



(DNOTE)
State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1634/P-2
MES&JTK:cjs:km

soon

DOA:.....Grinde - Merge Land Information Board into the Wisconsin Land Council, increase the land record fee

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

Do Not GEN

- 1 AN ACT... relating to ^{abolition of} merging the land information board ^{and transferring its} into the Wisconsin
- 2 ~~land council~~ ^{functions}, adding members to the Wisconsin land council, changing the
- 3 duties of the Wisconsin land council, and increasing the land records fee.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

PSA

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

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

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

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

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

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

, as affected by 1999 Wisconsin Act 9, section 12n,

1 SECTION 1. 15.01 (4) of the statutes is repealed and recreated to read:

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

, as affected by 1997 Wisconsin Act 27,

11 SECTION 2. 15.07 (1) (b) 16. of the statutes is repealed.

12 SECTION 3. 15.105 (16) of the statutes is repealed.

*, as affected by 1997
Wisconsin
Act 27,*

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

1 15.107 (16) (b) 14. One member who is a representative from a public utility.

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

3 15.107 (16) (b) 15. One member who represents a professional land information
4 organization.

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

6 15.107 (16) (b) 16. One member who is nominated by a statewide association
7 whose purposes include support of a network of statewide land information systems.

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

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

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

13 **SECTION 9.** 16.023 (1) (f) of the statutes is amended to read:

14 16.023 (1) (f) Establish a technical working group that is composed of the state
15 cartographer, a representative of the University of Wisconsin System who has
16 expertise in land use issues and any other land use experts designated by the
17 council's chairperson, to study the development of a computer-based Wisconsin land
18 information system and recommend to the governor legislation to implement such
19 a computer system. A group that is established under this paragraph is disbanded
20 on, and may not continue any of its functions or activities under this paragraph after
21 the effective date of this paragraph . . . [revisor inserts date].

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

23 16.023 (1) (fm) Establish a land information working group that is composed
24 of ~~XXXX~~, to conduct all of the following functions:

25 1. Study and recommend land information standards.

- 1 2. Advise the department on a Wisconsin land information system.
- 2 3. Advise the department on coordination of state and local land information.
- 3 4. Review county land records modernization plans and make
- 4 recommendations on approval to the department.

→ ¶ 5. Review proposed expenditures to be made to finance planning activities related to the transportation elements of comprehensive plans under s. 16.965(2) and make recommendations on approval to the department.

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

→ ¶ SECTION #. RP; 16.023 (1)(m)
SECTION 11. 16.023 (1) (n) of the statutes is created to read:

16.023 (1) (n) Review land information grant applications that are made under

s. 16.967 (7) and make recommendations on approval to the department.

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

8
Mrs
9
4-8
10

SECTION 12. 16.023 (3) of the statutes is repealed,
SECTION 13. 16.965 (3) of the statutes is repealed and recreated to read:
16.965 (3) Prior to awarding a grant to a local governmental unit under sub.

(2), the department shall forward a statement of the expenditures proposed to be made under the grant to the Wisconsin land council for its recommendation concerning approval.

SECTION 14. 16.965 (5) of the statutes is repealed and recreated to read:

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

SECTION 15. 16.9651 (2) of the statutes is amended to read:

16.9651 (2) From the appropriation under s. 20.505 (1) (z), the department may provide grants to local governmental units to be used to finance the cost of planning activities related to the transportation element, as described in s. 66.0295 (2) (e) s. 66.1001 (2) (c), of a comprehensive plan, as defined in s. 66.0295 (1) (a) 66.1001 (1)

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

1 (a), including contracting for planning consultant services, public planning sessions
2 and other planning outreach and educational activities, or for the purchase of
3 computerized planning data, planning software or the hardware required to utilize
4 that data or software. The department may require any local governmental unit that
5 receives a grant under this section to finance not more than 25% of the cost of the
6 product or service to be funded by the grant from the resources of the local
7 governmental unit. Prior to awarding a grant under this section, the department
8 shall forward a detailed statement of the expenditures to be made under the grant
9 to the Wisconsin land council for its recommendation concerning approval. The
10 department shall also forward a detailed statement of the proposed expenditures to
11 be made under the grant to the secretary of transportation and obtain his or her
12 written approval of the proposed expenditures.

13 SECTION 16. 16.966 (1) and (2) of the statutes are repealed and recreated to
14 read:

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

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

23 SECTION 17. 16.966 (4) of the statutes is repealed.

24 SECTION 18. 16.967 ~~title and (1) (a)~~ of the statutes ~~are~~ repealed and
25 recreated to read:

as affected by 1997 Wisconsin Act 27, section 141am,
and 1999 Wisconsin Act 9, section 114n,

1
2

16.967 (title) Land information program.

(intro)

(1) DEFINITIONS. (intro.) In this section:

~~SECTION 19. 16.967 (1) (a) of the statutes is repealed.
SECTION 20. 16.967 (1) (b) to (11) of the statutes are repealed and recreated to read:
16.967 (1) (b) "Land information" means any physical, legal, economic, or~~

environmental information or characteristics concerning land, water, groundwater, subsurface resources, or air in this state. "Land information" includes information relating to topography, soil, soil erosion, geology, minerals, vegetation, land cover, wildlife, associated natural resources, land ownership, land use, land use controls and restrictions, jurisdictional boundaries, tax assessment, land value, land survey records and references, geodetic control networks, aerial photographs, maps, planimetric data, remote sensing data, historic and prehistoric sites, and economic projections.

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

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

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

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

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

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

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

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

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

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

14 (5) FEES. All fees received under s. 59.72 (5) (a) shall be credited to the
15 appropriation account under s. 20.505 (1) (ij).

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

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

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

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

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

17 4. Systems integration projects.

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

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

1 (9) TECHNICAL ASSISTANCE; EDUCATION. The department may provide technical
2 assistance to counties and conduct educational seminars, courses, or conferences
3 relating to land information. The department shall charge and collect fees sufficient
4 to recover the costs of activities authorized under this subsection.

5 (10) SOIL SURVEYS AND MAPPING. The department may conduct soil surveys and
6 soil mapping activities. *gas affected by 1997 Wisconsin Act 27,
Section 142 am,*

7 SECTION 21. 16.968 of the statutes is repealed and recreated to read:

8 16.968 Groundwater survey and analysis. The department shall allocate
9 funds for programs of groundwater survey and analysis to the department of natural
10 resources and the geological and natural history survey following review and
11 approval of a mutually agreed upon division of responsibilities concerning
12 groundwater programs between the department of natural resources and the
13 geological and natural history survey, a specific expenditure plan, and groundwater
14 data collection standards consistent with the purposes of s. 16.967. State funds
15 allocated under this section shall be used to match available federal funds prior to
16 being used for solely state-funded activities. *gas affected by 1997 Wisconsin Act 27,
Section 666h,*

17 SECTION 22. 20.505 (1) (title) of the statutes is repealed and recreated to read:

18 20.505 (1) (title) SUPERVISION AND MANAGEMENT

19 SECTION 23. 20.505 (1) (ie) of the statutes is repealed and recreated to read:
gas affected by 1997 Wisconsin Act 27, section 666p,

20 20.505 (1) (ie) Land information program. From the moneys received by the
21 department under s. 59.72 (5) (a), the amounts in the schedule for the land
22 information program under s. 16.967.

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

23 SECTION 24. 20.505 (1) (ig) of the statutes is repealed and recreated to read:
gas affected by 1997 Wisconsin Act 27, section 666q,

1 20.505 (1) (ig) *Land information; technical assistance and education.* The
2 amounts in the schedule to provide technical assistance to counties and to conduct
3 educational seminars, courses, or conferences under s. 16.967 (9). All moneys
4 received from counties and participants in educational seminars, courses, and
5 conferences under s. 16.967 (9) shall be credited to this appropriation account.

