, it has distributed more than \$30 million for local governments in retained fees and grants. As a mechanism for tracking the use of these funds, WLIB's Program Compliance Committee initiated the use of the Annual Status Report Survey. Begun in 1993, the survey assesses the status of modernization and allocation of funds. The survey was expanded to include a section allowing counties to evaluate the performance of WLIP and to assess 15 WLIP responsibilities. Survey response rates have ranged between 92 and 100 percent.

EXPENDITURES

In 1994, when low mortgage interest rates abounded, respondents reported that they spent more than \$7.7 million on the WLIB-defined foundational elements and \$3 million on other land record elements. The foundational elements are eight essential areas of land-records modernization designated by the WLIB as being of primary initial importance for program participants. Of the total investment, the retained fees and grants-in-aid were responsible for around 54 percent, which means that nearly half of the money spent on these major categories came from other sources, especially county and municipal levies and private utilities (see Figure 3).

The expenditures on foundational elements were distributed unevenly among elements (see Figure 4). Work on a geographic reference framework represented

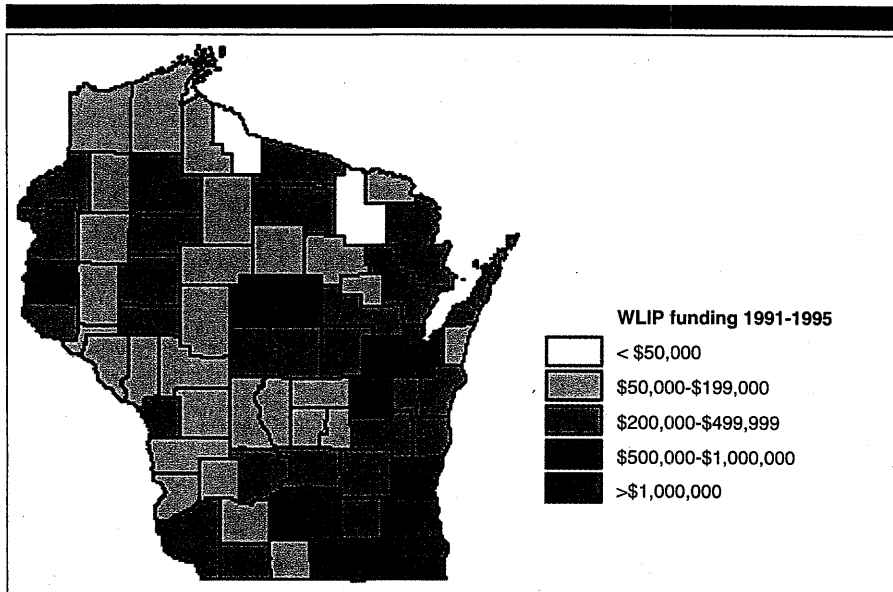


Figure 1. This map shows the distribution of WLIP funding to counties from 1991-1995 in the form of both retained fees and grants-in-aid.

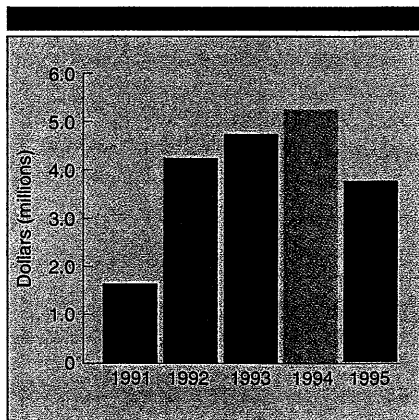


Figure 2. Total fees retained by counties before grants were distributed

45 percent of expenditures. Parcel mapping efforts represented another 40 percent. Thus, approximately 85 percent of the funding spent on the major categories was devoted to those foundational elements most often associated with system development. The natural resource elements received less funding with soils (1.2 percent) and wetlands (0.3 percent) representing less than 2 percent of the total investment.

The element labeled "communication, education, and training" received nearly 2 percent of all funds, a sizable sum considering the relatively low costs involved. More importantly, this element

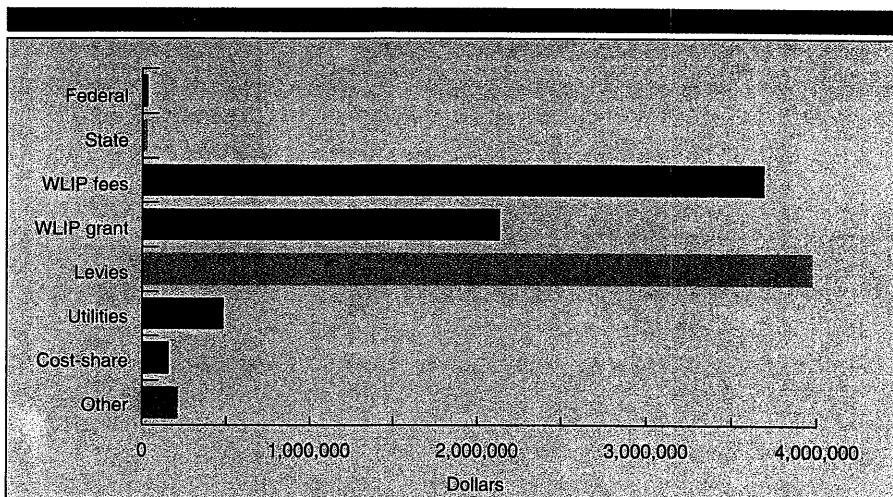


Figure 3. Expenditures on foundational elements according to funding source

was reported as ongoing in 47 counties, the highest level of any element. The investment in education and training shows that organizations are making long-term commitments to the modernization process.

STATUS OF MODERNIZATION

One indicator of overall modernization is the number of foundational elements being addressed by each county. As a local government modernizes, the number of foundational elements will likely increase even though the expenditures on some elements may be reduced to the cost of maintenance. Five counties reported expenditures on at least nine major elements. Nearly half of the counties were addressing no more than three elements or categories.

To understand how counties were addressing the production of work, products, and services, they were asked to identify where funds were spent. In 1994, an estimated 54 percent of expenditures were allocated to in-house investments; 46 percent was spent on outside or private sector assistance.

Another measure of modernization is the type of geographic information system (GIS)/LIS software being used (see Figure 5). The diverse selection of software packages throughout Wisconsin reflects the various approaches taken by local governments. One reassuring trend is that, in 1992, survey respondents reported that the most popular GIS/LIS software was "none"; in 1993, "none" was second; and by 1994, "none" had slid to third. An indicator of this general growth is the large increase in the number of most software products from 1992 to 1994. The sudden jump of ArcView (ESRI, Redlands, California) — a new product in 1993 — past Arc/INFO (ESRI) shows the importance of making data and technologies accessible to managers and decision makers who lack expertise with more complex software packages. (This information is a product of a nonbiased survey and is not intended as an endorsement of this software by the authors.)

Some indicators are reminders that work remains to be done. Public access is a foundational element for which the lack of investment is noticeable. Only one county responded that it had an organized public access program. Thirty-three of the counties, or nearly half, responded that they had public access terminals, but

only one of those respondents reported having public access terminals with graphic capabilities.

When asked about experience, LIOs were found to have less experience in GIS than in other professions (see Figure 6). The fields dominating LIO positions are registers of deeds, real property listers, and surveyors, with each representing

the background of more than 10 LIOs. This diversity hints at the complexities involved in the transition from training in a traditional field important to local government to one using and managing a fully modernized system. Few people are available who have training or background with all the requisite GIS/LIS skills that counties require.

EFFECTIVENESS OF WLIP

As a general measure of WLIP's effectiveness, respondents were asked about the role the program played in accelerating their counties' efforts. Every county indicated that WLIP had played some role in accelerating their modernization efforts (see Figure 7). Only five counties said that WLIP had been involved "very little" in this acceleration.

A parallel question inquired about WLIP's role in initiating the counties' programs. The vast majority of counties (65) indicated that WLIP had played a significant role in initiating their programs.

These overall indicators of the success of WLIP illustrate the importance that county LIOs place on the program. The survey also shows that a well-orchestrated, statewide program can play an important role in both initiating and accelerating land-records modernization.

When respondents answered questions about specific WLIP efforts and responsibilities, "technical assistance," "facilitating data sharing with utilities," and "developing standards" were all shown as problem areas needing attention. The need for an increase in the quantity and quality of technical assistance is reflected by a large number — 80 percent of the respondents — of counties suggesting that "some" or "major" improvements were needed. In contrast, the WLIP was rated as "doing well" regarding "responsiveness to WLIP participants," "providing advice about land information responsibilities," and the "review process for county modernization plans" by the majority of respondents.

STAGES OF MODERNIZATION

As a distinct but related research project, in 1995 we surveyed more than 800 land information professionals who were members of the Wisconsin Land Information Association. This survey, which had a response rate of 62 percent, was designed to produce results reflecting respondents' perceptions of local governments and spatial technologies. These professionals were asked to identify at which stage or stages the local government with which they most closely worked were currently operating (see Figure 8).

All six stages of land records modernization were identified as occurring at some level. The earliest stage of "no modernization" was only identified by a few respondents; however, system initiation, database

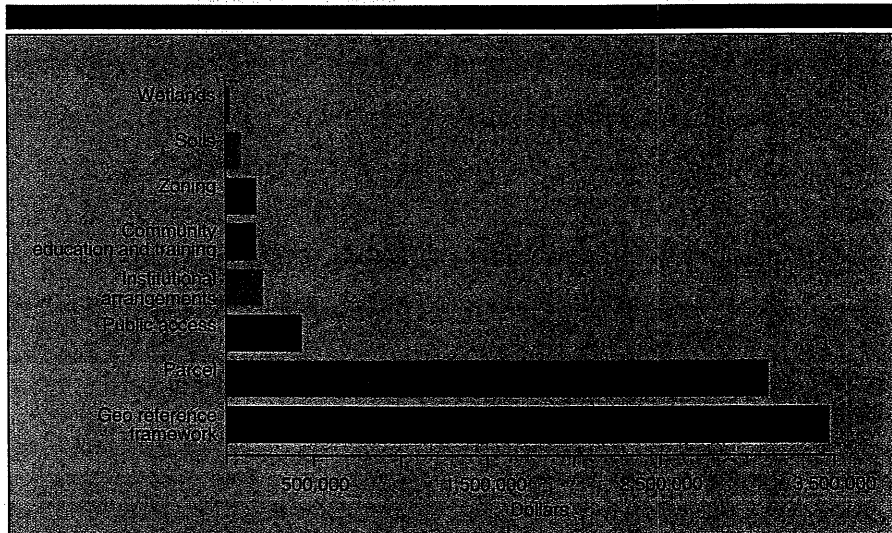


Figure 4. Expenditures by foundational element

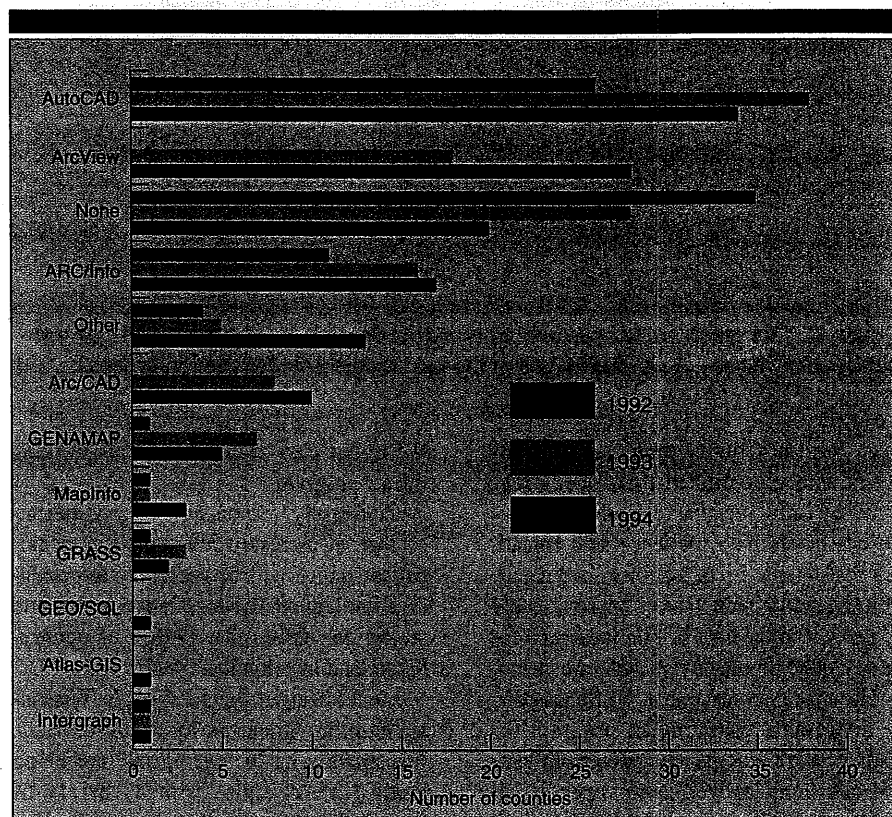


Figure 5. GIS software used by Wisconsin counties in 1994

	Number of LIOs
Register of deeds	15
Real property lister	14
Surveyor	10
County zoning administrator	9
Cartographer	8
Land use planner	8
County conservationist	7
Data processing manager	5
GIS specialist	4
County treasurer	3
Tax assessor	3
County clerk	2
Economic planner	2
Real estate appraiser	2
Other	2
Real estate partner	1

Figure 6. As shown by this table, land information officers came from a diverse list of backgrounds. "Number of LIOs" adds up to more than 72 because many respondents reported multiple fields.

development, and record keeping all were reported to exist at fairly high levels, with database development being the most common response. The "analysis" and "democratization" stages also occurred at notable levels. The response to this question suggests that local government land information systems have developed to such an extent that land information professionals feel that roughly 40 percent have reached some level of operability.

