

2003 DRAFTING REQUEST

Bill

Received: **01/04/2003**

Received By: **jkuesel**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget 6-7973**

By/Representing: **Walker**

This file may be shown to any legislator: **NO**

Drafter: **jkuesel**

May Contact:

Addl. Drafters: **mshovers**

Subject: **Counties - miscellaneous
State Govt - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Walker - BB0303,

Topic:

Land information program sunset repealed

Instructions:

Per attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel 01/05/2003	kgilfoy 01/06/2003		_____			S&L
/1			rschluet 01/06/2003	_____	sbasford 01/06/2003		S&L
/2	jkuesel	kgilfoy	chaskett	_____	mbarman		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	01/28/2003 mshovers 01/29/2003	01/29/2003	01/29/2003	_____ _____ _____	01/29/2003		

FE Sent For:

<END>

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1?	jkuesel 01/05/2003	kgilfoy 01/06/2003		<u>Cph/CS</u> <u>1/29</u>			S&L
11	JTKU 12 MES	12-1/29/03 KMG	rschluet 01/06/2003		sbasford 01/06/2003		
			12-1/29 Cph				

01/06/2003 12:29:22 PM

Page 2

FE Sent For:

<END>

NOTE

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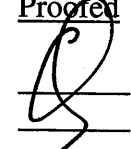
Topic:

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1/1	jkuesel 1/5	1-1/6/03 King					

FE Sent For:

1-6-2
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**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

SCOTT McCALLUM
GOVERNOR

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Date: December 26, 2002

To: Stephen R. Miller, Chief
Legislative Reference Bureau

From: William D. Walker 
Policy and Budget Analyst
ECR Team

Subject: **Biennial Budget Drafting Request**
Agency 505 – Department of Administration (DOA)

Budget Office Request Title:

Remove Wisconsin Land Council and Wisconsin Land Information Board sunset

Request Description:

Remove the sunset for the WLC and WLIB. Continue the deed recording fee at current levels and continue DOA administrative funding.

266-7973
william.walker@doa.state.wi.us

BB303

2003

Date (time) needed

DN8725

LRB-1308, 1

DOA BUDGET DRAFT

JTK:AMES
KMG

Use the appropriate components and routines developed for bills.

>>FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION<<

AN ACT . . . [DO NOT generate catalog]; relating to: ~~the budget~~
.
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Analysis by the Legislative Reference Bureau

- If titles are needed in the analysis, in the component bar:
 - For the main heading, execute: create → anal: → title: → head
 - For the subheading, execute: create → anal: → title: → sub
 - For the sub-subheading, execute: create → anal: → title: → sub-sub
- For the analysis text, in the component bar:
 - For the text paragraph, execute: create → anal: → text

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

SECTION #.

2003 BILL

head State government
sub Other State government

1 AN ACT *to repeal* 15.107 (16) (e) and 16.023 (3); *to repeal and recreate* 15.07
2 (1) (b) 16., 15.105 (16), 16.966, 16.967, 16.968, 20.505 (1) (title), 20.505 (1) (ie),
3 20.505 (1) (ig), 20.505 (1) (ij), 20.505 (1) (ik), 20.505 (1) (ka), 23.27 (3) (a), 23.32
4 (2) (d), 23.325 (1) (a), 36.09 (1) (e), 36.25 (12m) (intro.), 59.43 (1) (u), 59.43 (2)
5 (ag) 1. and (e), 59.72 (1) (a) and (b), 59.72 (1) (am), 59.72 (3), 59.72 (4), 59.72 (5)
6 and 92.10 (4) (a) of the statutes; and *to affect* 1997 Wisconsin Act 27, section
7 9101 (1), 1997 Wisconsin Act 27, section 9456 (3m), 1999 Wisconsin Act 9,
8 section 519, 1999 Wisconsin Act 9, section 9401 (2zt), 1999 Wisconsin Act 9,
9 section 9401 (2zu) and 2001 Wisconsin Act 16, section 813b, ~~relating to:~~
10 continuation of the Land Information Board. *and Wisconsin Land Council*)