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

gas affected by 1997 Wisconsin Act 27, section 666r,

6 SECTION 25. 20.505 (1) (ij) of the statutes is repealed and recreated to read:

7 20.505 (1) (ij) *Land information; aids to counties.* From the moneys received
8 by the department under s. 59.72 (5) (a), all moneys not appropriated under pars. (ie)
9 and (ik) for the purpose of providing aids to counties for land information projects
10 under s. 16.967 (7).

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

gas affected by 1999 Wisconsin Act 9, section 514,

11 SECTION 26. 20.505 (1) (ik) of the statutes is repealed and recreated to read:

12 20.505 (1) (ik) *Soil surveys and mapping.* From the moneys received by the
13 department under s. 59.72 (5) (a), the amounts in the schedule to perform soil survey
14 and mapping activities under s. 16.967 (10).

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

gas affected by 1999 Wisconsin Act 9, section 519,

15 SECTION 27. 20.505 (1) (ka) of the statutes is repealed and recreated to read:

16 20.505 (1) (ka) *Materials and services to state agencies and certain districts.*
17 The amounts in the schedule to provide services primarily to state agencies or local
18 professional baseball park districts created under subch. III of ch. 229, other than
19 services specified in pars. (im), (is) and (kb) to (ku) and subs. (2) (k) and (5) (ka), and
20 to repurchase inventory items sold primarily to state agencies or such districts. All
21 moneys received from the provision of services primarily to state agencies and such

1 districts and from the sale of inventory items primarily to state agencies and such
2 districts, other than moneys received and disbursed under pars. (im), (is) and (kb)
3 to (ku) and subs. (2) (k) and (5) (ka), shall be credited to this appropriation account.

4 *, as affected by 1997 Wisconsin Act 27, section 672m,*

SECTION 28. 20.505 (1) (ks) of the statutes is repealed and recreated to read:

5 20.505 (1) (ks) *Wisconsin land council; state agency support.* All moneys
6 received from assessments levied against state agencies under s. 16.966 for the
7 functions of the ~~Wisconsin land council under s. 16.023~~

8 *, as affected by 1997 Wisconsin Act 27, section 769 ad,*

SECTION 29. 23.27 (3) (a) of the statutes is repealed and recreated to read:

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

23 SECTION 30. 23.32 (2) (d) of the statutes is repealed and recreated to read:

, as affected by 1997 Wisconsin Act 27,

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

as affected by 1997 Wisconsin Act 27,

4 SECTION 31. 23.325 (1) (a) of the statutes is repealed and recreated to read:

5 23.325 (1) (a) Shall consult with the department of administration, the
6 department of transportation, and the state cartographer, and may consult with
7 other potential users of the photographic products resulting from the survey, to
8 determine the scope and character of the survey.

as affected by 1999 Wisconsin Act 42, section 18,

9 SECTION 32. 36.09 (1) (e) of the statutes is repealed and recreated to read:

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

23 SECTION 33. 36.25 (12m) (intro.) of the statutes is repealed and recreated to
24 read:

as affected by 1997 Wisconsin Act 27,

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

3 ^{as affected by 1997 Wisconsin Act 27,}
SECTION 34. 59.43 (1) (u) of the statutes is repealed and recreated to read:

4 59.43 (1) (u) Submit that portion of recording fees collected under sub. (2) (ag)
5 1. and (e) and not retained by the county to the department of administration under
6 s. 59.72 (5). ^{as affected by 1997 Wisconsin Act 27,}

7 **SECTION 35.** 59.43 (2) (ag) 1. of the statutes is repealed and recreated to read:

8 59.43 (2) (ag) 1. After June 30, 1991, and subject to s. 59.72 (5), for recording
9 any instrument entitled to be recorded in the office of the register of deeds, \$11 for
10 the first page and \$2 for each additional page, except that no fee may be collected for
11 recording a change of address that is exempt from a filing fee under s. 185.83 (1) (b).

12 ^{as affected by 1997 Wisconsin Act 27,}
SECTION 36. 59.43 (2) (e) of the statutes is repealed and recreated to read:

13 59.43 (2) (e) After June 30, 1991, and subject to s. 59.72 (5), for filing any
14 instrument which is entitled to be filed in the office of register of deeds and for which
15 no other specific fee is specified, \$11 for the first page and \$2 for each additional page.

16 ^{as affected by 1997 Wisconsin Act 27,}
SECTION 37. 59.72 of the statutes is repealed and recreated to read:

17 **59.72 Land information. (1) DEFINITIONS.** In this section:

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

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

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

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

24 **(3) LAND INFORMATION OFFICE.** The board may establish a county land
25 information office or may direct that the functions and duties of the office be

1 performed by an existing department, board, commission, agency, institution,
2 authority, or office. If the board establishes a county land information office, the
3 office shall:

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

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

10 (3) (e).

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

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

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

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

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

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

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

gas affected by 1997 Wisconsin Act 27,

6 SECTION 38. 92.10 (4) (a) of the statutes is repealed and recreated to read:

7 92.10 (4) (a) *Data.* The department shall develop a systematic method of
8 collecting and organizing data related to soil erosion. The department shall
9 cooperate with the department of administration under s. 16.967 in developing this
10 methodology or any related activities related to land information collection.

gas affected by 1999 Wisconsin Act 9, section 2353n,

11 SECTION 39. 227.01 (1) of the statutes is repealed and recreated to read:

12 227.01 (1) "Agency" means a board, commission, committee, department or
13 officer in the state government, except the governor, a district attorney or a military
14 or judicial officer.

SECTION 39. 1997 Wisconsin Act 27, section 9101 (11m) is repealed. ✓

15 SECTION 40. 1997 Wisconsin Act 27, section 9456 (3m) is repealed.

16 SECTION 41. 1999 Wisconsin Act 9, section 9401 (2zt) is repealed.

17 SECTION 42. 1999 Wisconsin Act 9, section 9401 (2zu) is repealed.

(END)

17
18
15-17

JWS A

four
four

on the day the bill becomes law

eight
five

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

1997 - 1998 Legislature - 2 - IRB 1304/11 JTK:kaf

revenues collected by counties, for land records upgrading and modernization projects. Under current law, the board and its functions are abolished effective

8 This bill abolishes the land information board and transfers its functions, together with its assets, liabilities, and employees, 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.

September 1, 2003

In addition, the bill

9 Currently, counties collect a land record fee for recording and filing most instruments that are filed with the register of deeds. The fee is ten dollars for the first page of an instrument and two dollars for each additional page. Until September 1, 2003, counties must remit two dollars of each ten dollars collected for the first page of each instrument to the land information board, which the board uses to fund its general program operations and to make grants to counties for land records modernization projects. On September 1, 2003, the fee for recording or filing the first page of an instrument is reduced from ten dollars to eight dollars and no portion is remitted to the state. eleven dollars ten dollars

ten dollars

recording or filing

two dollars

seven dollars

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

11 currently, if a county does not have a land information office and uses four dollars of the fee for recording or filing the first page of an instrument for land records modernization, the county must remit six dollars of the fee for recording or filing the first page of an instrument to the land information board.

DMS 4-8

Section #. 16.023 (2) of the statutes is amended to read:

16.023 (2) In conjunction with the working group established under sub. (1) (L) 1., the council shall, not later than one year after October 14, 1997, 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.

strike

strike

History: 1997 a. 27.