OBSERVATIONS

These results are a brief summary of the various surveys, but they begin to provide a picture of the status of land records modernization in Wisconsin. There are clear signs, as the surveys accumulate longitudinally, that the process of modernization is well under way. For example, in Winnebago County, LIS manager Dave Schmidt — with the assistance of the Wisconsin Department of Natural Resources — has modernized all of the Federal Emergency Management Agency floodplain insurance maps using a 2-foot, local-derived digital elevation model. In Dane County, all tax parcels and the complete set of the tax assessors attributes have been modernized countywide. Respondents also pointed out that many could have never reached their current status without WLIP (see Figure 7). Other examples include Jane Licht from Dane County and Helen Schutten

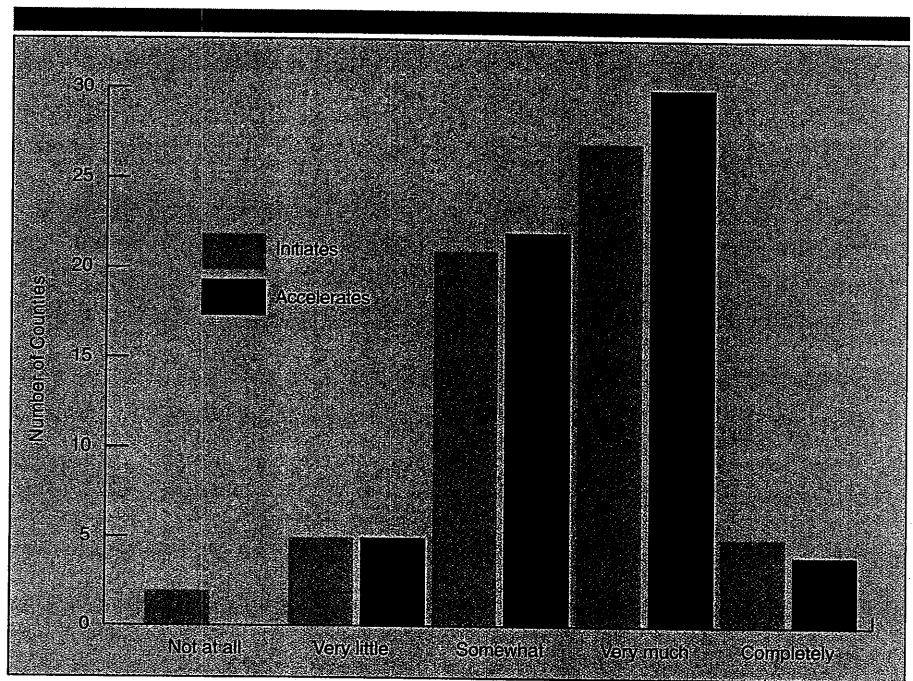


Figure 7. Response to the question, "What role has the WLIP played in initiating/accelerating land records modernization in your county?"

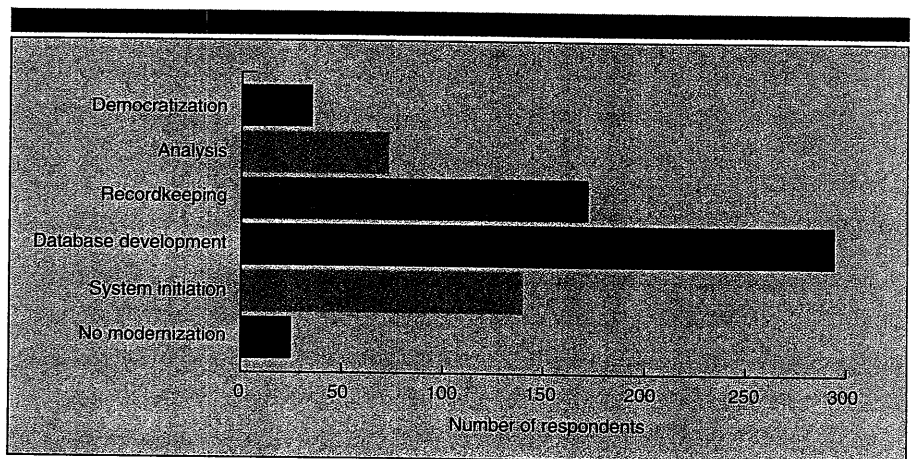


Figure 8. This graph shows the number of respondents indicating their local government's achievement of various stages of the land records modernization process.

from Racine County, both registers of deeds who modernized their deeds registries by using imaging technology. Schutten has taken this experience as a consultant to Albania. Licht's efforts have resulted in an actual reduction of approximately 30 percent in the cost of title insurance for Dane County home buyers and refinancers.

The strong message that WLIP has been an important, even crucial, program for many of the participants comes from general questions, as well as the open-ended comments box at the end of the questionnaire. Approval extended not only to

WLIP but also to the individuals working for the program.

Conversely, respondents clearly indicated that an increased investment in technical assistance will be necessary to eventually implement the legislative intent and statewide vision of a system of county-based land information systems.

Modernization is underway in Wisconsin and throughout its local governments. Investments in "being digital" are being made. Individuals from a variety of professions (see Figure 6) are retooling themselves for the information age. For

example, Mike Romportl, a surveyor by education, has become Oneida County's land information officer. As a result, he has become very proficient with GIS technology.

Expectations are beginning to rise from both citizens and elected officials, who seek greater efficiency, effectiveness in government programs, and more equitable access to the power of information. On the other side of the scale is the dollar cost of these efforts. Will this investment in WLIP and other efforts across the United States meet expectations and result in sufficient societal benefits to warrant continued investments? Stay tuned, or get involved in your state and help us provide some insight into the impact of these investments. ■

ACKNOWLEDGEMENT

This research has been supported in part by WLIB, the National Center for Geographic Information and Analysis, the National Center for Resource Innovations,

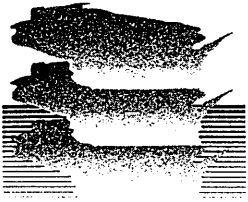
and the University of Wisconsin-Madison's Land Information and Computer Graphics Facility. As a part of their support of this research, WLIB is also working with UW-Madison to produce the report, "The Accomplishments of the Wisconsin Land Information Program: 1991-1996." ■

For more information, visit the following World Wide Web site: <http://localis2.lic.wisc.edu>. For legislative charges and other information, contact Douglas King at (608) 267-2707 or e-mail kingd@mail.state.wi.us

For background information on how the legislation was implemented, or to receive a copy of the report mentioned in the previous paragraph, contact the authors at licgf@mac.wisc.edu or phone (608) 263-5534.

David Tulloch is a doctoral candidate in Land Resources in the Institute for Envi-

ronmental Studies at the University of Wisconsin-Madison. He also works at UW-Madison's Land Information and Computer Graphics Facility studying local governments and land information systems, as well as the impact of land records modernization. Tulloch received a B.S.L.A. in landscape architecture from the University of Kentucky (Lexington) and an M.L.A. from Louisiana State University (Baton Rouge). Bernard J. (Ben) Niemann Jr. is a professor in the Department of Landscape Architecture and in the Institute for Environmental Studies at the University of Wisconsin-Madison. He is UW-Madison's director of the Land Information and Computer Graphics facility, and cowrites Geo Info Systems' "GIS Innovator" column with his wife and colleague, Sondra (Sue) Niemann. He received a B.F.A.A. in landscape architecture from the University of Illinois (Champaign-Urbana) and an M.L.A. from Harvard University (Cambridge, Massachusetts).



W I S C O N S I N
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A S S O C I A T I O N

Box 389 • Wild Rose, WI 54984 • 1/800/344/0421

To: Members of Wisconsin Legislature

From: D. David Moyer, President, Wisconsin Land Information Association

Date: April 8, 1997

RE: Budget Legislation Related to the Creation of the Wisconsin Land Council and the Elimination of the Wisconsin Land Information Board (Sections 55, 97 and non statutory section 9101; Sections 44, 51, 133-142, 669, 672, 673, 682-684, 774, 775, 1156, 1164, 2164, 2175-2178, 2489 and non-statutory section 9101)

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Stephen Ventura

Patricia Wettstein

Ron Voigt, Secretary/Treasurer

I am writing to convey the urgent concerns and reservations of the membership of the Wisconsin Land Information Association (WLIA), regarding the above legislation which sets up the Wisconsin Land Council (WLC) severely cripples the Wisconsin Land Information Program (WLIP), and abolishes the Wisconsin Land Information Board (WLIB), the policy board that administers the WLIP.

The WLIA is comprised of over 500 members from a wide variety of professions who are united in the common goal of improving land information in the state to assure that all land information users have the best possible foundation for decision-making. To this end, the WLIA has worked long and hard over the past ten years to help develop and implement what is widely acknowledged as the premier land information program in the country.

Land information as used in the WLIP is a broad term that includes local land records, property tax administration, environmental data, emergency government/E-911, health and social services, and administrative data, such as Census/redistricting. From a technological perspective, land information systems include geographic information systems (GIS), tax management systems records management (e.g., Register of Deeds), surveying and public land survey, global positioning systems, and other tools used by state and local governments. To be sure, land use planning is a component of land information, but there are many other equally important facets. As an organization of professionals, we believe the current WLIP structure takes into consideration all of these facets, with state and local governments and the private sector "at the table working together.

The leadership of the WLIA has been actively working to improve the above legislation since rumors of its existence first surfaced last fall. We have met with Mark Bugher of DOA, Kathleen Heuer of DOR, and others, in an attempt to have modifications made that would assure the WLIP continues as a model land information program for the Nation. Unfortunately, our efforts thus far

have been totally unsuccessful (our suggestions being totally ignored or met with assurances that the proposed budget legislation "implies" what we are requesting). Therefore, we are appealing directly to you to make modifications to the proposed legislation to assure the following:

1. Continuation of the WLIP as an independent program, devoted to provision of information for all land activities in the state.

- As presently drafted, the Wisconsin Land Council (WLC) provision in Governor Thompson's budget abolishes the WLIP, and places what would remain of the WLIP under DOA, to be administered in a top down manner. The reason the WLIP has been so effective is that it is grass roots controlled, with each county being responsible for development of the local land information system, as well as development and maintenance of most land information in the system, supplemented with statewide files from State agencies, all in digital form.

- The WLC proposal focuses only on land use information, whereas the WLIP is designed, and is providing, information for all land related activities in the state. Land use information accounts for only a small fraction of the land information contained in the typical county land information system.

2. If DOA wishes to give added attention and emphasis to land use planning and land use information, it should be done cooperatively as part of the WLIP, not as a separate effort, such as the WLC proposal, which promotes further fragmentation.

- The ill-conceived approach of putting WLIP components under the WLC will dilute the efforts of all other land information program efforts outside of land use, and likely result in a piecemeal approach to deal with what we agree is very important, land use planning.

- It would be far better to provide additional resources for the WLIP to deal with and give priority to land information need for land use planning, require all land related State agencies to participate fully in the WLIP, and continue to have all aspects of the WLIP, including provision of information needed for land use planning administered by the WLIP.

3. Modify the proposed budget bill language to preserve the legislative charges of the WLIP, maintain the segregated funding that supports current WLIP activities, and preserve and maintain the dedicated staff and independent body of expertise that is provided by supporting advisors and professional associations.

The WLIP is supportive of modifications to the proposed Budget Bill language to help assure that both the WLIP and improved land use planning can proceed in parallel. To that end, our membership voted at our recent annual meeting to support:

a. Addition of one WLC seat to the WLIP.

b. Add land use mapping as a legislatively directed Foundational Element of the WLIP.

c. Concurrent sunset dates for both the WLC and the WLIP.

d. Parallel evaluation and performance reviews for both the WLC and the WLIP.

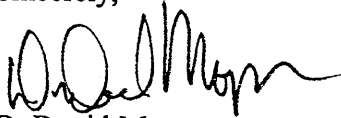
I should note that we share Secretary Bugher's concern regarding duplication. Indeed, one of the

great successes of the WLIP has been the reduction of duplication within and among governments on a wide range of activities. We are concerned that the proposed Budget Bill language will aggravate, not alleviate duplication. With the focus on land use planning, broader and much larger coordination issues related to land information will not be addressed. We are concerned that this legislation will return the State to a situation where counties and State agencies will not be encouraged to work together on environmental, infrastructure, and other issues. The result will be more, not less duplication as individual agencies and jurisdictions go off on their own rather than work together to create standards and make regional investments.