Analysis by the Legislative Reference Bureau

Currently, the Land Information Board is attached to the Department of Administration (DOA). The board consists of the secretaries of five state agencies or their designees, the state cartographer, and nine other persons appointed by the governor, four of whom are representatives of county or municipal governments in this state, four of whom are representatives of public utilities or private businesses

BILL

in this state and one of whom is nominated by a statewide association whose purposes include support of a network of statewide land information systems. The board serves as a state clearinghouse for access to land information and provides technical assistance to state agencies and local governmental units with land information responsibilities, reviews and approves county plans for land records modernization, and provides aids to counties, derived from recording fee revenues collected by counties, for land records modernization projects. Under current law, the board and its functions are abolished effective on September 1, 2003.

This bill deletes this expiration date and makes the board and its functions permanent.

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 \$11 for the first page of an instrument and \$2 for each additional page. Until September 1, 2003, counties must remit \$2 of each \$11 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 \$4 of the fee for recording or filing the first page of an instrument for land records modernization, the county must remit \$7 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 \$11 to \$8 and no portion is remitted to the state.

This bill deletes the changes that were to have occurred in September 1, 2003, and makes the current law provisions permanent.

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 establish a technical working group 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; 5) to establish a state agency working group that must facilitate and provide training and technical help for the development of local intergovernmental land use planning; and 6) 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 the council's functions and activities. The report must have been submitted not later than September 1, 2002.

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

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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.** 15.07 (1) (b) 16. of the statutes is repealed and recreated to read:

2 15.07 (1) (b) 16. Land information board.

3 **SECTION 2.** 15.105 (16) of the statutes is repealed and recreated to read:

4 15.105 (16) LAND INFORMATION BOARD. (a) *Creation.* There is created a land
5 information board attached to the department of administration under s. 15.03.

6 (b) *Members.* The board consists of the following members:

7 1. The secretary of administration, the secretary of agriculture, trade and
8 consumer protection, the secretary of natural resources, the secretary of revenue,
9 and the secretary of transportation, or their designees.

10 2. Four representatives from county and municipal government selected from
11 various geographical regions of the state, including at least one member of a county
12 board of supervisors, at least one member of a city council, village board, or town
13 board, and at least one person who is a county officer active in land information
14 management, to serve 6-year terms.

15 3. Four representatives chosen from public utilities and private businesses
16 selected from various geographical regions of the state, including at least one public
17 utility representative and at least one representative of a professional land
18 information organization, to serve 6-year terms.

19 4. The state cartographer.

20 5. One member nominated to the governor by a statewide association whose
21 purposes include support of a network of statewide land information systems.

BILL

1 (c) *Advisory members.* The state historic preservation officer and the state
2 geologist, or their designees, a representative of a regional planning commission who
3 is selected by the board, a county employee active in land information management
4 who is selected by the board, and representatives of state and federal agencies active
5 in land information management who are selected by the board, shall serve as
6 nonvoting, advisory members of the board.

7 **SECTION 3.** 15.107 (16) (e) of the statutes is repealed.

8 **SECTION 4.** 16.023 (3) of the statutes is repealed.

9 **SECTION 5.** 16.966 of the statutes is repealed and recreated to read:

10 **16.966 Land information support.** (1) In this section, “state agency” has
11 the meaning given for “agency” 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) (ks).

18 (3) The department may develop and maintain geographic information
19 systems relating to land in this state for the use of governmental and
20 nongovernmental units.

21 (4) The department shall provide staff services to the land information board.

22 **SECTION 6.** 16.967 of the statutes is repealed and recreated to read:

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

24 (a) “Board” means the land information board.

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

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

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

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

17 **(3) BOARD DUTIES.** The board shall direct and supervise the land information
18 program and serve as the state clearinghouse for access to land information. In
19 addition, the board shall:

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

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

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

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

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

5 (4) FUNDING REPORT. The board shall identify and study possible program
6 revenue sources or other revenue sources for the purpose of funding the operations
7 of the board, including grants to counties under sub. (7).

8 (5) FEES. All fees received under s. 59.72 (5) (a) shall be credited to the
9 appropriation ^{account} under s. 20.505 (1) (ij).