2001

ANS 15-17:1

LRB 1634, P2

Nonstat File Sequence: **AAA**

MES + JTK : : :

NONSTAT SESSLAW

1. In the component bar:

For the action phrase, execute: create → action: → *NS: → nonstat

For the budget action phrase, execute: create → action: → *NS: → 91XX

For a subsection, execute: create → text: → *NS: → sub

For a paragraph, execute: create → text: → *NS: → par

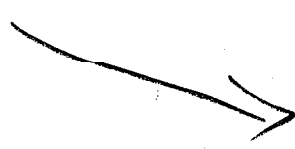
For a subdivision, execute: create → text: → *NS: → subd

For a subdivision paragraph, execute: create → text: → *NS: → subpar

2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9100 department code.

SECTION ~~XXXX~~ [91 01] ____]. Nonstatutory provisions; ...
..... administration 30

(#1) ~~class~~ ABOLITION OF LAND INFORMATION BOARD. } (CS)



JWS 15-17:2

agency and transferring its functions to another agency, use language like the following:

and information
(a) ~~Assets and liabilities.~~ On the effective date of this paragraph, the assets and liabilities of the ~~department of development primarily related to the functions of the local infrastructure board,~~ as determined by the secretary of administration, shall become the assets and liabilities of the department of ~~agriculture~~ *administration*

~~3. Be mindful that a transfer of assets or liabilities is not sufficient to transfer specific appropriation balances or expenditure authority. If specific appropriation balances or expenditure authority must be transferred, you may need to create, renumber, or amend appropriations in the receiving agency (and to repeal or amend appropriations in the sending agency) in order to effect the requester's intent. If you transfer a sum certain appropriation amount, you may need to increase the expenditure authority of the receiving agency in order for the amount to be expended. If you are transferring to or from an appropriation for which the account balance is different from the expenditure authority, you need to be clear what you mean to do. See sec. 20.04, Drafting Manual.~~

(b) *Position and employee transfers.* 1. Ask the requester what he or she wants to be done with positions and incumbent employees in the positions. If the requester wants to transfer positions but not incumbent employees in the positions, increase the authorized FTE positions for the receiving agency and decrease the authorized FTE positions for the sending agency in the manner provided in sec. 7.23, Drafting Manual.

1m. If the requester wants to abolish an independent body or to abolish an attached board that is authorized to employ staff and wants all incumbent employees transferred to another body, use language like the following:

(c) *Employee transfers.* All incumbent employees holding positions in the employment relations commission are transferred on the effective date of this paragraph to the employment ~~commission.~~

2. If you are transferring an attached board that is not authorized to employ staff or a division from one agency to another agency or are abolishing an attached board that is not authorized to employ staff or a division and transferring its functions to another agency and the requester wants to transfer all related employees, use language like the following:

(d) *Employee transfers.* All incumbent employees holding positions in the department of development performing duties primarily related to the functions of the local infrastructure board, as determined by the secretary of administration, are transferred on the effective date of this paragraph to the department of agriculture.

NOTE: In bills other than the budget bill and in the budget bill other than at the department of administration and joint committee on finance stages, you must include position increases and decreases if you wish to ensure that the changes are made. Positions may be transferred without separate language being drafted in the budget bill at the department of administration and joint committee on finance stages, except in the following situations:

1. If you transfer incumbent employees, also include language transferring their positions.

2. If particular positions or definite numbers of positions are to be transferred (such as 1.0 GPR attorney position or 20.0 GPR positions) and the funding source of the positions is changed, first decrease the authorized positions for the sending agency and then increase the authorized positions for the receiving agency.

(c) *Employee status.* If the requester wants incumbent classified employees transferred, ask the requester if he or she wants their rights preserved. If so, use language like the following:

(e) *Employee status.* Employees transferred under paragraph (c) have all the rights and the same status under subchapter V of chapter 111

PNS 12-17:3

department of administration

7.22 (1)

land information board

and chapter 230 of the statutes in the employment commission that they enjoyed in the employment relations commission immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

NOTE: If you know that there is at least one classified employee, use the boilerplate language such as that contained in the example following par. (c). If you know that there are no classified employees, do not use this boilerplate language because unclassified employees have no rights under ch. 230, stats. Most unclassified employees also have no rights under subch. V of ch. 111, stats.

9 (C) Contracts. All contracts entered into by the ~~employment relations commission~~ in effect on the effective date of this paragraph remain in effect and are transferred to the ~~employment commission~~. The ~~employment commission~~ shall carry out any obligations under such a contract until the contract is modified or rescinded by the ~~employment commission~~ to the extent allowed under the contract.

department of education

2. If you are transferring a division or an attached board from one agency to another agency or are abolishing a division or an attached board and transferring its functions to another agency, use language like the language in the example following subd. 1. in a subdivision and the language in the example following this subd. 2. in another subdivision because the division or board may have entered into contracts on its own as well as the department entering into contracts on behalf of the division or board.

(d) *Tangible personal property.* 1. If you are abolishing an independent body and transferring its functions to another independent body, use language like the following:

(f) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the employment relations commission is transferred to the employment commission.

2. If you are transferring a division or an attached board from one agency to another agency or are abolishing a division or an attached board and transferring its functions to another agency, use language like the following:

(i) *Contracts.* All contracts entered into by the department of development in effect on the effective date of this paragraph that are primarily related to the functions of the board on municipal collective bargaining, as determined by the secretary of administration, remain in effect and are transferred to the department of local affairs. The department of local affairs shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of local affairs to the extent allowed under the contract.

(f) *Rules and orders.* 1. If you are just renaming a board or transferring a board and all of its functions to another agency, do not include language about rules and orders because the rules and orders of the board remain as its rules and orders.

2. If you are abolishing any body with powers and transferring its functions to another agency, use language like the following:

9 (C) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the ~~department of development~~ that is primarily related to the functions of the board on municipal collective bargaining, as determined by the secretary of administration, is transferred to the department of local affairs.

land information

administration

(e) *Contracts.* 1. If you are abolishing an independent body and transferring its functions to another independent body, use language like the following:

9 (C) *Rules and orders.* All rules promulgated by the ~~employment relations commission~~ that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until amended or repealed by the

land information board

land information board

WIS 15-17:4

department of administration

~~employment commission~~ All orders issued by the ~~employment relations commission~~ that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until modified or rescinded by the ~~employment commission~~

department of administration

3. A division ordinarily does not exercise rule-making authority independently from the agency of which it is a part. If you are abolishing a division and transferring its authority to another agency or are transferring a division, you probably will need language about rules similar to that in subd. 2., except referring to the rules of the agency relating to the functions of the division. If you are abolishing a division, investigate whether the division issues orders in its own name or whether the department issues orders in the division's functional area. Then use language about orders that is appropriate to the situation.

(g) Pending matters. If you are just renaming a board or transferring a board and all of its functions, do not include language about pending matters because the pending matters of the board remain its pending matters. If you are abolishing any body with powers and transferring its functions to another agency, use language like the following:

4. (e) Pending matters. Any matter pending with the ~~employment relations commission~~ on the effective date of this paragraph is transferred to the ~~employment commission~~ and all materials submitted to or actions taken by the ~~employment relations commission~~ with respect to the pending matter are considered as having been submitted to or taken by the ~~employment commission~~

land information board

NOTE: If you are abolishing an agency, board, or commission, you may need to address in a nonstatutory provision a pending matter, such as an enforcement action in progress. Some other entity may need to be assigned the responsibility of continuing the enforcement action.