In short, a merged WLIB and WLC will severely damage the highly successful Wisconsin Land Information Program that is already in place by 1) diluting efforts concerning land information in general, 2) concentrating additional power in DOA for a top-down, one-size fits all approach, 3) severely reducing the local government and public input and support of the current Wisconsin Land Information Program, 4) severely restricting the development of tools and an information base to serve all land information users in the state, and 5) jeopardizing the tens of millions of dollars in state investments that have been made in the Wisconsin Land Information Program over the last six years.

Please let me know if you wish further details or if I can be of assistance in any other manner.

Sincerely,



D. David Moyer
President
Wisconsin Land Information Association

cc: Mark Bugher, Kathleen Heuer
WLIA Board of Directors
WLIA Legislative Response Task Force

LAND INFORMATION
ONEIDA COUNTY
P.O. Box 400
One Courthouse Square, Room 6
Rhinelander, Wisconsin 54501-0400

April 22, 1997

Memo to: Land Use Committee: Mike Powers Chair, Peter Bock, John Steinbrink, Carol Owens

Rural Affairs Committee: John Ainsworth Chair, Neil Kedzie, Terry Musser, Steven Nass, Carol Owens, Mike Powers, Donald Hasenohrl, Marlin Schneider, Barbara Gronems, Thomas Springer, Robert Dueholm

From: Michael J Romportl *mjr*
Oneida County Land Information Officer

RE: Land Use

Please accept these comments at your April 24th hearing regarding Land Use. The Oneida County Board of Supervisors Land Records Committee and Staff discussed 'The Report of the State Interagency Land Use Council' and are concerned with several items cited in the report as they may relate to the Wisconsin Land Information Board and Program.

On page 4, the report proposes to 'Create a Permanent Interagency Land Use Council' and cites the Wisconsin Land Information Board (WLIB) as a supporter. It is very important that the proposed land use council does not disrupt the primary objectives of the Wisconsin Land Information Program (WLIP) which is administered by the WLIB. The WLIB presently oversees the most successful land records modernization efforts in the nation. All 72 Wisconsin counties are participating in the program which concentrates on encouraging cooperation between federal, state county and local municipalities in creating integrated land information data sets. These data sets are leading to a more efficient and credible way of managing our land records and are being used to support many land related activities including land use planning. The legislature should be proud of the success the program attained in the 7 short years since the legislature initiated the program.

On page 5 of the report, a recommendation is to 'Construct a Wisconsin Land Information System'. Again the WLIB already took the lead in this effort. The Bureau of Information Management in the DNR has compiled consistent statewide data sets that are available to all units of government and the public. Many of the data sets were built through cooperative efforts fostered by the WLIB. In addition, the WLIB is implementing a clearinghouse for land information data sets. We do not believe the land use council should duplicate these efforts.

The report does not identify a funding source but yet requires counties to adopt a plan as noted on page 8. It is imperative that

if a land use council is created, it does not divert funds from the Wisconsin Land Information Program. Creating reliable land information data sets is an important and expensive task for local governments and the WLIP funding mechanism is helping counties in completing our tasks.

The most effective component of the WLIB is that it allows for broad integrated land records modernization and is insulated from independent interests dominating the program. The framework and grassroots support is in place and working in all 72 counties toward creating the very land information data sets a land use council will need in the future.

When making your decision about a land use council or program, it is important to keep the WLIB & WLIP intact as it is currently defined in the statues. This will allow us to continue to build land information data sets without being impacted by the emotional and political issues surrounding the development of land use plans.

Thank you for you kind consideration of these comments.

cc: Senator Roger Breske, 12th Senate District
Representative Joseph Handrick, 34th District representative



Wisconsin Society of Land Surveyors

Affiliated with American Congress on Surveying and Mapping

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



April 21, 1997

To: Land Use Committee
Michael Powers, Chair, Peter Bock, John Steinbrink, Carol Owens

Rural Affairs Committee
John Ainsworth, Chair, Neil Kedzie, Terry Musser, Steven Nass, Carol Owens,
Mike Powers, Donald Hasenohrl, Marlin Schneider, Barbara Gronemus, Thomas
Springer, Robert Dueholm

From: Howard F. Licht, President
Harold S. Charlier, Executive Director
Wisconsin Society of Land Surveyors

Re: Budget Bill as it relates to the Wisconsin Land Information Board

It will be ten years ago in July that the Final Report of the Wisconsin Land Records Committee was presented to Governor Tommy Thompson. The Report and its recommendations were the result of a two-year study by a broad cross-section of land information professionals, representing state agencies, county, city, and town governments, regional planning commissions, utilities, private businesses, and the University of Wisconsin. The recommendations of the committee received bi-partisan support and the Wisconsin Land Information Program (WLIP) was created as part of Act 31 of the 1989 Legislature. This highly successful, nationally acclaimed program is about to be torn apart. We do not object to the concept of a Land Council, but please don't destroy the WLIP in the process.

The WLIP has been a success because it has managed to remain non-political, and as a result has enjoyed great cooperation and mutual understanding and respect from the smallest communities to the largest state agencies. On the other hand, we anticipate that a land council will be highly political; it will encounter many emotional issues; and will receive a great deal of publicity.

We respectfully urge you to allow the WLIP to continue to function as it has in the past, quietly and efficiently building up a strong and cooperative partnership among the many state agencies, local and county governments, public utilities and private businesses. The people who work daily in modernizing land records generally have nothing to do with policy and land use. If the land council should need information on land records, it will be there waiting for them. Such information could be made available without first attempting to take over the present program, and in so doing burying it under a mound of land use issues.

*****HISTORY AND BACKGROUND ARGUMENTS AND IDEAS**

The success of the WLIP is grounded in the idea of a grass-roots, bottom-up system of administration and maintenance of land information. Each county, municipality, and private agency works cooperatively, under the guidance of an approved county-wide plan, to develop a local land information system which would be increased by state agency information. The county plans were inspirational in that for the first time they forced all levels of governmental and non-governmental users to cooperate in the building of a land information system.

This system is the Statewide Land Information System and by its very design can be used by any local or state agency or private sector user. The information is timely, accurate, and efficient because the maintenance is on a local level where the information is first created.

This system is based on certain foundational elements that require the local "builder" to accommodate the widest variety of applications in land information, and insures a level of uniformity while accommodating local special needs, statewide. This broad based system also has improved public access because it ends the need for several local and state agencies to create the same record for different applications, thereby ending redundancy. This is also saving the taxpayer's dollars.

The Wisconsin Land Information System being built now under the auspices of the Wisconsin Land Information Program supports all activities related to land information and records. These applications include, but are not limited to: E911, emergency vehicle routing, school bus routing, flood plain analysis, ground water pollution control, farm fertilization management, soil conservation, forestry management, shoreline preservation, environmental studies and land use planning.

In order to retain the reliable information needed for the success of all of these important applications of land information the State of Wisconsin needs to retain the Wisconsin Land Information Program independent of any one application such as the Land Use Council.

The WLIS is administered by a governing body that has no ties to the current political structure. It can administer the funds with the entire state and all its variety in mind, regardless of the current power base at the state level. This keeps the program from mandating certain activities that may not be feasible on a local level, while keeping in mind that careful, logical planning for the building of the WLIS is imperative for the success of a statewide application. Part of the Wisconsin Land Information Board's function is to organize a clearing house of information. This activity is now in progress.

*****RAMIFICATIONS OF THE GOVERNOR'S BUDGET PROPOSAL**

These issues are defined in the Governor's Budget in sections: 44, 51, 133 through 142, 669, 672 and 673, 682 through 684, 774 and 775, 1156, 1164, 2164, 2175 through 2178 which eliminate the WLIP, WLIB, and transfer all the legislative charges and the funding to the Department of Administration.

Sections 55 & 97, create the Land Use Council and charge this council with the job of studying, planning and recommending strategies for land use planning.

The Governor's Budget Proposal does away with the highly successful management process of the WLIP and proposes to create a top-down, state administered "Land Use Council System". Not only would this jeopardize other user applications, needing land information, it would cause the poorer counties to adjust their mapping and modernization

to fit a state application that may not coincide with local needs at the moment. This will cause the smaller counties to fall further behind in the plan for a statewide land information system applicable to all.

The proposal put forth in the budget bill calls for the planning and recommendation of a statewide land information system and a clearinghouse. To begin again with planning and recommendations is redundant and would delay implementation of these systems that are already in progress.

The proposal to merge WLIP with the LUC (Land Use Council) will constrict the many faceted WLIS to a single use purpose. This merger will also divert the funds from the widest use to only those serving the Department of Administration and Land Use Planning. Instead of funding projects that serve the widest and greatest social purpose, the funds will first be allocated towards administrative costs (with more staff than now) and then to fund only land use studies. Instead of supporting a locally managed state wide system, it will fund the rebuilding of a statewide system with limited local functionality. The Land Use Council could not possibly have the time nor the inclination to watch over the progress of the successful WLIP. Nor, could the Council fund the broad based activities needed by those within the WLIP now. Land Use Planning is an application that could easily use the existing Wisconsin Land Information System.

Sections 682 through 684, in particular, specify the usurping of the funds administered by the WLIP from the original purpose of funding WLIP programs. These sections specify that the DOA will first use these funds for administrative purposes within the Dept. and then for land use planning functions. There is no mention or guarantees of funding any WLIP activities.

*****POSITION STATEMENTS OF THE WLIA**

The Wisconsin Land Information Association is comprised of over 500 members from a wide variety of professions who are united in the common goal of improving land information in the state to assure that all land information users have the best possible foundation for decision-making. To this end, the WLIA has worked long and hard over the past ten years to help develop and implement what is widely acknowledged as the premier land information program in the country. (quoted from Dave Moyer)

The WLIA voted to accept the following points as those which we perceive to be unalterable.

1. Maintain the functional integrity of WLIP, including:
 - legislative charges
 - strong connection between land information community and the policy body
2. Maintain segregated funding
3. Maintain dedicated staff
4. Preserve the body of expertise governing the program, ie: an independent representative body for the WLIP
 - what the WLIP represents
 - advisory positions to WLIP
 - WLIA
 - local participation

IDENTICAL TO 1997 AB-100 (LRB-2310/1) AND 1997 SB-77 (LRB-2505/1)

attached for administrative purposes to the office of the state treasurer. This bill attaches the board to DOA for administrative purposes.

Under current law, the board of commissioners of public lands may exchange part or all of any parcel of public lands for any other land of approximately equal value if the board determines that the exchange will contribute to the consolidation or completion of a block of land, enhance conservation of lands or otherwise be in the public interest. This bill provides that an exchange is of "approximately equal value" if the difference in value between the more highly valued land and the less highly valued land does not exceed 10% of the value of the more highly valued land.

Current law allows the division of trust lands and investments to deduct from the gross receipts of the state trust funds the necessary expenses incurred in caring for public lands under the board's supervision. This bill specifically provides that these expenses may include expenses for reforestation, erosion and insect control, submerged log monitoring, surveys, appraisals and other land management practices that serve to protect or enhance the interests of the beneficiaries of the trust funds.

Under current law, the state reserves to itself title to and ownership of all logs resting on submerged lands owned by the state. The board of commissioners of public lands issues permits to persons wishing to raise and remove sunken logs resting on submerged state lands. The state receives 30% of the appraised market value of the logs raised under such permits, except that an applicant for a permit may propose projects for the use of logs raised and for the use of proceeds from logs raised and sold as an offset to the state's share of the value of the raised logs. The projects must have demonstrated potential to do 2 or more of the following: 1) increase tourism revenues in this state; 2) increase employment in this state; or 3) contribute to increased economic development and activity in this state. The board may, in its judgment, authorize offsets of up to 100% of value that would otherwise be received by the state.

This bill repeals the offset program and changes the percentage of value retained by the state so that the state receives 20% of the appraised market value of all logs raised from submerged lands owned by the state.

Currently, the information technology investment fund consists primarily of fee revenues received from prospective state vendors for information concerning future state procurements. This bill supplements the information technology investment fund by transferring from the general fund to that fund \$2,000,000 on the day the bill becomes law and an additional \$2,000,000 on July 1, 1998. (See also OTHER STATE GOVERNMENT.)

OTHER STATE GOVERNMENT***Land use planning***

Currently, the land information board is attached to DOA. The board consists of the secretaries of 4 state agencies or their designees, the state cartographer and 8 other persons appointed by the governor, 4 of whom are representatives of county



IDENTICAL TO 1997 AB-100 (LRB-2310/1) AND 1997 SB-77 (LRB-2505/1)

or municipal governments in this state and 4 of whom are representatives of public utilities or private businesses in this state. The board serves as a state clearinghouse 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 upgrading and modernization projects.

This bill abolishes the land information board and transfers its functions, together with its assets, liabilities and employes, to DOA. The bill revises the existing functions of the board so that DOA facilitates the provision of technical assistance, together with unspecified others, to state agencies and local governmental units, and facilitates the review, together with unspecified others, of county plans and applications by counties for land records modernization project grants. The bill also directs DOA to develop and maintain geographic information systems relating to land in this state for the use of governmental and nongovernmental entities, and appropriates money from the recycling fund for this purpose.

This bill creates a Wisconsin land council 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 study the development of a computer-based land information system and make recommendations to the governor in this area; and 3) to identify procedures for facilitating local land use planning efforts and recommend to the governor legislation to implement the procedures. 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.