10 (6) REPORTS. By March 31 of each year, the department of administration, the
11 department of agriculture, trade and consumer protection, the department of
12 commerce, the department of health and family services, the department of natural
13 resources, the department of tourism, the department of revenue, the department of
14 transportation, the Board of Regents of the University of Wisconsin System, the
15 public service commission, and the board of curators of the historical society shall
16 each submit to the board a plan to integrate land information to enable such
17 information to be readily translatable, retrievable and geographically referenced for
18 use by any state, local governmental unit or public utility. The plans shall include
19 the information that will be needed by local governmental units to prepare
20 comprehensive plans containing the planning elements required under s. 66.1001
21 (2). Upon receipt of this information, the board shall integrate the information to
22 enable the information to be used to meet land information data needs. The
23 integrated information shall be readily translatable, retrievable, and geographically
24 referenced to enable members of the public to use the information.

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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 board on behalf of any local
3 governmental unit, as defined in s. 59.72 (1) (c), located wholly or partially within the
4 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 5. To support technological developments and improvements for the purpose
19 of providing Internet-accessible housing assessment and sales data.

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

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

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

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

7 (10) MEMORANDUM OF UNDERSTANDING. The board shall enter into a
8 memorandum of understanding with the Wisconsin land council to ensure
9 cooperation between the board and the council and to avoid duplication of activities.

10 (11) SOIL SURVEYS AND MAPPING. The board may conduct soil surveys and soil
11 mapping activities.

12 SECTION 7. 16.968 of the statutes, as affected by 1997 Wisconsin Act 27, section
13 142am, is repealed and recreated to read:

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

23 SECTION 8. 20.505 (1) (title) of the statutes, as affected by 1997 Wisconsin Act
24 27, section 666h, is repealed and recreated to read:

25 20.505 (1) (title) SUPERVISION AND MANAGEMENT; LAND INFORMATION BOARD.

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1 **SECTION 9.** 20.505 (1) (ie) of the statutes is repealed and recreated to read:

2 20.505 (1) (ie) *Land information board; general program operations;*
3 *incorporations and annexations.* From the moneys received by the land information
4 board under s. 59.72 (5) (a), the amounts in the schedule for general program
5 operations of the board under s. 16.967 and for reviews of proposed municipal
6 incorporations and annexations by the department.

7 **SECTION 10.** 20.505 (1) (ig) of the statutes is repealed and recreated to read:

8 20.505 (1) (ig) *Land information board; technical assistance and education.*

9 The amounts in the schedule for the land information board to provide technical
10 assistance to counties and to conduct educational seminars, courses or conferences
11 under s. 16.967 (9). The charges paid by the counties and participants in educational
12 seminars, courses and conferences under s. 16.967 (9) shall be credited to this
13 appropriation account.

14 **SECTION 11.** 20.505 (1) (ij) of the statutes is repealed and recreated to read:

15 20.505 (1) (ij) *Land information board; aids to counties.* From the moneys
16 received by the land information board under s. 59.72 (5) (a), all moneys not
17 appropriated under pars. (ie), (if), and (ik) for the purpose of providing aids to
18 counties for land information projects under s. 16.967 (7).

19 **SECTION 12.** 20.505 (1) (ik) of the statutes is repealed and recreated to read:

20 20.505 (1) (ik) *Land information board; soil surveys and mapping.* From the
21 moneys received by the land information board under s. 59.72 (5) (a), the amounts
22 in the schedule to perform soil survey and mapping activities under s. 16.967 (11).

23 **SECTION 13.** 20.505 (1) (ka) of the statutes, as affected by 1997 Wisconsin Act
24 27, is repealed and recreated to read:

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

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

10 **SECTION 14.** 23.27 (3) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
11 section 769ad, is repealed and recreated to read:

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

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1 **SECTION 15.** 23.32 (2) (d) of the statutes is repealed and recreated to read:

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

5 **SECTION 16.** 23.325 (1) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
6 is repealed and recreated to read:

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

11 **SECTION 17.** 36.09 (1) (e) of the statutes, as affected by 1999 Wisconsin Act 42,
12 section 18, is repealed and recreated to read:

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

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1 **SECTION 18.** 36.25 (12m) (intro.) of the statutes, as 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 land information board, the state cartographer shall:

5 **SECTION 19.** 59.43 (1) (u) of the statutes is repealed and recreated to read:

6 **59.43 (1) (u)** Submit that portion of recording fees collected under sub. (2) (ag)
7 1. and (e) and not retained by the county to the land information board under s. 59.72
8 (5).