(h) Collections. We no longer use any boilerplate language for collections. "Collections for amounts payable" are assets, for which language already exists.

land information board

department of administration

(2) Bodies With No Powers. With limited exceptions, councils have no powers. See s. 15.01 (4), stats. However, before transferring the functions of a council, you must first determine whether you are dealing with a "real" council, meaning a council with no powers. If the council has any powers, follow the boilerplate for bodies with powers. If you have an actual council that has no powers (the vast majority), the only boilerplate you need is transfer language for "tangible personal property" and for "contracts" like the following:

(L) Tangible personal property. On the effective date of this paragraph, all tangible personal property, including records, of the employment relations commission that is primarily related to the functions of the council on municipal collective bargaining, as determined by the secretary of administration, is transferred to the employment commission.

(m) Contracts. All contracts entered into by the employment relations commission in effect on the effective date of this paragraph that are primarily related to the functions of the council on municipal collective bargaining, as determined by the secretary of administration, remain in effect and are transferred to the employment commission. The employment commission shall carry out any obligations under such a contract until the contract is modified or rescinded by the employment commission to the extent allowed under the contract.

(2m) Transfer to divisions or bureaus. (a) If you transfer functions to a division that is not specified in ch. 15, stats., or to a bureau, be mindful that the transfer may not be effective because the agency head may, with the approval of the governor, abolish, consolidate, or rename the division or bureau at any time. See s. 15.02 (3) and (4), stats.

(b) Unless a division is attached to an agency under s. 15.03, stats., permit the agency, rather than the division, to take any action provided for after the transfer (for example, modification of contracts).

(c) While transfer of functions to a bureau is not advised because bureaus are substatory, if

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1634/P2dn

JTK.....

g
Y
js

Kirsten Grinde:

(1) This redraft corrects errors and addresses other concerns raised by ^{the} LRB publications editor. It also augments the analysis to include all of the material in the original draft.

2. I assume that the land information board does not have its own positions and employees currently. If it does, we may need to amend this draft to transfer them.

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1634/P2dn
JTK.cjs.pg

January 5, 2001

Kristen Grinde:

1. This redraft corrects the errors and addresses other concerns raised by the LRB publications editor. It also augments the analysis to include all of the material in the original draft.
2. I assume that the land information board does not have its own positions and employees currently. If it does, we may need to amend this draft to transfer them.

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



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

TOMMY G. THOMPSON
GOVERNOR

GEORGE LIGHTBOURN
SECRETARY

Division of Executive Budget and Finance
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1736
Fax (608) 267-0372
TTY (608) 267-9629

Date: December 19, 2000
To: Steve Miller
Chief, Legislative Reference Bureau
From: Kirsten Grinde ^{myk}
State Budget Office
Subject: 2001-03 Biennial Budget Statutory Language Proposal

The attached proposal is a statutory language request for the 2001-03 biennial budget. The intent of this request is to consolidate certain appropriations in the Department of Administration relating to Land Information Board and Wisconsin Land Council activities.

If you have any questions, please contact me at 266-7973 or kirsten.grinde@doa.state.wi.us.

DOA
Statutory Language Changes

1. The appropriation under s.20.505(1)(ks) is being eliminated and the services provided under that appropriation are being combined with those provided under s.20.505(1)(kt). Both appropriations are funded by state agency support and are administered within the Office of Land Information Services.

20.505(1)(ks)

(ks) Wisconsin land council; state agency support. All moneys received from assessments levied against state agencies under s. 16.966 for the functions of the Wisconsin land council under 16.023.

Repeal this appropriation.

2. s.20.505(1)(kt) needs to be renamed to include both state agency assessments for the Wisconsin land council and soil surveys and mapping.
3. Modify s.20.505(1)(ie) to fund not only the operations of the Wisconsin Land Information Board (WLIB) but also Geographic Information Services (GIS), the WLIB contribution to the soil surveys and mapping project and a portion of the support of Municipal Boundary Review. A portion of the soil surveys and mapping project is already funded with moneys received under s.59.72(a). The State Budget Office plans to recommend to the Governor that these fees be increased to also fund GIS and a portion of Municipal Boundary Review, which is currently funded with GPR through the Department's s.20.505(1)(a) appropriation.

20.505(1)(ik)

(ik) Land information board; soil surveys and mapping. From the moneys received by the land information board; soil surveys and mapping. From the moneys received by the land information board under s.59.72(a), the amounts in the schedule to perform soil survey and mapping activities under s. 16.967(11).

Repeal this appropriation.

4. Rename s.20.505(1)(ie) to include GIS services, soil surveys and mapping and the portion of Municipal Boundary Review to be funded under s.59.72(a).
5. LRB-0389/1, as currently drafted, creates a new program revenue appropriation to fund a portion of Municipal Boundary Review costs. Instead, DOA proposes modifying the language under s.20.505(1)(iu) to include any fees received as a result of s.16.53(14).
6. Repeal s.20.505(ig). This appropriation has never been used.

By: Tara Brunner
Agency Budget/Policy Analyst
266-0016



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1634/P2
MES&JTK:cjs:pg

13
dhmk

Wanted soon

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

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

- do not gen*
- 1 AN ACT ...; relating to: abolition of the land information board and transferring
2 its functions, adding members to the Wisconsin land council, changing the
3 duties of the Wisconsin land council, and increasing the land records fee.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 15.107 (16) (b) 14. One member who is a representative from a public utility.

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

19 15.107 (16) (b) 15. One member who represents a professional land information
20 organization.

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

1 15.107 (16) (b) 16. One member who is nominated by a statewide association
2 whose purposes include support of a network of statewide land information systems.

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

4 15.107 (16) (d) *Terms, chairperson.* The members listed under par. (b) 8. to ~~13.~~
5 16. shall be appointed for 5-year terms. The governor shall appoint the chairperson
6 of the council, who shall serve at the pleasure of the governor.

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

8 **SECTION 9.** 16.023 (1) (f) of the statutes is amended to read:

9 16.023 (1) (f) Establish a technical working group that is composed of the state
10 cartographer, a representative of the University of Wisconsin System who has
11 expertise in land use issues and any other land use experts designated by the
12 council's chairperson, to study the development of a computer-based Wisconsin land
13 information system and recommend to the governor legislation to implement such
14 a computer system. A group that is established under this paragraph is disbanded
15 on, and may not continue any of its functions or activities under this paragraph after
16 the effective date of this paragraph [revisor inserts date].

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

18 16.023 (1) (fm) Establish a land information working group that is composed
19 of ~~XXXX~~, to conduct all of the following functions:

- 20 1. Study and recommend land information standards.
21 2. Advise the department on a Wisconsin land information system.
22 3. Advise the department on coordination of state and local land information.
23 4. Review county land records modernization plans and make
24 recommendations on approval to the department.

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

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

****NOTE: To whom are the recommendations in subd. 1. to be made?

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

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

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

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

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

9 16.023 (1) (o) Review proposed expenditures to be made to finance planning
10 activities related to the transportation elements of comprehensive plans under s.
11 16.9651 (2) and make recommendations on approval to the department.

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

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

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

2 **SECTION 16.** 16.965 (3) of the statutes, as affected by 1999 Wisconsin Act 9,
3 section 110p, is repealed and recreated to read:

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

8 **SECTION 17.** 16.965 (5) of the statutes, as affected by 1999 Wisconsin Act 9,
9 section 110t, is repealed and recreated to read:

10 16.965 (5) The department may promulgate rules specifying the methodology
11 whereby precedence will be accorded to applications in awarding grants under sub.
12 (2).

13 **SECTION 18.** 16.9651 (2) of the statutes is amended to read:

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

1 to the Wisconsin land council for its recommendation concerning approval. The
2 department shall also forward a detailed statement of the proposed expenditures to
3 be made under the grant to the secretary of transportation and obtain his or her
4 written approval of the proposed expenditures.

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

7 16.966 (1) In this section, "state agency" has the meaning given for "agency"
8 under s. 16.045 (1) (a).