Under the bill, the council consists of the secretaries of various state agencies, or their designees; the state cartographer; public members, including a representative from the University of Wisconsin (UW) System; and members who represent the interests of cities, towns and counties. These public members are appointed by the governor and serve for 5-year terms. The bill eliminates the council on September 1, 2003.

The bill also permits DOA to levy assessments against state agencies in any amounts that DOA determines to be required to support DOA's land information functions and the functions of the Wisconsin land council.

State procurement

Currently, with several exceptions, if the estimated cost of materials, supplies, equipment or contractual services for any state agency in the executive branch of state government exceeds \$25,000, DOA, or the agency if DOA delegates purchasing authority to the agency, must publicly solicit bids or competitive sealed proposals. With certain exceptions, DOA and other state agencies to which DOA delegates purchasing authority must make procurements from the person submitting the lowest responsible bid or most advantageous competitive sealed proposal. With certain exceptions, DOA and agencies to which DOA delegates purchasing authority

APR 25 1997

Kilgore, Kathi

From: cen07638@centuryinter.net

Sent: Thursday, April 24, 1997 7:44 AM

To: Rep.Powers

Subject: WLIP and Land Use Council Merger

Representative Powers,

I have attached a letter in text format expressing our concerns on proposed changes to the WLIP & WLIB. Please review it and take it into consideration in your deliberations on the matter. Thank you.

Sincerely,

Doug Avoles
Monroe County Land Records Coordinator



wliplef3.txt

wliplet3.txt

April 24, 1997

Representative Mike Powers
State Capitol
P.O. Box 8953
Madison, WI 53708

Dear Representative Powers,

I am sending this letter on behalf of the land record managers in Monroe County.

As professionals involved in the development and modernization of land information for Monroe County and the local units of government within, we are very concerned about potential changes that the Wisconsin Legislature may make to the Wisconsin Land Information Program (WLIP). The takeover of the WLIP by the proposed Land Use Council as currently laid out could have a very detrimental impact on broad based land record modernization in much of the State.

It is our belief that the current WLIP is a worthwhile program, rooted in strong local support, that will greatly reduce costs while providing improved land record information to the Wisconsin taxpayer. The recent modifications that have been made by the Wisconsin Land Information Board (WLIB) to streamline and integrate planning processes, to create an improved grant program, and to create a base budget for those Counties that do not retain enough program funds to begin even the most basic modernization, have strengthened it even more. The current program is on the path to achieving great success throughout the State. If you want evidence of this, look at what benefits land record modernization has created in Marathon, Oneida, Dane, Winnebago, and the Southeastern Counties of the State. These counties are examples of what all Wisconsin Counties can achieve if the WLIP and WLIB is left, as is, to complete what must be done.

To echo the sentiments of a Wisconsin surveyor voiced at a recent

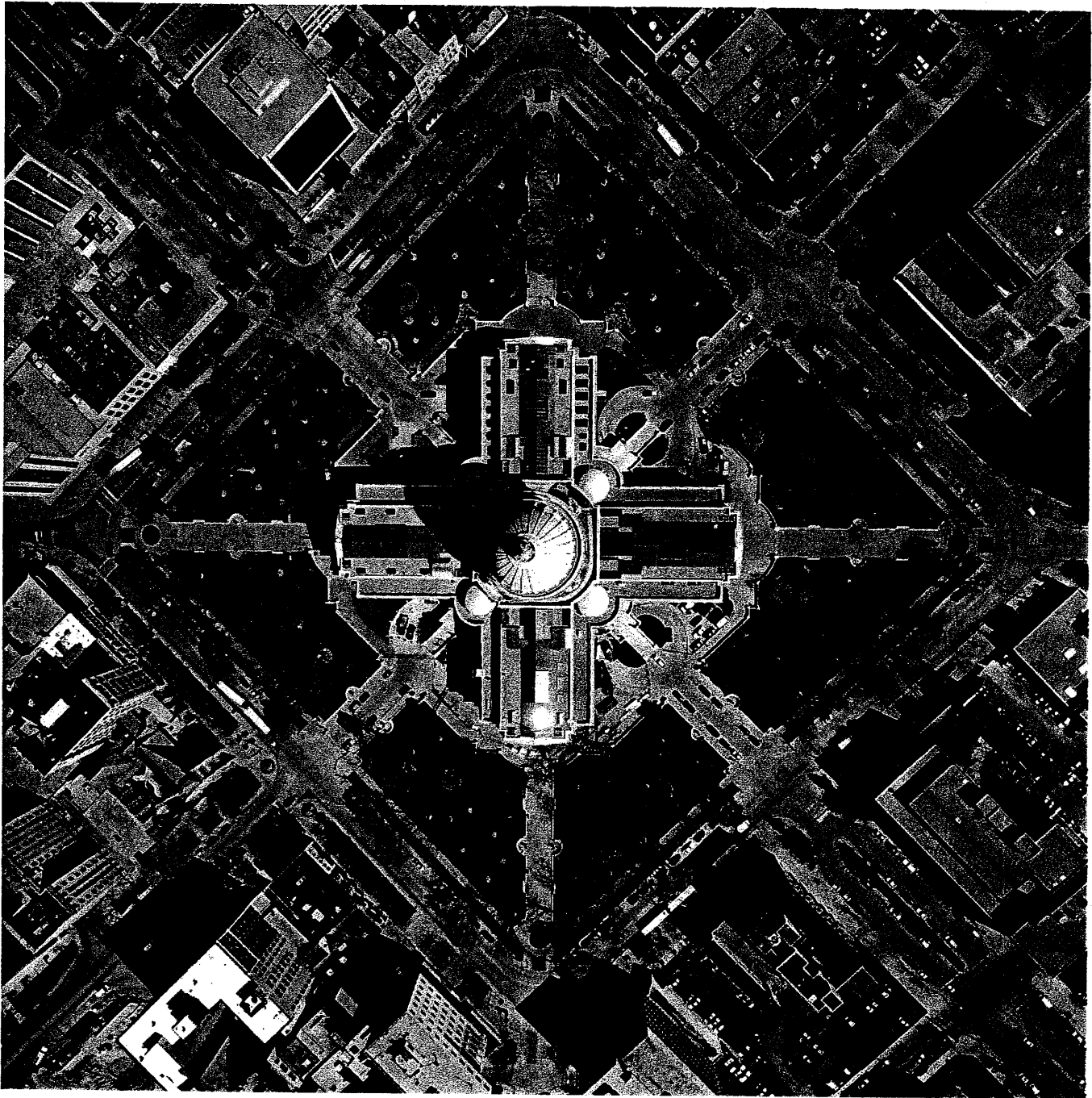
wlippet3.txt

public hearing on this matter
in Eau Claire, "it is not broken, do not fix it, leave it alone".

Sincerely,

Doug Avoles
Monroe County Land Records Coordinator

Wisconsin State Capitol



Digital Orthophoto Image

Specifications:

Date of Photography: April 1996

Ground Resolution: 3"

AYRES
ASSOCIATES
Madison, Wisconsin

Photogrammetry and Digital
Orthophotography Services
608-249-0471



VILAS COUNTY LAND RECORDS OFFICE

APR 24 1997



P.O. BOX 369, COURTHOUSE
EAGLE RIVER, WISCONSIN 54521
715/479-3655

April 21, 1997

TO: Mike Powers

RE: State Interagency Land Use Council/Merger with Wisconsin Land Information Program

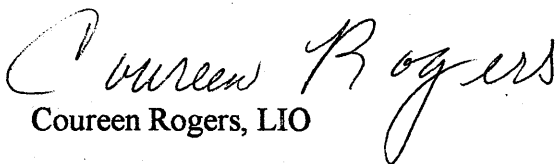
Vilas County Land Records Committee would like to comment that the Wisconsin Land Information Program has been a very beneficial and positive program for the county as well as other government, public and private agencies in this area. It has listened to the needs of the local government. It has been a great education and understanding process for us and the WLIB. To this date it has been successful in its endeavors. We applaud the WLIB for its insight on this.

In order for us to complete our goals and be fully successful we need to continue with this same program and funding.

We have a great concern that with the merger of the Land Use Council all that we have built together with the WLIB will be lost. Land Use is a very important element of the counties Land Information Program, however it is only a part of our entire base structure.

Thank you for your kind consideration of these comments.

VILAS COUNTY LAND RECORDS COMMITTEE


Coureen Rogers, LIO

APR 24 1997

COUNTY OF MANITOWOC

1010 South Eighth Street
MANITOWOC, WISCONSIN 54220
Phone (414) 683-4004

Daniel R. Fischer, Manitowoc County Clerk

April 22, 1997

*Representative Michael Powers
State Capitol
PO Box 8953
Madison, WI 53708-8953*

Dear Repr. Powers:

Enclosed is a certified copy of Resolution No. 97/98-5 "Concurring with the State of Wisconsin Interagency Land Use Council Recommendation in Establishing the Wisconsin Land Council . This resolution was unanimously adopted at the Manitowoc County Board of Supervisors April 15, 1997 County Board Session.

Friendly regards,



*Daniel R. Fischer
County Clerk*

DRF:cmo

Enclosure (1)

RESOLUTION CONCURRING WITH THE
STATE OF WI INTERAGENCY LAND USE COUNCIL RECOMMENDATION
IN ESTABLISHING THE WISCONSIN LAND COUNCIL

TO THE CHAIRPERSON AND BOARD OF SUPERVISORS
OF MANITOWOC COUNTY, WISCONSIN

Supervisors:

1 WHEREAS, The Manitowoc County Board of Supervisors has long shown its
2 leadership in Land Use issues by creating the Manitowoc County Planning and Park
3 Commission in 1957 to provide planning services, and
4

5 WHEREAS, The Manitowoc County Planning and Park Commission has provided
6 planning services to the Villages within the County on a contract basis for such services
7 as Official Maps, Subdivision Regulations, Zoning Ordinances and the Park and Open
8 Space Plan, and
9

10 WHEREAS, The Manitowoc County Planning and Park Commission has provided
11 planning services to the Towns within the County on a regular basis by preparing and
12 updating the Manitowoc County Farmland Preservation Plan, and
13

14 WHEREAS, at public meetings held on September 30, 1996 and January 30,
15 1997, Manitowoc County has established a collaboration between the Planning and
16 Park Commission, Land Conservation Department and UW Extension Office to assist
17 local units of government, with the aid of citizen participation, in developing their land
18 use plans, and
19

20 WHEREAS, Manitowoc County supports the establishment of a statewide vision
21 for land use management through coordinated planning and zoning at the County and
22 local levels, and
23

24 NOW THEREFORE, BE IT RESOLVED, That Manitowoc County encourages the
25 implementation of the State of Wisconsin Interagency Land Use Councils
26 recommendations by establishing the Wisconsin Land Council to coordinate
27 development of technical land information resources and identify the states land use
28 goals and priorities.
29

30 BE IT FURTHER RESOLVED, that the Manitowoc County Board of Supervisors
31 direct the County Clerk to forward copies of this resolution to the Governor, Secretary
32 of Department of Administration, Senator Fred Risser, Chairperson of the Special
33 Committee on Land Use Policies and Wisconsin Counties Association.

Dated this 15th day of April, 1997.

Respectfully submitted,
Manitowoc County Planning and Park Commission

William J. Wallander

Julie Knier

Carl Furmanski

Carl Furmanski

Countersigned:

Don C. Markward

Chairperson

Clerk

FISCAL IMPACT: None.

Adopted this 15th day of April, 1997.

24 Ayes 0 Noes 0 Absent

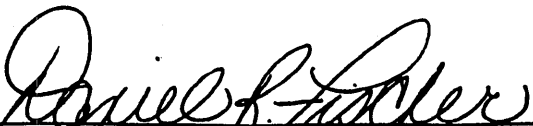
ATTEST: Daniel R. Fischer
Daniel R. Fischer, County Clerk

STATE OF WISCONSIN)

COUNTY OF MANITOWOC)

I, Daniel R. Fischer, County Clerk of Manitowoc County, do hereby certify that the attached resolution is a true and correct copy of the original resolution required by law to be in my custody and which was adopted by the County Board of Supervisors of Manitowoc County at a meeting held on April 15, 1997.

Set my hand and official seal this 17th day of April, 1997.



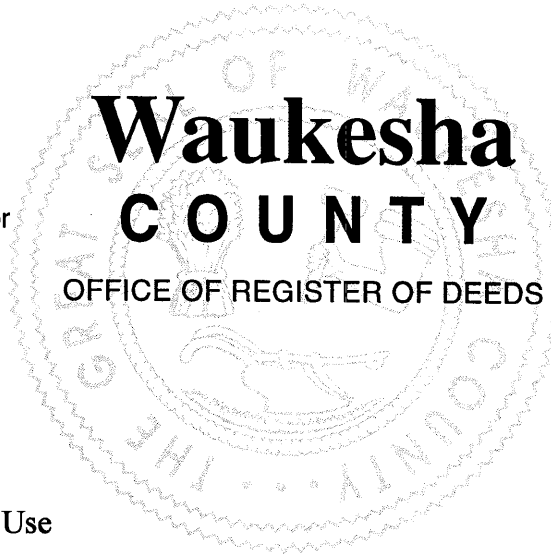
Daniel R. Fischer, County Clerk

Register of Deeds
Michael J. Hasslinger

Deputy Register of Deeds
Christine A. Crouch

Land Information System Coordinator
Donald G. Dittmar

Real Property Tax Lister
Mary L. Gormanson



APR 22 1997

Representative Michael Powers
Chairman, Committee on Land Use
State Capital 19 North
Madison, WI 53702

April 18, 1997

Dear Chairperson Powers,

I'm sorry that I could not appear before you. I am in training for Waukesha County's Land Information System. My responsibilities for Waukesha County are as the Register of Deeds, Real Property Lister, Deputy County Surveyor, and Land Information Officer. In addition, I am overseeing the implementation of a Land Information System for Waukesha County.