9 **SECTION 20.** 59.43 (2) (ag) 1. and (e) of the statutes are repealed and recreated
10 to read:

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

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

18 **SECTION 21.** 59.72 (1) (a) and (b) of the statutes, as affected by 1997 Wisconsin
19 Act 27, are repealed and recreated to read:

20 **59.72 (1) (a)** "Land information" has the meaning given in s. 16.967 (1) (b).

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

22 **SECTION 22.** 59.72 (1) (am) of the statutes is repealed and recreated to read:

23 **59.72 (1) (am)** "Land information system" has the meaning given in s. 16.967
24 (1) (c).

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1 **SECTION 23.** 59.72 (3) of the statutes, as affected by 1997 Wisconsin Act 27, is
2 repealed and recreated to read:

3 **59.72 (3) LAND INFORMATION OFFICE.** The board may establish a county land
4 information office or may direct that the functions and duties of the office be
5 performed by an existing department, board, commission, agency, institution,
6 authority, or office. If the board establishes a county land information office, the
7 office shall:

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

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

14 (c) Review and recommend projects from local governmental units for grants
15 from the land information board under s. 16.967 (7).

16 **SECTION 24.** 59.72 (4) of the statutes is repealed and recreated to read:

17 **59.72 (4) AID TO COUNTIES.** A board that has established a land information
18 office under sub. (3) may apply to the land information board for a grant for a land
19 information project under s. 16.967 (7).

20 **SECTION 25.** 59.72 (5) of the statutes, as affected by 1997 Wisconsin Act 27, is
21 repealed and recreated to read:

22 **59.72 (5) LAND RECORD MODERNIZATION FUNDING.** (a) Before the 16th day of each
23 month a register of deeds shall submit to the land information board \$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).

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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 \$4 of each \$5 fee retained under this paragraph to develop,
9 implement, and maintain the countywide plan for land records modernization, and
10 \$1 of each \$5 fee retained under this paragraph to develop and maintain a
11 computerized indexing of the county's land information records relating to housing,
12 including the housing element of the county's land use plan under s. 66.1001 (2) (b),
13 in a manner that would allow for greater public access via the Internet.

14 **SECTION 26.** 92.10 (4) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
15 is repealed and recreated to read:

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

20 **SECTION 27.** 1997 Wisconsin Act 27, section 9101 (1) is repealed.

21 **SECTION 28.** 1997 Wisconsin Act 27, section 9456 (3m) is repealed.

22 **SECTION 29.** 1999 Wisconsin Act 9, section 519 is repealed.

23 **SECTION 30.** 1999 Wisconsin Act 9, section 9401 (2zt) is repealed.

24 **SECTION 31.** 1999 Wisconsin Act 9, section 9401 (2zu) is repealed.

25 **SECTION 32.** 2001 Wisconsin Act 16, section 813b is repealed.

BILL

9101

SECTION 9. Nonstatutory provisions.

; administration

(1) ^(CS) Notwithstanding the treatment of sections 15.105 (16) and 15.107 (16) (e)

Land information board and Wisconsin land council

of the statutes by this act, the members of the land information board and the Wisconsin land council who are serving on the effective date of this subsection, if any, shall continue to serve until their terms of office expire and until their successors are appointed and qualified, unless removed as provided by law.

(END)

membership transition.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

-1308/1 du
LRB-0171/1 du

JTK:kmg:rs

4

Bill Walker:

The present text of s. 16.967 (11), stats., permits the land information board to conduct soil surveys and mapping activities. The original text of that subsection, as passed by the legislature, would have permitted the board to assess state agencies for the cost of those activities. The governor deleted that language by partial veto. The original text of s. 20.505 (1) (kt), stats., would have appropriated revenue from these assessments to the board. The governor rewrote this statute by partial veto to appropriate this revenue to DOA. However, under the law as vetoed, DOA has no authority to collect this revenue. If you would like to address this issue, please let me know.