9 (2) The department may assess any state agency for any amount that it
10 determines to be required for the functions of the Wisconsin land council under s.
11 16.029. For this purpose, the department may assess state agencies on a premium
12 basis and pay costs incurred on an actual basis. The department shall credit all
13 moneys received from state agencies under this subsection to the appropriation
14 account under s. 20.505 (1) ~~(as)~~ ^(K+).

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

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

20 **16.967 Land information program.** (1) DEFINITIONS. In this section:

21 (b) "Land information" means any physical, legal, economic, or environmental
22 information or characteristics concerning land, water, groundwater, subsurface
23 resources, or air in this state. "Land information" includes information relating to
24 topography, soil, soil erosion, geology, minerals, vegetation, land cover, wildlife,
25 associated natural resources, land ownership, land use, land use controls and

1 restrictions, jurisdictional boundaries, tax assessment, land value, land survey
2 records and references, geodetic control networks, aerial photographs, maps,
3 planimetric data, remote sensing data, historic and prehistoric sites, and economic
4 projections.

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

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

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

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

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

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

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

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

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

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

4 ~~(5) FEES. All fees received under s. 59.72 (5) (a) shall be credited to the~~
5 ~~appropriation account under s. 20.505 (1) (j).~~

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

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

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

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

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

7 4. Systems integration projects.

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

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

16 (9) **TECHNICAL ASSISTANCE; EDUCATION.** The department may provide technical
17 assistance to counties and conduct educational seminars, courses, or conferences
18 relating to land information. ~~The department shall charge and collect fees sufficient~~
19 ~~to recover the costs of activities authorized under this subsection.~~

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

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

24 **16.968 Groundwater survey and analysis.** The department shall allocate
25 funds for programs of groundwater survey and analysis to the department of natural

1 resources and the geological and natural history survey following review and
2 approval of a mutually agreed upon division of responsibilities concerning
3 groundwater programs between the department of natural resources and the
4 geological and natural history survey, a specific expenditure plan, and groundwater
5 data collection standards consistent with the purposes of s. 16.967. State funds
6 allocated under this section shall be used to match available federal funds prior to
7 being used for solely state-funded activities.

8 SECTION 23. 20.505 (1) (title) of the statutes, as affected by 1997 Wisconsin Act
9 27, section 666h, is repealed and recreated to read:

10 20.505 (1) (title) SUPERVISION AND MANAGEMENT.

11 SECTION 24. 20.505 (1) (ie) of the statutes, as affected by 1997 Wisconsin Act
12 27, section 666p, is repealed and recreated to read:

13 20.505 (1) (ie) *Land information program.* From the moneys received by the
14 department under s. 59.72 (5) (a), the amounts in the schedule for the land
15 information program under s. 16.967, ^{ss. 19.9(2)(3) and} and for reviews of proposed
municipal incorporations and annexations

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

the budget bill. If LRB-1839/1 is not incorporated, this SECTION must be redrafted.
16 SECTION 25. 20.505 (1) (ig) of the statutes, as affected by 1997 Wisconsin Act

change component

17 27, section 666q, is repealed and recreated to read:

18 ~~20.505 (1) (ig) *Land information, technical assistance and education.* The~~
19 ~~amounts in the schedule to provide technical assistance to counties and to conduct~~
20 ~~educational seminars, courses, or conferences under s. 16.967 (9). All moneys~~
21 ~~received from counties and participants in educational seminars, courses, and~~
22 ~~conferences under s. 16.967 (9) shall be credited to this appropriation account.~~

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

1 SECTION 26. 20.505 (1) (ij) of the statutes, as affected by 1997 Wisconsin Act
2 27, section 666r, is repealed and recreated to read:

3 20.505 (1) (ij) *Land information; aids to counties.* From the moneys received
4 by the department under s. 59.72 (5) (a), all moneys not appropriated under ^{par.} pars. (ie)
5 ~~and (ik)~~ for the purpose of providing aids to counties for land information projects
6 under s. 16.967 (7).

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

7 SECTION 27. 20.505 (1) (ik) of the statutes, as affected by 1999 Wisconsin Act
8 9, section 514, is repealed and recreated to read:

change component
9 20.505 (1) (ik) *Soil surveys and mapping.* From the moneys received by the
10 department under s. 59.72 (5) (a), the amounts in the schedule to perform soil survey
11 and mapping activities under s. 16.967 (10).

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

12 SECTION 28. 20.505 (1) (ka) of the statutes, as affected by 1999 Wisconsin Act
13 9, section 519, is repealed and recreated to read:

14 20.505 (1) (ka) *Materials and services to state agencies and certain districts.*
15 The amounts in the schedule to provide services primarily to state agencies or local
16 professional baseball park districts created under subch. III of ch. 229, other than
17 services specified in pars. (im), (is) and (kb) to (ku) and subs. (2) (k) and (5) (ka), and
18 to repurchase inventory items sold primarily to state agencies or such districts. All
19 moneys received from the provision of services primarily to state agencies and such
20 districts and from the sale of inventory items primarily to state agencies and such
21 districts, other than moneys received and disbursed under pars. (im), (is) and (kb)
22 to (ku) and subs. (2) (k) and (5) (ka), shall be credited to this appropriation account.

change
comparisons

SECTION 29. 20.505 (1) (ks) of the statutes, as affected by 1997 Wisconsin Act

27, section 672m, is repealed and recreated to read:

~~20.505 (1) (ks) Wisconsin land council, state agency support. All moneys received from assessments levied against state agencies under s. 16.966 for the functions of the Wisconsin land council under s. 16.023.~~

SECTION 30. 23.27 (3) (a) of the statutes, as affected by 1997 Wisconsin Act 27, section 769ad, is repealed and recreated to read:

23.27 (3) (a) *Duties.* The department, with the advice of the council, shall conduct a natural heritage inventory program. The department shall cooperate with the department of administration under s. 16.967 in conducting this program. This program shall establish a system for determining the existence and location of natural areas, the degree of endangerment of natural areas, an evaluation of the importance of natural areas, information related to the associated natural values of natural areas, and other information and data related to natural areas. This program shall establish a system for determining the existence and location of native plant and animal communities and endangered, threatened, and critical species, the degree of endangerment of these communities and species, the existence and location of habitat areas associated with these communities and species, and other information and data related to these communities and species. This program shall establish and coordinate standards for the collection, storage, and management of information and data related to the natural heritage inventory.

SECTION 31. 23.32 (2) (d) of the statutes, as affected by 1997 Wisconsin Act 27, is repealed and recreated to read:

INS
13-5

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

4 **SECTION 32.** 23.325 (1) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
5 is repealed and recreated to read:

6 23.325 (1) (a) Shall consult with the department of administration, the
7 department of transportation, and the state cartographer, and may consult with
8 other potential users of the photographic products resulting from the survey, to
9 determine the scope and character of the survey.

10 **SECTION 33.** 36.09 (1) (e) of the statutes, as affected by 1999 Wisconsin Act 42,
11 section 18, is repealed and recreated to read:

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

1 **SECTION 34.** 36.25 (12m) (intro.) of the statutes, is affected by 1997 Wisconsin
2 Act 27, is repealed and recreated to read:

3 **36.25 (12m) STATE CARTOGRAPHER.** (intro.) In coordination and consultation
4 with the department of administration, the state cartographer shall:

5 **SECTION 35.** 59.43 (1) (u) of the statutes, as affected by 1997 Wisconsin Act 27,
6 is repealed and recreated to read:

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

10 **SECTION 36.** 59.43 (2) (ag) 1. of the statutes, as affected by 1997 Wisconsin Act
11 27, is repealed and recreated to read:

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

16 **SECTION 37.** 59.43 (2) (e) of the statutes, as affected by 1997 Wisconsin Act 27,
17 is repealed and recreated to read:

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

21 **SECTION 38.** 59.72 of the statutes, as affected by 1997 Wisconsin Act 27, is
22 repealed and recreated to read:

23 **59.72 Land information. (1) DEFINITIONS.** In this section:

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

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

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

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

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

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

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

16 (3) (e).