I am opposed to the proposal in the current Governor's budget which would move the functions of the Wisconsin Land Information Board (WLIB) into the Department of Administration (DOA). The Land Information Program was to develop a land information system which could be used at all levels of government. It was assumed, that implementing standards for the development of a land information system which supported the detailed applications required by Local Governments would also support more generalized statewide applications. To date, the Wisconsin Land Information Program has supported the following Waukesha County activities:

1. Provided for all work relating to the relocation and remonumentation of all US Public Land Survey section and one-quarter section points in Waukesha County to be either completed or placed under contract. This project has resulted in the preparation of more accurate land descriptions and lower surveying costs to private citizens.
2. Provided for all work relating to the creation of digital, large scale base maps displaying both planimetric and topographic features for the entire area of Waukesha County to be either completed or placed under contract. This project has provided sound information for use in economic development and has improved floodplain delineation.
3. Provided for the conversion of analog parcel ownership maps into a high-precision, digital format for more than three fourths of Waukesha County. This project has identified property ownership encroachments and previously untaxed land areas.

Although not yet completed, these products have already had a significant impact on local governmental activities. The above products have been used by Waukesha County staff and the staff of local

Waukesha County ◇ 1846-1996 ◇ 150 Years of Leading the Way

1320 Pewaukee Road, Room 110
Waukesha, Wisconsin 53188
Phone: (414) 548-7583

Representative Powers

April 18, 1997

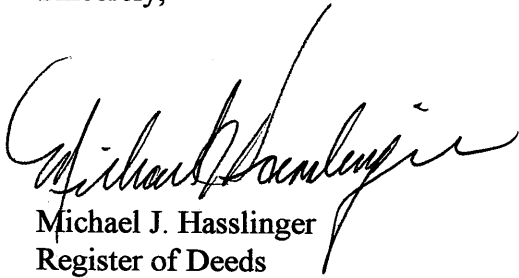
Page 2

municipalities to develop and/or support the following applications:

1. Transportation planning activities.
2. Completion of state mandated storm-water management plans.
3. Sanitary sewer system mapping.
4. Water distribution system inventory and monitoring.
5. Zoning
6. Land Use planning
7. Public safety awareness and prevention.
8. Property assessment.
9. Floodplain delineation.

The stated rationale for moving WLIB functions into DOA is to insure the availability of land information data to the newly proposed Wisconsin Land Council(WLC). My concern with the proposal is that the DOA may lose sight of the important role the Wisconsin Land Information program has in supporting not only land use activities, but all the other applications being developed by Counties and Local municipalities, a principle which the WLIB has clearly championed. I am confident that the WLIB program as currently structured will meet the information requirements of the proposed WLC and more importantly, all new initiatives which may be developed at the State, Regional, County, or local level. Therefore, I respectfully request that you oppose the proposal as currently presented.

Sincerely,



Michael J. Hasslinger
Register of Deeds

cc: Committee on Land Use members

COMMERCE

Budget Summary					FTE Position Summary					
Fund	1996-97 Adjusted Base	Governor		1997-99 Change Over Base Year Doubled		1996-97	Governor		1998-99 Over 1996-97	
		1997-98	1998-99	Amount	%		1997-98	1998-99	Number	%
GPR	\$22,611,500	\$22,026,900	\$22,014,400	-\$1,181,700	-2.6%	97.95	85.85	85.85	-12.10	-12.4%
FED	36,321,600	36,331,000	36,333,600	21,400	0.0	27.35	27.35	27.35	0.00	0.0
PR	25,096,900	28,518,700	27,562,500	5,887,400	11.7	229.85	236.45	236.45	6.60	2.9
SEG	92,944,300	125,070,100	104,171,800	43,353,300	23.3	90.20	94.20	94.20	4.00	4.4
TOTAL	\$176,974,300	\$211,946,700	\$190,082,300	\$48,080,400	13.6%	445.35	443.85	443.85	-1.50	-0.3%

Budget Change Items

Departmentwide and Economic Development

1. STANDARD BUDGET ADJUSTMENTS

Governor: Provide adjustments of \$81,800 GPR, -\$396,200 PR, -\$116,700 SEG and \$1,300 FED annually as follows: (a) turnover reductions (-\$71,700 GPR, -\$219,900 PR and -\$57,000 SEG); (b) removal of noncontinuing funding (-\$383,000 PR and -\$85,500 SEG); (c) full funding of continuing position salaries and fringe benefits (\$133,400 GPR, \$133,400 PR, \$4,600 SEG and -\$3,000 FED); (d) full funding of financial services costs (\$39,500 PR and \$4,900 SEG); (e) reclassifications (\$1,300 GPR); (f) risk management costs (\$300 GPR, \$4,300 PR, \$10,000 SEG and \$500 FED); (g) fifth week vacation as cash (\$9,900 GPR, \$24,600 PR, \$3,200 SEG and \$3,700 FED); and (h) full funding of delayed pay adjustments (\$8,600 GPR, \$4,900 PR, \$3,100 SEG and \$100 FED). In total, changes due to standard budget adjustments would reduce funding by \$429,800 annually.

Chg. to Base	
GPR	\$163,600
FED	2,600
PR	- 792,400
SEG	- 233,400
Total	- \$859,600

2. RURAL ECONOMIC DEVELOPMENT PROGRAM -- FUNDING ADJUSTMENTS

Governor: Adjust funding for the Rural Economic Development Program (RED) as follows:

Chg. to Base	
GPR	\$957,000
PR	473,500
Total	\$1,430,500

a. Increase the GPR appropriation for the RED by \$478,500 annually to reflect the transfer of funding from the Wisconsin Development Fund (WDF).

b. Increase expenditure authority for the Department's program revenue gifts and grants appropriation by \$200,000 PR annually to reflect anticipated private sector donations related to agribusiness development. Gifts and donations are placed in this appropriation and the funding may be used for the purpose for which the gifts or donations were made.

c. Increase expenditure authority for the RED repayments appropriation by \$82,900 PR in 1997-98 and decrease expenditure authority by \$9,400 PR in 1998-99 to reflect the estimated level of loan repayments.

d. Change the GPR appropriation for the RED from biennial to continuing.

Under these provisions, total GPR funding for the RED would be \$750,000 each year. Expenditure authority for the program revenue repayments appropriation would be \$162,400 in 1997-98 and \$70,100 in 1998-99. Including the \$200,000 that would be anticipated each year through the gifts and grants appropriation, total funding available for the RED would be \$1,112,400 in 1997-98 and \$1,020,100 in 1998-99.

The rural economic development program provides grants and loans for professional services and loans for working capital and fixed asset financing in starting or expanding a business. Similar to the WDF programs, loans and grants are made from both a GPR biennial appropriation, as well as from a program revenue repayment appropriation. The GPR appropriation is the primary source of funding for the program. Because the GPR appropriation is currently a biennial appropriation, funds that are not encumbered at the end of the biennium lapse to the general fund. Under the bill, as a continuing appropriation, no lapses would occur.

The program revenue repayments appropriation was established to operate similar to a revolving loan fund. Amounts received from RED loan repayments are credited to the repayments appropriation and these monies can be used to fund RED grants and loans. The program revenue repayments appropriation is a continuing appropriation and, consequently, unappropriated and unexpended amounts remain in the appropriation balance and can be used to fund future grants and loans. Funding was first appropriated during the 1993-95 biennium.

[Bill Section: 188]

3. RURAL ECONOMIC DEVELOPMENT PROGRAM -- GENERAL PROGRAM MODIFICATIONS

Governor: Modify provisions which generally apply to grants and loans for professional services and loans for working capital and fixed asset financing under the RED program as follows:

a. The definition of rural municipality would be modified to include a city, town or village with a population of up to 6,000, rather than the current law requirement that the municipality have a population of 4,000 or less. An eligible business would be a business that, together with any affiliate, subsidiary or parent entity, has fewer than 100 employees. The current limit on employees is 25. The definition of "job" for WDF programs would be cross-referenced. As a result, a job would be defined as a regular, nonseasonal full-time position in which an individual, as a condition of employment, is required to work at least 2,080 hours per year, including paid leave and holidays. A job would not be initial training before an employment position begins. The current definition of job does not specify the number of hours that must be worked in a year.

b. The Rural Economic Development Board would be required to award from 25% to 50% of the total amount awarded in a fiscal biennium for purposes related to an agricultural business under both the professional services grant and loan and working capital and fixed asset financing loan subprograms. The Board would be required to give priority to grants and loans that would be used for purposes related to a dairy farm, as defined under the statutes. In addition, the Departments of Commerce and Agriculture, Trade and Consumer Protection (DATCP) would be required to designate staff to evaluate applications for grants and loans for purposes related to agricultural businesses and to make recommendations and assist the Board in reviewing the applications.

c. The Board would be required to give priority to grants and loans related to brownfields redevelopment. The definition of brownfields would be cross referenced to that used for WDF programs. Consequently, brownfields would mean abandoned, idle or underused industrial or commercial facilities, the expansion or redevelopment of which is adversely affected by actual or perceived environmental contamination.

The Rural Economic Development program provides grants and loans for professional services and loans for working capital and fixed asset financing in starting or expanding a business. Similar to the WDF programs, loans and grants are made from both a GPR appropriation, as well as from a program revenue repayment appropriation.

A nine-member, Rural Economic Development Board makes the grants and loans. The Board consists of the Secretaries of Commerce and DATCP (or designees); one Senator and one Representative from each party representing rural districts; and three public members appointed by the Governor for staggered, three-year terms. The gubernatorial appointees are required to have experience operating a business in a rural municipality, and one member must have experience operating a cooperative in a rural municipality.

Currently, eligible applicants for RED grants and loans are businesses that meet the following criteria: (a) employ fewer than 25 persons; (2) are located in a rural municipality (a city, village or town with a population of 4,000 or less or a municipality located in a county with a population density less than 150 persons per square mile); and (3) are starting or expanding operations.

[Bill Sections: 4381 thru 4384, 4386, 4391, 4395, 4400, 4402 thru 4404 and 9310(3)]

4. RURAL ECONOMIC DEVELOPMENT PROGRAM -- MODIFICATIONS TO PROFESSIONAL SERVICES GRANTS AND LOANS

Governor: Reduce the maximum amount of a RED award for professional services or management assistance from \$30,000 to \$15,000. The bill would also provide that awards could only be made as grants. Finally, in addition to other criteria that must be considered in making an award, the Rural Economic Development Board would have to consider the number of existing jobs that would be retained if a grant was awarded and the number that would not be retained if a grant was not awarded.

The Rural Economic Development program provides grants and loans to fund professional services related to starting or expanding a business or for management assistance continuing after the start-up or expansion. Services which may be funded include: preparation of preliminary feasibility studies, feasibility studies or business or financial plans, providing a financial package, engineering studies, appraisals or marketing assistance and related legal, accounting or managerial services. Awards may be in the form of grants or loans and may not exceed \$30,000. A cash or in-kind match of at least 25% of the funds received is required.

Before making an award, the Rural Economic Development Board must consider all of the following: (1) the extent to which the project will create jobs; (2) the economic condition of the municipality; (3) the number of jobs to be created in relation to the award amount; (4) the degree to which the new or expanded business operation will provide beneficial services to the municipality; (5) whether financing is available from other sources; and (6) whether the business could start or expand its operations without the grant or loan.

[Bill Sections: 4385, 4387 thru 4390, 4392 and 9310(3)]

5. RURAL ECONOMIC DEVELOPMENT PROGRAM -- MODIFICATIONS TO LOANS FOR WORKING CAPITAL AND FIXED ASSET FINANCING

Governor: Increase the maximum award that could be provided for working capital or fixed asset financing from \$25,000 to \$100,000. Under the bill, grants could be awarded as well as the current loans. In order to receive a grant or loan, an applicant would be required to contribute an amount of cash, from a source other than the state, that would equal at least 25% of the project cost. The bill would repeal the statutory provision which establishes a maximum of 20% of total RED funding in a biennium can be used for these loans. The bill would also modify the current requirement that, in order to receive an award, a business must have received a RED professional services or management assistance grant or loan and have used the proceeds to demonstrate its feasibility. Instead, the business would have to successfully demonstrate the feasibility of the project for which it receives funding.

The Rural Economic Development Program awards loans to provide working capital or fixed asset financing for starting or expanding a business in a rural area or to fund employee relocation costs. Eligible Applicants are businesses which meet the following criteria: (1) have received a Rural Economic Development grant or loan for professional services; (2) successfully demonstrate the feasibility of the business; and (3) are unable to obtain financing from other sources in reasonably equivalent terms.