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

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

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

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

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

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

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

10 SECTION 39. 92.10 (4) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
11 is repealed and recreated to read:

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

16 SECTION 40. 227.01 (1) of the statutes, as affected by 1999 Wisconsin Act 9,
17 section 2353n, is repealed and recreated to read:

18 227.01 (1) "Agency" means a board, commission, committee, department or
19 officer in the state government, except the governor, a district attorney or a military
20 or judicial officer.

21 SECTION 41. 1997 Wisconsin Act 27 section 9101 (11m) is repealed.

22 SECTION 42. 1997 Wisconsin Act 27, section 9456 (3m) is repealed.

23 SECTION 43. 1999 Wisconsin Act 9, section 9401 (2zt) is repealed.

24 SECTION 44. 1999 Wisconsin Act 9, section 9401 (2zu) is repealed.

25 SECTION 9101. Nonstatutory provisions; administration.

1 (1) ABOLITION OF LAND INFORMATION BOARD.

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

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

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

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

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

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

3 (END)

Insert 13-5

Section #. 20.505 (1) (kt) of the statutes is amended to read:

and Wisconsin land council

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

~~History: 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692; 1997 a. 237, 283; 1999 a. 5, 9, 24, 52, 105, 113, 148, 185.~~

→ note: bud

Shovers, Marc

From: Grinde, Kirsten
Sent: Thursday, January 11, 2001 8:59 PM
To: Shovers, Marc; Kuesel, Jeffery
Subject: LRB-1634/P3 - Land Information Board and Land Council changes

Marc and Jeffery,

Regarding LRB-1634/P3, please make the following changes:

1. Section 9 (Page 4, lines 12-20): The technical working group completed its study and recommendations and submitted its final report on October 14, 1999. Could we just repeal s. 16.023 (1) (f) or amend it to replace the technical working group with the land information working group created in Section 10?
MES R
2. Page 4, line 23 (First ****Note on page 5): Please have the land information working group composed of the state cartographer, a representative of the University of Wisconsin System who has expertise in land information issues and any other land information experts designated by the council's chairperson.
MES
3. Second ****Note on page 5: Please have the working group recommend and advise on items in s. 16.023 (1) (fm) 1. to 4. to both the council and the department.
JMES
4. Page 5, lines 4-6: Please remove s. 16.023 (1) (fm) 5.
JTK
5. Third ****Note on page 5: Yes, these are the correct grants.
6. Sections 13 and 18: Is there a reason why the transportation planning grant review by the council is mentioned in both ss. 16.023 and 16.9651, but the comprehensive planning grant review by the council is only mentioned in s. 16.965? Do the responsibilities of both parties (DOA and the council) need to be listed for both types of grants?
JTK
7. Page 11, sections 24 and 26: Please convert s. 20.505 (1) (ie) to an "all moneys not appropriated under par." (i.e., continuing) appropriation and repeal s. 20.505 (1) (ij). Also, please correct a cross reference on line 14, page 11, to s. 16.966 (3).
JTK
8. Please create a new annual, amounts in the schedule, appropriation to be funded from the moneys received by the department under s. 59.72 (5) (a) for grants under s. 16.965 (2).
JTK
9. Please include a requirement for the Department of Administration to annually present to the council a plan indicating how it plans to allocate the moneys under s. 20.505 (1) (ie).
JTK
10. For Sections 31, 32, 33, 34, 40: In addition to the references to the Department of Administration, can we reference the Land Council or is this beyond the scope of a council's powers?
JTK

FYI. The Land Information Board has no employees (all employees became DOA employees in the 1997-99 biennial budget).

Thanks,

Kirsten

State Budget Office
Department of Administration
101 E. Wilson St., 10th floor
Madison, WI 53707-7864

voice: (608) 266-7973
fax: (608) 267-0372
e-mail: kirsten.grinde@doa.state.wi.us



State of Wisconsin
2001 - 2002 LEGISLATURE

DNOR
WANTED SOON

LRB-1634/00/114
MES&JTK:cjs&hnh:jf
RMR

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

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

do not pass

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

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

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

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

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

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

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

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

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

RWS
2/A

to
the
council
and
DOA

the council
and
make
recommendations
on approval to the council
and

and
establish a land information
working group that must

JS

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

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

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

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

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

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

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

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

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

17 15.107 (16) (b) 14. One member who is a representative from a public utility.

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

2 15.107 (16) (b) 15. One member who represents a professional land information
3 organization.

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

5 15.107 (16) (b) 16. One member who is nominated by a statewide association
6 whose purposes include support of a network of statewide land information systems.

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

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

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

12 SECTION 9. 16.023 (1) (f) of the statutes is ~~amended to read,~~ ^{repealed.}

13 ~~16.023 (1) (f) Establish a technical working group that is composed of the state~~
14 ~~cartographer, a representative of the University of Wisconsin System who has~~
15 ~~expertise in land use issues and any other land use experts designated by the~~
16 ~~council's chairperson to study the development of a computer-based Wisconsin land~~
17 ~~information system and recommend to the governor legislation to implement such~~
18 ~~a computer system. A group that is established under this paragraph is disbanded~~
19 ~~on, and may not continue any of its functions or activities under this paragraph after,~~
20 ~~the effective date of this paragraph . . . [revisor inserts date].~~

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

22 16.023 (1) (fm) Establish a land information working group that is composed
23 of ~~XXXX~~ to conduct all of the following functions:

- 24 1. Study and recommend land information standards ^{to the council and the department} ✓
25 2. Advise the ^{council and the} department on a Wisconsin land information system.

Change
computer

1 3. Advise the ^{council and the} department on coordination of state and local land information.

2 4. Review county land records modernization plans and make

3 recommendations on approval to the ^{council and the} department.

4 ~~5. Review proposed expenditures to be made to finance planning activities~~

5 ~~related to the transportation elements of comprehensive plans under s. 16.9651 (2)~~

6 ~~and make recommendations on approval to the department.~~

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

***NOTE: To whom are the recommendations in subd. 1. to be made?

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

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

9 16.023 (1) (n) Review land information grant applications that are made under

10 s. 16.967 (7) and make recommendations on approval to the department.

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

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

12 16.023 (1) (o) Review proposed expenditures to be made to finance planning

13 activities related to the transportation elements of comprehensive plans under s.

14 16.9651 (2) and make recommendations on approval to the department.

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

16 16.023 (2) In conjunction with the working group established under sub. (1) (L)

17 1., the council shall, not later than one year after October 14, 1997, develop

18 evaluation criteria for its functions under sub. (1). The council shall complete a

19 report that contains an evaluation of its functions and activities not later than

20 September 1, 2002, and shall submit the report to the chief clerk of each house of the

21 legislature, for distribution to the legislature under s. 13.172 (2), and to the governor.

22 The report shall also include a recommendation as to whether the council should

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

MS
6-3
4 SECTION 15. 16.023 (3) of the statutes is repealed.

5 SECTION 16. 16.965 (3) of the statutes, as affected by 1999 Wisconsin Act 9,
6 section 110p, is repealed and recreated to read:

7 16.965 (3) Prior to awarding a grant to a local governmental unit under sub.
8 (2), the department shall forward a statement of the expenditures proposed to be
9 made under the grant to the Wisconsin land council for its recommendation
10 concerning approval.

11 SECTION 17. 16.965 (5) of the statutes, as affected by 1999 Wisconsin Act 9,
12 section 110t, is repealed and recreated to read:

13 16.965 (5) The department may promulgate rules specifying the methodology
14 whereby precedence will be accorded to applications in awarding grants under sub.
15 (2).

16 SECTION 18. 16.9651 (2) of the statutes is amended to read:

17 16.9651 (2) From the appropriation under s. 20.505 (1) (z), the department may
18 provide grants to local governmental units to be used to finance the cost of planning
19 activities related to the transportation element, as described in s. ~~66.0295 (2) (e)~~
20 66.1001 (2) (c), of a comprehensive plan, as defined in s. ~~66.0295 (1) (a)~~ 66.1001 (1)
21 (a), including contracting for planning consultant services, public planning sessions
22 and other planning outreach and educational activities, or for the purchase of
23 computerized planning data, planning software or the hardware required to utilize
24 that data or software. The department may require any local governmental unit that
25 receives a grant under this section to finance not more than 25% of the cost of the

1 product or service to be funded by the grant from the resources of the local
2 governmental unit. Prior to awarding a grant under this section, the department
3 shall forward a detailed statement of the expenditures to be made under the grant
4 to the Wisconsin land council for its recommendation concerning approval. The
5 department shall also forward a detailed statement of the proposed expenditures to
6 be made under the grant to the secretary of transportation and obtain his or her
7 written approval of the proposed expenditures.

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

10 16.966 (1) In this section, "state agency" has the meaning given for "agency"
11 under s. 16.045 (1) (a).

12 (2) The department may assess any state agency for any amount that it
13 determines to be required for the functions of the Wisconsin land council under s.
14 16.023. For this purpose, the department may assess state agencies on a premium
15 basis and pay costs incurred on an actual basis. The department shall credit all
16 moneys received from state agencies under this subsection to the appropriation
17 account under s. 20.505 (1) (kt).

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

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

23 **16.967 Land information program. (1) DEFINITIONS.** In this section:

24 (b) "Land information" means any physical, legal, economic, or environmental
25 information or characteristics concerning land, water, groundwater, subsurface

1 resources, or air in this state. “Land information” includes information relating to
2 topography, soil, soil erosion, geology, minerals, vegetation, land cover, wildlife,
3 associated natural resources, land ownership, land use, land use controls and
4 restrictions, jurisdictional boundaries, tax assessment, land value, land survey
5 records and references, geodetic control networks, aerial photographs, maps,
6 planimetric data, remote sensing data, historic and prehistoric sites, and economic
7 projections.

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

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

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

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

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

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

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

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

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

(A) Prior to the beginning of each fiscal year provide to the Wisconsin

3 (4) FUNDING REPORT. The department shall identify and study possible program
4 revenue sources or other revenue sources for the purpose of funding the operations
5 of the department under this section, including grants to counties under sub. (7). *land council a statement of the*

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

departments proposed expansion under S. 20.505 (1)(e) for that year.

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

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

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

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

7 4. Systems integration projects.

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

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

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

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

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

23 **16.968 Groundwater survey and analysis.** The department shall allocate
24 funds for programs of groundwater survey and analysis to the department of natural
25 resources and the geological and natural history survey following review and

1 approval of a mutually agreed upon division of responsibilities concerning
2 groundwater programs between the department of natural resources and the
3 geological and natural history survey, a specific expenditure plan, and groundwater
4 data collection standards consistent with the purposes of s. 16.967. State funds
5 allocated under this section shall be used to match available federal funds prior to
6 being used for solely state-funded activities.

7 **SECTION 23.** 20.505 (1) (title) of the statutes, as affected by 1997 Wisconsin Act
8 27, section 666h, is repealed and recreated to read:

9 20.505 (1) (title) SUPERVISION AND MANAGEMENT.

10 **SECTION 24.** 20.505 (1) (ie) of the statutes, as affected by 1997 Wisconsin Act
11 27, section 666p, is repealed and recreated to read:

12 20.505 (1) (ie) *Land information program*. From the moneys received by the
13 *all moneys not appropriated under par. (if)* department under s. 59.72 (5) (a), *the amounts in the schedule for the land*
14 information program under ss. 16.967 and *16.966(3)* ~~16.967(7)~~ and for reviews of proposed
15 municipal incorporations and annexations.

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

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

16 **SECTION 25.** 20.505 (1) (ig) of the statutes, as affected by 1997 Wisconsin Act
17 27, section 666q, is repealed.

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

18 **SECTION 26.** 20.505 (1) (ij) of the statutes, as affected by 1997 Wisconsin Act
19 27, section 666r, is repealed and recreated to read:

20 20.505 (1) (ij) *Land information; aids to counties*. From the moneys received
21 by the department under s. 59.72 (5) (a), all moneys not appropriated under par. (ie)

note: bud

FNS 11-9

proposed in incorporations and annexations
administration of
16.966(3) for the purpose of providing aids to counties for land information projects under s. 16.967(7)

INS 11-16

change component

1 for the purpose of providing aids to counties for land information projects under s.
2 16.967 (7).

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

3 SECTION 27. 20.505 (1) (ik) of the statutes, as affected by 1999 Wisconsin Act
4 9, section 514, is repealed.

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

5 SECTION 28. 20.505 (1) (ka) of the statutes, as affected by 1999 Wisconsin Act
6 9, section 519, is repealed and recreated to read:

7 20.505 (1) (ka) *Materials and services to state agencies and certain districts.*

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

16 SECTION 29. 20.505 (1) (ks) of the statutes, as affected by 1997 Wisconsin Act
17 27, section 672m, is repealed.

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

18 SECTION 30. 20.505 (1) (kt) of the statutes is amended to read:

19 20.505 (1) (kt) *Soil surveys and mapping; state agency support and Wisconsin*
20 *land council.* All moneys received from state agencies to conduct soil surveys and

1 soil mapping activities and to support the functions of the Wisconsin land council,
2 to be used for that purpose.

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

3 SECTION 31. 23.27 (3) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
4 section 769ad, is repealed and recreated to read:

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

19 SECTION 32. 23.32 (2) (d) of the statutes, as affected by 1997 Wisconsin Act 27,
20 is repealed and recreated to read:

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

1 **SECTION 33.** 23.325 (1) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
2 is repealed and recreated to read:

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

7 **SECTION 34.** 36.09 (1) (e) of the statutes, as affected by 1999 Wisconsin Act 42,
8 section 18, is repealed and recreated to read:

9 36.09 (1) (e) The board shall appoint a president of the system; a chancellor for
10 each institution; a dean for each college campus; the state geologist; the director of
11 the laboratory of hygiene; the director of the psychiatric institute; the state
12 *and the Wisconsin land council*
cartographer, with the advice of the department of administration, and the requisite
13 number of officers, other than the vice presidents, associate vice presidents and
14 assistant vice presidents of the system; faculty; academic staff and other employees
15 and fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4g) and
16 230.12 (3) (e), the duties and the term of office for each. The board shall fix the
17 salaries, subject to the limitations under par. (j) and ss. 20.923 (4g) and 230.12 (3)
18 (e), and the duties for each chancellor, vice president, associate vice president and
19 assistant vice president of the system. No sectarian or partisan tests or any tests
20 based upon race, religion, national origin or sex shall ever be allowed or exercised in
21 the appointment of the employees of the system.