Before making a loan the Rural Economic Development Board must consider: (1) the viability of the proposed business startup or expansion; (2) the technical and management capabilities of the applicant; and (3) the availability of adequate financial resources to successfully complete the startup or expansion, including the amount directly provided by the applicant.

Currently, the maximum loan amount is \$25,000. A cash or in-kind match of at least 50% of the loan is required. A maximum of 20% of available funding in a biennium may be used for these loans.

[Bill Sections: 4394, 4396 thru 4399 and 9310(3)]

6. RURAL ECONOMIC DEVELOPMENT PROGRAM -- CREATE GRANT PROGRAM FOR FARM START-UPS, EXPANSIONS AND MODERNIZATION

Governor: Create a new grant program under the RED that would provide grants to a person or business that proposes to start-up, modernize or expand a dairy farm (as defined in the statutes) or other agricultural business in the state. In order to receive a grant, the person or business would have to own, either currently or in the future, the dairy farm or other agricultural business. Also, it would have to be likely that the grant would result in the start-up, modernization or expansion of the dairy farm or other agricultural business. Grant proceeds could be used to pay for services related to the start-up, modernization or expansion of the dairy farm or other agricultural business or for management assistance which would continue after completion of the start-up, modernization or expansion. Management assistance would include engineering and legal services and professional assistance in establishing or improving management systems, policies or procedures in such management concerns as financial planning, personnel, inventory control, production planning, purchasing, bookkeeping, record keeping and marketing. The maximum grant that could be awarded under the program would be \$5,000. The total amount of grants awarded under the program could not exceed \$200,000 for a fiscal year.

[Bill Sections: 4393 and 9310(3)]

IDENTICAL TO 1997 AB-100 (LRB-2310/1) AND 1997 SB-77 (LRB-2505/1)

Under current law, WHEDA may issue bonds and notes to finance certain economic development projects, including economic development projects involving sports and entertainment home stadiums. This bill eliminates the authority to issue bonds and notes for this purpose.

Under current law, WHEDA may issue up to \$10,000,000 in bonds and notes for its beginning farmer program, which assists beginning farmers in purchasing agricultural land and improvements. This bill raises the limit on total bonds and notes that WHEDA may issue under the program to \$17,500,000.

This bill authorizes the department of tourism to award grants to statewide organizations that represent counties. An organization must use the grant proceeds to promote international trade, business and economic development in the state.

This bill gives the department of tourism the exclusive right to license the commercial use of certain state symbols and certain representations that are designed by the state or that are affixed to state property for the purpose of manufacturing or marketing any article of merchandise on which is affixed such symbols or representations. The department may enter into contracts for the manufacture or marketing of any article of merchandise on which is affixed any state symbol or representation and may market or sell such merchandise itself. The department is required to enter into contracts for the marketing or sale of such merchandise with one or more statewide organizations that represent counties. Moneys received by the department from contracts, license fees or the sale of merchandise, and moneys received by statewide organizations from the sale of merchandise, must be used for tourism promotion and for grants to one or more statewide organizations that represent counties for international trade, business and economic development.

This bill authorizes the department of tourism to acquire excess or surplus state property from DOA and from the department of transportation (DOT) and to sell the property to any person at a price determined by the department of tourism. The department of tourism is required to enter into contracts for the marketing or sale of such property with one or more statewide organizations that represent counties. Moneys received by the department of tourism from the sale of such property, and moneys received by statewide organizations from the sale of such property, must be used for tourism promotion and for grants to one or more statewide organizations that represent counties for international trade, business and economic development.

Under the current rural economic development program, which is administered by the department of commerce, the rural economic development board may award a grant or loan to a business that has fewer than 25 employees and that is located in a rural municipality (a city, village or town that has a population of 4,000 or less or that is located in a county with a population density of less than 150 persons per square mile). The program has 2 parts. Under the first part, the recipient business must use the grant or loan, which may not exceed \$30,000, for start-up

IDENTICAL TO 1997 AB-100 (LRB-2310/1) AND 1997 SB-77 (LRB-2505/1)

costs. Under the 2nd part, a business that received a grant or loan under the first part of the program may receive a loan, which may not exceed \$25,000, for working capital, fixed asset financing or employe relocation costs. The total amount of the loans awarded in a fiscal biennium under the 2nd part of the program may not exceed 20% of the total amount appropriated for the program in that fiscal biennium. Under both parts of the program, the recipient business may be required by the board to contribute a portion of the cost of the project in cash or in-kind services.

This bill makes a number of changes to this program. The definition of rural municipality is changed to include a city, village or town with a population of 6,000 or less. An eligible business must have fewer than 100, rather than 25, employes. A business need not have received a grant or loan under the first part of the program in order to be eligible for an award under the 2nd. The first part, under which the board may award a grant or a loan, is changed so that only grants may be awarded and the maximum amount of an award is changed from \$30,000 to \$15,000. Under the 2nd part, the board may award grants and loans instead of only loans and the maximum amount of an award is changed from \$25,000 to \$100,000. The limit on the awards under the 2nd part is eliminated. In addition, a recipient of any award under the program is required to contribute cash from a nonstate source in an amount that equals at least 25% of the total cost of the project.

The bill provides that under each of the 2 parts, the board must award for purposes related to agricultural businesses not less than 25% nor more than 50% of the total amount awarded under that part in a fiscal biennium. The department of commerce and DATCP must designate staff to evaluate applications and make recommendations for grants or loans for purposes related to agricultural businesses.

The bill also authorizes the department to award a grant, not exceeding \$50,000, to a person or a business proposing to start up, modernize or expand a dairy farm or other agricultural business in the state. The person or business must own the dairy farm or other agricultural business and use the grant proceeds to pay for services related to the start-up, modernization or expansion of the dairy farm or other agricultural business or for management assistance continuing after completion of the start-up, modernization or expansion project. The total amount of grants that may be awarded in a fiscal year for this purpose may not exceed \$200,000.

This bill makes a number of changes to the minority business development program, under which the department of commerce and the minority business development board make grants and loans for business development projects to minority group members and businesses that are at least 51% owned, controlled and actively managed by a minority group member or members. The business development projects are of 2 general types: projects that involve the planning stages of a business (early planning projects) and projects that involve the start-up, expansion or acquisition of a business (development projects). The department may award grants for early planning projects and the board may award grants or loans for development projects. In addition, the board may award a grant or loan to a local development corporation, defined as the governing body of a federally recognized

to one or an area that is in a primary health care professional shortage area as determined under federal law. Through PLAP Commerce may repay, on behalf of the physician, up to \$50,000 over a five-year period in educational loans obtained by the physician from a public or private lending institution for education in an accredited school of medicine or for post-graduate medical training. The loans are repaid according to the following schedule: (1) 10% of the principal up to \$5,000 in the first year; (2) an additional 12.5% of the principal up to \$6,250 in the second year; (3) an additional 15% of the principal up to \$7,500 in the third year; (4) an additional 20% of the principal up to \$10,000 in the fourth year; and (5) an additional 42.5% of the principal up to \$21,250 in the fifth year. The PLAP is funded by a separate GPR continuing appropriation. Base level funding is \$317,200.

The HCPLAP is a program that repays loans of primary health providers (physician assistants, nurse-midwives and nurse practitioners) who agree to practice in areas that are underserved by primary care providers. Eligible practice areas and primary care shortage areas are defined the same under HCPLAP as under PLAP except psychiatric shortage areas are excluded. Commerce may repay, on behalf of health care providers, up to \$25,000 over a five-year period in educational loans obtained from a public or private lending institution for education related to the health care provider's field of practice. The loans are repaid according to the following schedule: (1) 10% of the principal up to \$2,500 in the first year; (2) an additional 12.5% of the principal up to \$3,125 in the second year; (3) an additional 15% of the principal up to \$3,750 in the third year; (4) an additional 20% of the principal up to \$5,000 in the fourth year; and (5) an additional 42.5% of the principal up to \$10,625 in the fifth year. The HCPLAP is funded by a separate GPR, continuing appropriation. Base level funding is \$53,000.

[Bill Sections: 189 thru 192, 1942, 4405 thru 4442 and 9310(1)]

38. DEVELOPMENT ZONES PROGRAM CHANGES

Governor: Modify the state development zones program as follows:

- a. Increase the statewide total amount of credits that could be claimed by \$5 million to a total of \$33.155 million.
- b. Authorize the Department of Commerce to increase the established limit for tax benefits for all current development zones.
- c. Authorize local governing bodies to apply to the Department of Commerce for up to five twelve-month extensions (rather than three extensions currently) of the designation of an area as a development zone.
- d. Provide that, if an area that is nominated or designated as a development zone includes one or more entire counties, then any city, village or town that was partially located in the area would

have to be entirely included in the area that was nominated for designation or designated as a development zone.

e. Eliminate the current development zones tax credits from the definition of tax benefits that are provided through the state development zone, development opportunity zone and enterprise development zone programs, starting with tax years that begin on January 1, 1998. To replace the current development zone credits, a new consolidated development zone credit, based on amounts spent on environmental remediation and the number of new jobs created or retained would be provided. (Shown under "General Fund Taxes".)

The development zone program was created by 1987 Wisconsin Act 328. Under the provisions of Act 328, the Department of Commerce (at that time, the Department of Development) was given authority to designate eight development zones throughout the state and a total of \$14 million was authorized for tax credits over the life of the program. Since it was first established in 1987, the development zone program has been expanded three times. In 1990, the development zone program was expanded to allow for designation of four additional zones and an additional \$4.155 million in total tax credits. In 1993 Wisconsin Act 16 (the 1993-95 budget), the program was further expanded to increase by two, to a total of 14 zones, the total number of development zones that could be designated. The total amount of tax credits that could be allocated was increased by \$3 million to \$21.155 million. Finally, 1995 Wisconsin Act 209 increased the number of development zones that could be designated from 14 to 18 and the total amount of statewide credits was increased by \$7 million, to a total of \$28.155 million.

The Department of Commerce allocates the total statewide authorization of development zone credits (currently \$28.155 million) to each of the eighteen development zones. In addition, the 14 zones that were designated before April 25, 1996, are eligible for an additional allocation of \$500,000 in tax benefits. A development zone designation expires 90 days after the day on which the Department determines that foregone tax revenues will equal or exceed the total credit allocation for the zone.

Businesses which locate, expand, invest and conduct certain economic activities in the zones are eligible to claim the development zone tax credits. The Department certifies each business as eligible for tax benefits and assigns credits to the certified businesses based on plans submitted by the business and recommendations by local officials. Commerce is also responsible for monitoring and evaluating implementation of the program, applying for available federal assistance for the program and providing technical assistance both to local governments in preparing applications and plans and to persons applying for tax benefits.

To be designated as a development zone, an area must have certain required characteristics related to a high level of unemployment or poverty and decreasing property values. An area that is designated a development zone is subject to certain property value and population limits. A development zone cannot include more than 10% of the property value of the city, village or town in which it is located. Also, a development zone in a first class city must contain a population of at

least 4,000 up to a maximum of 10% of the total population of the city. In other cities, villages or towns, a development zone must include a population of between 1,000 and 10,000. A development zone is required to have a contiguous border following natural or man-made boundaries and consist of contiguous blocks, census blocks or similar units. An entire county (or counties) can be designated as a development zone if the total population is less than 75,000. In a first class city, up to eight separate areas can be designated as a single development zone. Two separate areas in other municipalities may be designated a development zone, if certain requirements are met. Four separate areas may be designated a zone in a county.

Based on its evaluation of nomination applications and project plans, Commerce designates an area as a development zone. Designation as a development zone is effective for seven years (84 months). The local governing body can apply to Commerce for up to three, one-year extensions of the designation.

[Bill Sections: 4507 thru 4511 and 9310(10)]

39. ELIMINATE REPORTING REQUIREMENTS

Governor: Eliminate statutory provisions which require Commerce to provide certain reports or information as follows:

- a. Transfer responsibility for preparing a biennial report on the social, economic and financial effects and impacts of tax increment financing (TIF) from the Department of Commerce to the Department of Revenue, beginning with the 1999-01 biennium. The report would be required to be made to the Governor and Legislature at the beginning of each biennium.
- b. Transfer responsibility for preparing an annual report which addresses the effects of the lending programs that are administered by the Wisconsin Housing and Economic Development Authority (WHEDA) on economic development from Commerce to WHEDA, beginning with the July 1, 1998 report. The report is required to be annually submitted to the chief clerk of each house of the Legislature by July 1.
- c. Transfer, from the Department of Commerce to Forward Wisconsin, responsibility for preparing an annual report stating the net jobs gain due to the funding provided by the Department to Forward Wisconsin, beginning with the July 1, 1998 report. The report is required to be annually submitted by July 1 to the appropriate standing committees of the Legislature.
- d. Eliminate the requirement that the Department submit a report that describes the types of investments in state businesses which would have the greatest likelihood of enhancing economic development in the state. The report must be submitted to the state Investment Board in every odd-numbered year. After consultation with Commerce, the State Investment Board would continue to

IDENTICAL TO 1997 AB-100 (LRB-2310/1) AND 1997 SB-77 (LRB-2505/1)

organization, as well as to a political subdivision, to develop a plan for diversifying the local or regional economy. In addition, the bill requires the purpose of the plan to include attracting new businesses and jobs and promoting economic development.