22 **SECTION 35.** 36.25 (12m) (intro.) of the statutes, is affected by 1997 Wisconsin
23 Act 27, is repealed and recreated to read:

24 **36.25 (12m) STATE CARTOGRAPHER.** (intro.) In coordination and consultation
25 with the department of administration, the state cartographer shall:

1 **SECTION 36.** 59.43 (1) (u) of the statutes, as affected by 1997 Wisconsin Act 27,
2 is repealed and recreated to read:

3 59.43 (1) (u) Submit that portion of recording fees collected under sub. (2) (ag)
4 1. and (e) and not retained by the county to the department of administration under
5 s. 59.72 (5).

6 **SECTION 37.** 59.43 (2) (ag) 1. of the statutes, as affected by 1997 Wisconsin Act
7 27, is repealed and recreated to read:

8 59.43 (2) (ag) 1. After June 30, 1991, and subject to s. 59.72 (5), for recording
9 any instrument entitled to be recorded in the office of the register of deeds, \$11 for
10 the first page and \$2 for each additional page, except that no fee may be collected for
11 recording a change of address that is exempt from a filing fee under s. 185.83 (1) (b).

12 **SECTION 38.** 59.43 (2) (e) of the statutes, as affected by 1997 Wisconsin Act 27,
13 is repealed and recreated to read:

14 59.43 (2) (e) After June 30, 1991, and subject to s. 59.72 (5), for filing any
15 instrument which is entitled to be filed in the office of register of deeds and for which
16 no other specific fee is specified, \$11 for the first page and \$2 for each additional page.

17 **SECTION 39.** 59.72 of the statutes, as affected by 1997 Wisconsin Act 27, is
18 repealed and recreated to read:

19 **59.72 Land information. (1) DEFINITIONS.** In this section:

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

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

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

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

SECTION 39

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

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

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

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

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

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

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

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

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

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

6 **SECTION 40.** 92.10 (4) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
7 is repealed and recreated to read:

8 92.10 (4) (a) *Data.* The department shall develop a systematic method of
9 collecting and organizing data related to soil erosion. The department shall
10 cooperate with the department of administration under s. 16.967 *and consider any recommendations of the Wisconsin Land Council* in developing this
11 methodology or any related activities related to land information collection.

12 **SECTION 41.** 227.01 (1) of the statutes, as affected by 1999 Wisconsin Act 9,
13 section 2353n, is repealed and recreated to read:

14 227.01 (1) "Agency" means a board, commission, committee, department or
15 officer in the state government, except the governor, a district attorney or a military
16 or judicial officer.

17 **SECTION 42.** 1997 Wisconsin Act 27 section 9101 (11m) is repealed.

18 **SECTION 43.** 1997 Wisconsin Act 27, section 9456 (3m) is repealed.

19 **SECTION 44.** 1999 Wisconsin Act 9, section 9401 (2zt) is repealed.

20 **SECTION 45.** 1999 Wisconsin Act 9, section 9401 (2zu) is repealed.

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

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

23 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
24 liabilities of the land information board, as determined by the secretary of

1 administration, shall become the assets and liabilities of the department of
2 administration.

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

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

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

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

(END)

FWS
18-22

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1634/P4ins
JTK.....

INSERT A:

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

INSERT 6-3:

✓
SECTION 1. 16.965 (2) of the statutes is amended to read:

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

agrees to utilize the grant to finance planning for all of the purposes specified in s. 66.0295 66.1001 (2).

Note: Note: The bracketed language indicates the correct cross-reference. Corrective legislation is pending. Note:
History: 1999 a. 9, 148, 185.

INSERT 11-9:

SECTION 2. 20.505 (1) (cm) (title) of the statutes is amended to read:

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

History: 1971 c. 108, 125, 215; 1971 c. 270 s. 104; 1973 c. 90 and supp., 157, 305; 1975 c. 39 ss. 179 to 184f, 735 (5); 1975 Ex. Order No. 24; 1975 c. 224, 397; 1977 c. 29; 1977 c. 196 ss. 70, 131; 1977 c. 377 s. 30; 1977 c. 418 s. 929 (1), (55); 1979 c. 32 s. 92 (5); 1979 c. 34, 175, 221; 1979 c. 355 s. 241; 1979 c. 361; 1981 c. 20 ss. 400b to 421, 2202 (57) (b); 1981 c. 44 s. 3; 1981 c. 62, 121; 1981 c. 202 s. 23; 1981 c. 314, 374, 391; 1983 a. 27 ss. 439 to 456, 2202 (1); 1983 a. 36, 187, 282, 371, 393; 1985 a. 29, 31, 57, 120, 296, 297, 332; 1987 a. 27 ss. 296n, 296q, 297b, 297d, 299a to 299r, 300a, 301a, 418 to 432; 1987 a. 142, 147, 342, 399; 1989 a. 31, 56, 107, 122, 336, 339, 345, 366; 1991 a. 39 s. 469, 593q to 614; 1991 a. 105, 269, 315; 1993 a. 16 ss. 470g, 470m, 470r, 488 to 506m; 1993 a. 33, 75, 193, 349, 358, 374, 414, 437, 477, 491; 1995 a. 27, 56, 201, 216, 225, 227, 370, 403; 1997 a. 3; 1997 a. 27 ss. 199, 227 to 229m, 233, 666g to 692; 1997 a. 237, 283; 1999 a. 5, 9, 24, 52, 105, 113, 148, 185.

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

INSERT 11-16:

SECTION 3. 20.505 (1) (if) of the statutes is created to read:

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

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

INSERT 18-22:

SECTION 9401. Appropriation changes; administration?

(1) LAND INFORMATION BOARD GRANT FUNDING. The unencumbered balance in the appropriation account under section 20.505 (1) (ij) of the statutes is transferred to

1999 stats.

the appropriation account under section 20.505 (1) (ie) of the statutes, as created by
this act.

affected

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1634/P4dn

JTK.....

[Handwritten signature]
ejs

Kirsten Grinde:

Concerning your memo of 1/11, point 6, I understood that the working group was to review proposed expenditures to finance transportation elements of comprehensive plans under s. 16.9651 (2), stats. If this is not intended, the language in proposed s. 16.023 (1) (fm) 5. of the /P3 draft can be delctcd. This draft makes that deletion.

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1634/P4dn

JTK:cjs:km

January 15, 2001

Kirsten Grinde:

Concerning your memo of 1/11, point 6, I understood that the working group was to review proposed expenditures to finance transportation elements of comprehensive plans under s. 16.9651 (2), stats. If this is not intended, the language in proposed s. 16.023 (1) (fm) 5. of the /P3 draft can be deleted. This draft makes that deletion.

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

Shovers, Marc

From: Grinde, Kirsten
Sent: Tuesday, January 16, 2001 7:28 PM
To: Kuesel, Jeffery; Shovers, Marc
Subject: LRB-1634/P4 - Land Information Board and Land Council

Jeffery and Marc,

Please make the following changes to LRB-1634/P4:

1. Page 4, line 18: Please replace "land use" with "land information" in both instances.
2. Page 5, first ****Note: The questions in this note have been answered. With the change noted above, the composition will be fine.
3. Page 5, second ****Note: The grants cited are the ones we mean.
4. Page 9, lines 19-21: Please include a nonstatutory provision indicating that for the first year of the biennium, the department shall submit the statement either prior to the beginning of the fiscal year or within 10 days after the budget bill's effective date, whichever is later.
5. Page 13, lines 12, 16-17: Please check the paragraph references. I think these should be "pars. (im), (is) and (kb) to (ku)".
6. Page 17, line 17 and Page 18, lines 10 and 13: Please replace "countryside" with "countywide".

Let me know if you have any questions.

Thanks,

Kirsten
State Budget Office
Department of Administration
101 E. Wilson St., 10th floor
Madison, WI 53707-7864
voice: (608) 266-7973
fax: (608) 267-0372
e-mail: kirsten.grinde@doa.state.wi.us