The bill also creates another community-based economic development program. Under this program, the department may make a grant to a community-based organization or private nonprofit organization for the purpose of a venture capital development project that assists entrepreneurs or businesses in obtaining funding for the start-up or development of a business. The project must be likely to stimulate investment, promote economic development or create or retain jobs in the state. An applicant must submit a plan related to the project, and the plan must be approved by the secretary of commerce. An applicant must also provide at least 50% of the cost of the project through cash or in-kind contributions. The department may not award more than \$75,000 in grants under the new program in any fiscal year.

This bill creates a new program, to be funded by the Wisconsin development fund and called the manufacturing assessment grant program, under which a grant of up to \$2,500 may be made to a business with 500 or fewer employees to fund a management assessment and plan. The assessment and plan must be likely to assist the business in adopting and implementing new manufacturing processes and technologies and to help make the business more competitive. Total grants under the program may not exceed \$750,000 in a fiscal biennium.

The bill eliminates the research grant and loan program, funded by the Wisconsin development fund, under which grants and loans may be made to a business with 250 or fewer employees to fund research having a potential commercial application. A similar program under current law, the technology development grant and loan program, provides grants and loans to businesses of any size to fund technical research intended to result in the development of a new or improved industrial product or process.

The bill also authorizes the department of commerce to charge a grant or loan origination fee of up to 1.5% of a grant or loan that exceeds \$200,000 and that is awarded under either of 2 programs funded by the Wisconsin development fund, the major economic development projects program or the customized labor training grants and loans program. Revenue from the fees is used for the costs of underwriting grants and loans paid from the Wisconsin development fund and for administering the grant and loan programs funded by the Wisconsin development fund.

Under the current development zone program, after the department of commerce designates an area as a development zone, a person or corporation that conducts or intends to conduct economic activity in the designated zone may be certified by the department as eligible for certain tax credits. The designation of an area as a development zone is effective for 84 months, but this period may be extended for 12 months up to 3 times. When the department designates a development zone, the department allocates to the development zone a portion of

IDENTICAL TO 1997 AB-100 (LRB-2310/1) AND 1997 SB-77 (LRB-2505/1)

\$28,155,000, which is the total amount of tax credits that may be claimed under the program. Current law authorizes the department to increase the original amount of tax credits that were allocated to a development zone at its designation by up to \$500,000.

This bill changes the total amount of tax credits that may be claimed under the program to \$33,155,000. The bill removes the limit on any increase in the original amount of tax credits that were allocated to a development zone. Finally, the bill allows the designation of a development zone to be extended for 12 months up to 5 times.

CORRECTIONAL SYSTEM**ADULT CORRECTIONAL SYSTEM**

Under current law, a person serving a sentence of imprisonment to a state prison usually has 3 possible ways of being released on parole: discretionary parole granted by the parole commission (for which a person is usually eligible after serving 25% of the sentence or 6 months, whichever is greater); mandatory release on parole (usually granted automatically after the person serves two-thirds of the sentence); or special action parole release by the secretary of corrections (a program designed to relieve prison crowding).

However, current law also provides different parole eligibility provisions for certain serious felony offenders. If a serious felony offender has one or more prior convictions for a serious felony, a judge may set a discretionary parole eligibility date for the offender that is later than 25% of the sentence or 6 months but not later than the mandatory release date of two-thirds of the sentence. In addition, certain serious felony offenders need not be automatically released when they reach their mandatory release dates. Instead, the parole commission may deny mandatory release to such offenders in order to protect the public or because an offender refuses to participate in counseling or treatment. The serious felony offenders covered by these parole provisions include persons convicted of serious violations such as homicide, battery, sexual assault, mayhem, kidnapping, taking hostages, arson, armed burglary, armed robbery, carjacking, assault by a prisoner, crimes against children and unlawful manufacture, sale or possession of controlled substances (dangerous drugs).

This bill increases the maximum term of imprisonment for certain felonies (see CRIMES) and changes the structure of sentences imposed for felony offenses. Under the bill, if a court chooses to sentence a felony offender to a term of imprisonment in state prison for a felony committed on or after July 1, 1998, the court must do so by providing a bifurcated sentence that includes a term of confinement in prison followed by a term of community supervision. The offender is not eligible for any type of parole. A bifurcated sentence imposed under the bill must be structured as follows:

1. The total length of the bifurcated sentence may not exceed the maximum term of imprisonment allowable for the felony.
2. The court must set the term of confinement in the prison portion of the sentence to be at least one year but not more than 40 years for a Class B felony, 20 years for a Class BC felony, 10 years for a Class C felony, 5 years for a Class D felony,



APR 22 1997

Assembly Republican Caucus

- In response to your recent request.
- I thought you might be interested in the enclosed material.

Kathi:-

*Attached is a map to the
Rock Co. Courthouse.*

*I know Mike probably
doesn't need it, but I've
also listed the time and room
of the forum.*

*Ameron packet will be
forth coming.*

Any questions, please call.

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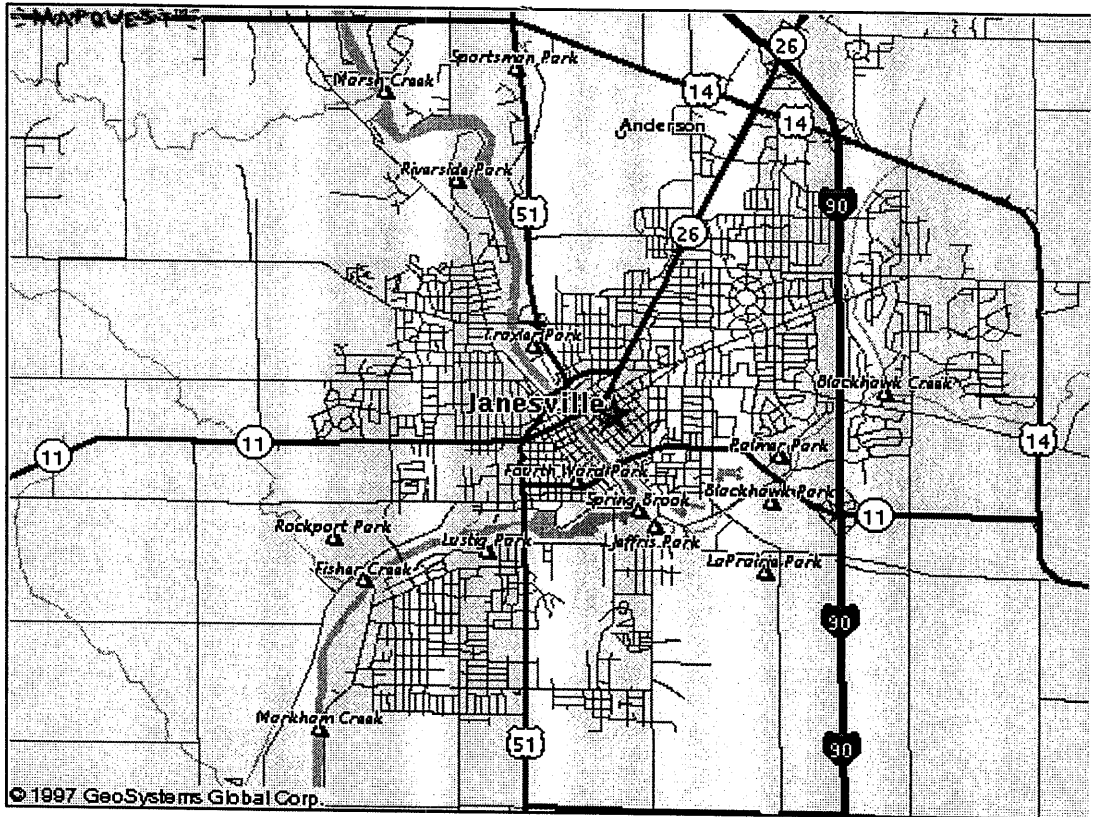
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9:30 pre-brief
 10:00- 12:00 forum / press conference
 Room N-1 4th Floor - Rock County Courthouse



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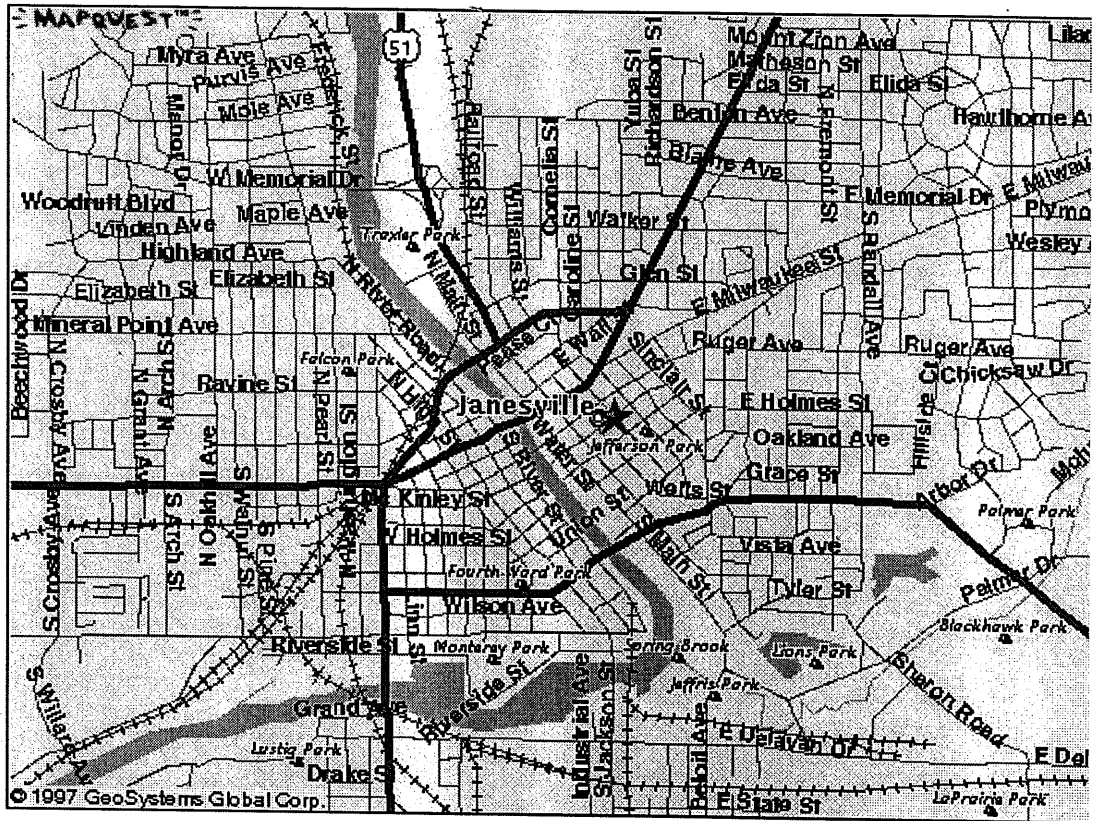
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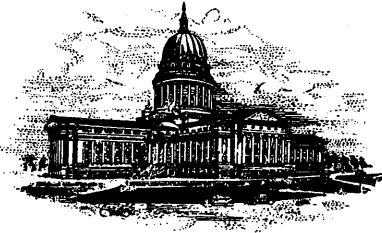
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APR 15 1997

Wisconsin State Assembly

P.O. BOX 8952 • MADISON, WI 53708

MEMORANDUM

To: Rural Affairs and Land Use Committee Members

From: Chairpersons Ainsworth and Powers

Date: April 15, 1997

Re: Background Materials for Upcoming Budget Briefing

Please find attached background materials regarding the topics receiving testimony at the April 24, 1997, joint public informational briefing. The attached information consists of portions of the Legislative Reference Bureau Analysis and Legislative Fiscal Bureau Summary.

If you have any additional questions regarding the upcoming hearing, please contact either one of our offices. Thank you.

Transfers and Modifications of Functions

1. REPEAL LAND INFORMATION BOARD

Governor: Repeal the Land Information Board, shift 2.5 PR positions and current duties of the Board, with certain modifications, to a new land information program within DOA. Specify that the transferred employees would retain all rights and status that they had prior to the transfer and that they would not be required to serve any new probationary period as a result of the transfer. Specify that all rules and orders of the Land Information Board would remain in effect until they expire or are repealed and that all matters pending before the Board on the effective date of the bill be transferred to DOA. Shift the existing appropriations of the Board for general program operations, grants to counties and technical assistance and education to DOA.

The Land Information Board is composed of the following 16 members: (a) four department secretaries (Administration, Agriculture, Trade and Consumer Protection, Natural Resources and Transportation or their designees); (b) the State Cartographer; (c) four representatives from county and municipal government selected from various geographical regions of the state, including at least one member of a county board, one member of a city council, village board or town board and one person who is a county officer active in land information management; and (d) four representatives from public utilities and private businesses selected from various geographical regions of the state, including at least one public utility representative and at least one representative of a professional land information board. The non-ex officio members are appointed, with the advice and consent of the Senate, by the Governor to six-year terms.

[Bill Sections: 44, 51, 134, 136, 139 thru 141, 682 thru 684, 774, 775, 1156, 1164, 2164, 2175 thru 2178, 2489 and 9101(1)]

2. WISCONSIN LAND COUNCIL CREATION

Governor: Create a 16-member Wisconsin Land Council, attached to DOA for administrative purposes. The Council would sunset on August 31, 2003. Provide that the Council have the following membership and duties:

Membership. Specify the following Council membership: (a) the Secretaries (or their designees) of the Departments of Administration, Agriculture, Trade and Consumer Protection, Commerce, Natural Resources, Revenue, and Transportation; (b) the State Cartographer; (c) one member who represents the interests of cities; (d) one member who represents the interests of counties; (e) one member who represents the interests of towns; (f) one member who represents the interests of local governments; (g) one representative from the University of Wisconsin System; and

(h) four members of the public. Except for ex officio members, the members of the Council would be appointed by the Governor.

Specify that members representing cities, counties, towns, local governments, the UW System and the four public members serve five-year terms. For the initial appointment of the members with fixed terms, their terms of appointment be staggered with three members having terms that expire on July 1, 2000, three members having terms that expire on July 1, 2001, and three members having terms that expire on July 1, 2002. Provide that the Governor appoint a member of the Council to serve at the pleasure of the Governor, as Council Chair.

Duties. Require the Council to:

- a. Identify and recommend state land use goals;
- b. Identify state land use priorities to further the state's land use goals and recommend legislation to implement these priorities;
- c. Study areas of cooperation and coordination in the state's land use statutes and recommend legislation to harmonize these statutes to further the state's land use goals;
- d. Study areas of the state's land use statutes that conflict with each other and recommend legislation to resolve these conflicts to further the state's land use goals;
- e. Identify areas of the state's land use statutes that conflict with county or municipal land use ordinances, and areas of county or municipal land use ordinances that conflict with each other, and recommend legislation to resolve these conflicts;
- f. Establish a technical working group composed of the State Cartographer, a representative of the University of Wisconsin System who has expertise in land use issues and any other land use experts designated by the Council's chairperson, to study the development of a computer-based Wisconsin land information system and recommend legislation to implement such a computer system;
- g. Establish a state agency resource working group composed of representatives of the Departments of Administration, Agriculture, Trade and Consumer Protection, Commerce, Natural Resources, Revenue, Transportation and other appropriate agencies to discuss, analyze and address land use issues and related policy issues, including: (a) gathering information about the land use plans of state agencies; (b) establishing procedures for the distribution of the information to other state agencies, local units of government and private persons; and (c) the creation of a system to facilitate, and to provide training and technical assistance for the development of, local intergovernmental land use planning;

h. Study the activities of local units of government in the land use area to determine how these activities impact on state land use goals, and recommend legislation to foster coordination between local land use activities and state land use goals;

i. Identify procedures for facilitating local land use planning efforts, including training and technical assistance for local units of government, and recommend legislation to implement such procedures;

j. Gather and analyze information about the land use activities in this state of the federal government and American Indian governments and inform the Governor of the impact of these activities on state land use goals;

k. Study any other issues that are reasonably related to the state's land use goals, including methods for alternative dispute resolution for disputes involving land use issues, and recommend legislation in the areas studied by the Council that would further the state's land use goals; and

l. Establish a state-local government-private sector working group to study and advise the Council on land use issues; and

m. At the Council's discretion, gather information about land use issues including: (a) holding public hearings or informational meetings on land use issues; (b) conducting surveys on land use issues; and (c) consulting with any person who is interested in land use issues.

Require that any recommended legislation be submitted to the Governor. Specify that, no later than one year after the effective date of the bill, the Council, in conjunction with the state-local government-private sector working group, develop evaluation criteria for its functions. Require the Council to complete, not later than September 1, 2002, a report that contains an evaluation of its functions and activities and a recommendation as to whether the Council should continue in existence past its sunset date (August 31, 2003) and, if so, an enumeration of any recommended structural modifications to the Council's functions or to the state's land use programs. Require the report to be submitted to the Governor and the Legislature.

[Bill Sections: 55, 97 and 9101(2)]

3. ESTABLISH LAND INFORMATION PROGRAM

Governor: Provide net increased funding of \$601,800 PR and \$275,000 SEG in 1997-98 and \$434,500 PR and \$225,000 SEG in 1998-99 and 5.5 PR positions for: (a) establishment of a modified land information program in the Department instead of in the Land Information Board; (b) functions of the Wisconsin Land Council created under the bill; and (c) a new requirement that DOA develop and maintain geographic information systems (GIS)

	Chg. to Base Funding Positions	
PR	\$1,036,300	5.50
SEG	<u>500,000</u>	<u>0.00</u>
Total	\$1,536,300	5.50

relating to land in Wisconsin for use by state and local governments and the public. Existing funding and staff for the Land Information Board would also be transferred to DOA under the land information program. The increased program revenue funding and positions (\$460,800 PR in 1997-98 and \$300,500 PR in 1998-99 and 3.0 PR positions from a new fee assessed certain state agencies, and \$177,500 PR in 1997-98 and \$170,500 PR in 1998-99 and 2.5 PR positions from the current \$2 land information fee) would be used to provide additional support for DOA's land information program and activities of the Council. In addition, DOA's printing, document sales, mail distribution and record services appropriation is reduced by \$36,500 PR annually as a result of the transfer. Under the bill, total funding for the land information program would be \$2,645,700 PR and \$275,000 SEG in 1997-98 and \$2,478,400 PR and \$225,000 SEG in 1998-99 and a total of 8.0 PR positions.

Shift the existing appropriations to the Board (PR appropriations for: (a) general program operations; (b) land information project grants to counties; and (c) technical assistance and education) to DOA. Modify the general program operations appropriation to provide that this appropriation may be used both for the land information program functions established under DOA and also for the functions of the Wisconsin Land Council. Further, create a SEG appropriation, funded from the recycling fund, for the new requirement that DOA develop and maintain geographic information systems related to land in the state (funding of \$275,000 SEG in 1997-98 and of \$225,000 SEG in 1998-99). Also, create a program revenue appropriation, funded by fees assessed by DOA against state agencies for the Department's land information functions and the functions of the Land Council. Provide that the fees may be assessed against any state agency for any amount that DOA determines to be required to support these functions. The executive budget book indicates that fees would be assessed to six agencies (DOA, DATCP, Commerce, DNR, DOR and DOT).

Transfer all existing duties of the Land Information Board to the land information program established under DOA. The following duties would be transferred: (a) to direct and supervise the state land information program; (b) to serve as the state clearinghouse for access to land records; (c) to maintain and distribute an inventory of land information and land information systems available in and for Wisconsin; (d) to prepare guidelines to coordinate the modernization and integration of land records and land information systems in and among local units of government and state agencies; (e) to determine the award of grants to counties for land information projects; and (f) to approve countywide plans for land records modernization. In addition, the following existing duties for review would also be transferred but with the modification that DOA would facilitate (presumably in concert with other parties) the following: (a) the review of counties' applications for grants for land information projects; (b) review of countywide plans for land records modernization; and (c) provision of technical assistance and advice to state agencies and local governmental units with land information responsibilities.

Provide that the following provisions, currently applicable to the Land Information Board, be instead be made applicable to DOA under the land information program: (a) DOA could seek advice and assistance from the UW, state agencies, local units of government and experts involved in collecting and managing land information; (b) state agencies would be required to cooperate with DOA in the coordination of land information collection; (c) DNR would be required to cooperate

with DOA in conducting wetlands mapping activities or any related land information collection activities and to consult with DOA in determining the scope and character of aerial photographic surveys; (d) DATCP would be required to cooperate with DOA in developing a methodology to collect and organized soil erosion data; and (e) the UW Board of Regents would have to consult with DOA regarding the appointment of the State Cartographer and the cartographer's exercise of his or her duties.

Specify that in regard to the land information program responsibilities transferred to DOA, the definition of a state agency includes an office, department, independent agency, institution of higher education, association, society or other body in state government created by the constitution or any law and includes the Legislature and the Courts but not statutory authorities.

[Bill Sections: 133 thru 142, 669, 672, 673, 682 thru 684, 774, 775, 1156, 1164, 2164, 2175 thru 2178, 2489 and 9101(1)]

4. TRANSFER PLAT REVIEW AND MUNICIPAL BOUNDARY REVIEW TO DOA

	Chg. to Base Funding Positions	
GPR	\$208,200	2.00
PR	<u>671,200</u>	<u>5.50</u>
Total	\$879,400	7.50

Governor: Provide \$104,100 GPR annually and 2.0 GPR positions to reflect the transfer of the municipal boundary review function from the Department of Commerce to DOA and \$335,600 PR annually and 5.5 PR positions to reflect the transfer of the plat review function from Commerce to DOA. Modify the Department of Commerce's safety and buildings appropriation to provide for plat review functions that remain with Commerce (the review and approval of lot size and lot elevation for septic systems and assurances of adequate drainage for waste treatment facilities). Specify that all employees performing these functions on the effective date of the bill are transferred to DOA with the same status and right that they had in Commerce prior to the transfer and that they would not be required to serve any new probationary period as a result of the transfer. Further, specify that all assets, liabilities and personal property of Commerce that related to plat review and municipal boundary review become the property of DOA on the effective date of the bill. Require that any matter pending with Commerce related to plat review or municipal boundary review on the effective date of the bill become the responsibility of DOA. The PR supported funding is derived from fees that are assessed individuals for plat reviews.

While, under current law, both programs are statutorily assigned to Commerce, they are being administered by the Department of Revenue under a memorandum of understanding.

Under current law, anyone wanting to divide a parcel of land into five or more lots of one and a half acres or less for the purpose of sale or building development must have the land surveyed and a plat or the land reviewed and approved by both a specified local agency and the Department of Commerce. This general plat review and approval function is transferred under the bill from Commerce to DOA.

Executive Budget Bill Provisions on Wisconsin Land Council

SECTION 55. 15.107 (16) of the statutes is created to read:

15.107 (16) WISCONSIN LAND COUNCIL. (a) *Creation.* There is created a Wisconsin land council, attached to the department of administration under s. 15.03.

(b) *Members.* The Wisconsin land council shall consist of the following members:

1. The secretary of administration.
2. The secretary of agriculture, trade and consumer protection.
3. The secretary of commerce.
4. The secretary of natural resources.
5. The secretary of revenue.
6. The secretary of transportation.
7. The state cartographer.
8. One member who represents the interests of cities.
9. One member who represents the interests of counties.
10. One member who represents the interests of towns.
11. One member who represents the interests of local governments.
12. One representative from the University of Wisconsin System.
13. Four members of the public.

(c) *Designees.* Under par. (b), an agency head may appoint a designee to serve on the council, if the designee is an employe or appointive officer of the agency who has sufficient authority to deploy agency resources and directly influence agency decision making.

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

(e) *Sunset.* This subsection does not apply after August 31, 2003.

SECTION 97. 16.023 of the statutes is created to read:

16.023 Wisconsin land council. (1) The Wisconsin land council shall conduct the following functions:

(a) Identify state land use goals and recommend these goals to the governor.

(b) Identify state land use priorities to further the state's land use goals and recommend to the governor legislation to implement these priorities.

(c) Study areas of cooperation and coordination in the state's land use statutes and recommend to the governor legislation to harmonize these statutes to further the state's land use goals.

(d) Study areas of the state's land use statutes that conflict with each other and recommend to the governor legislation to resolve these conflicts to further the state's land use goals.

(e) Identify areas of the state's land use statutes that conflict with county or municipal land use ordinances, and areas of county or municipal land use ordinances that conflict with each other, and recommend to the governor legislation to resolve these conflicts.

(f) Establish a technical working group that is composed of the state cartographer, a representative of the University of Wisconsin System who has expertise in land use issues and any other land use experts designated by the council's chairperson, to study the development of a computer-based Wisconsin land information system and recommend to the governor legislation to implement such a computer system.

(g) Establish a state agency resource working group that is composed of representatives of the departments of administration, agriculture, trade and consumer protection, commerce, natural resources, revenue, transportation and other appropriate agencies to discuss, analyze and address land use issues and related policy issues, including the following:

1. Gathering information about the land use plans of state agencies.

2. Establishing procedures for the distribution of the information gathered under subd. 1. to other state agencies, local units of government and private persons.

3. The creation of a system to facilitate, and to provide training and technical assistance for the development of, local intergovernmental land use planning.

(h) Study the activities of local units of government in the land use area to determine how these activities impact on state land use goals, and recommend to the governor legislation that fosters coordination between local land use activities and state land use goals.

(i) Identify procedures for facilitating local land use planning efforts, including training and technical assistance for local units of government, and recommend to the governor legislation to implement such procedures.

(j) Gather and analyze information about the land use activities in this state of the federal government and American Indian governments and inform the governor of the impact of these activities on state land use goals.

(k) Study any other issues that are reasonably related to the state's land use goals, including methods for alternative dispute resolution for disputes involving land use issues, and recommend to the governor legislation in the areas studied by the council that would further the state's land use goals.

(L) Gather information about land use issues, at its discretion, in any reasonable way, including the following:

1. Establishing a state-local government-private sector working group to study and advise the council on land use issues.
2. Holding public hearings or information meetings on land use issues.
3. Conducting surveys on land use issues.
4. Consulting with any person who is interested in land use issues.

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