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

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1308/1dn
JTK:kmg:rs

January 6, 2003

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The present text of s. 16.967 (11), stats., permits the land information board to conduct soil surveys and mapping activities. The original text of that subsection, as passed by the legislature, would have permitted the board to assess state agencies for the cost of those activities. The governor deleted that language by partial veto. The original text of s. 20.505 (1) (kt), stats., would have appropriated revenue from these assessments to the board. The governor rewrote this statute by partial veto to appropriate this revenue to DOA. However, under the law as vetoed, DOA has no authority to collect this revenue. If you would like to address this issue, please let me know.

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

Kuesel, Jeffery

To: Walker, William - DOA
Cc: Shovers, Marc; Grinde, Kirsten
Subject: RE: LRB Draft: 03-1308/1 Land information program sunset repealed

Bill,

This is a completely different request. I don't think the current draft does us much good. We do have a draft for last session we did for Kirsten that may come close, however. We'll get to this as soon as we can, but priority has now shifted to the budget repair bill.

Jeff Kuesel

-----Original Message-----

From: Walker, William - DOA
Sent: Monday, January 20, 2003 5:09 PM
To: Kuesel, Jeffery
Cc: Grinde, Kirsten
Subject: FW: LRB Draft: 03-1308/1 Land information program sunset repealed

Jeffery,

I made a mistake in the drafting request. Rather than eliminate the sunsets, they should be extended by two years to 2005.

My apologies. I hope I have not created too much extra work.

-----Original Message-----

From: Schlueter, Ron
Sent: Monday, January 06, 2003 12:27 PM
To: Walker, William - DOA
Cc: Grinde, Kirsten; Schaeffer, Carole; Hanaman, Cathlene; Haugen, Caroline
Subject: LRB Draft: 03-1308/1 Land information program sunset repealed

Following is the PDF version of draft 03-1308/1.

<< File: 03-1308/1 >> << File: 03-1308/1dn >>

Shovers, Marc

From: Kuesel, Jeffery
Sent: Wednesday, January 29, 2003 8:17 AM
To: Shovers, Marc
Subject: FW: LRB Draft: 03-1308/1 Land information program sunset repealed

-----Original Message-----

From: Walker, William - DOA
Sent: Tuesday, January 28, 2003 8:45 PM
To: Kuesel, Jeffery
Subject: FW: LRB Draft: 03-1308/1 Land information program sunset repealed

Just a note, Kirsten would like both the Board and the Council to sunset on September 1, 2005 rather than one on August 30 and the other on September 1.

-----Original Message-----

From: Kuesel, Jeffery
Sent: Tuesday, January 21, 2003 9:31 AM
To: Walker, William - DOA
Cc: Shovers, Marc; Grinde, Kirsten
Subject: RE: LRB Draft: 03-1308/1 Land information program sunset repealed

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Jeff Kuesel

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Sent: Monday, January 20, 2003 5:09 PM
To: Kuesel, Jeffery
Cc: Grinde, Kirsten
Subject: FW: LRB Draft: 03-1308/1 Land information program sunset repealed

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I made a mistake in the drafting request. Rather than eliminate the sunsets, they should be extended by two years to 2005.

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Sent: Monday, January 06, 2003 12:27 PM
To: Walker, William - DOA
Cc: Grinde, Kirsten; Schaeffer, Carole; Hanaman, Cathlene; Haugen, Caroline
Subject: LRB Draft: 03-1308/1 Land information program sunset repealed

Following is the PDF version of draft 03-1308/1.

<< File: 03-1308/1 >> << File: 03-1308/1dn >>



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1308/1
JTK&MES:kmg:rs

RMR

DOA:.....Walker - BB0303, Land information program sunset repealed
FOR 2003-05 BUDGET - NOT READY FOR INTRODUCTION

SDDN
FN 1/29/03

1 AN ACT ^{DON'T} ^{GEN. CAT.} relating to: continuation of the Land Information Board and
2 Wisconsin Land Council.

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 nine other persons appointed by the governor, four of whom are representatives of county or municipal governments in this state, four of whom are representatives of public utilities or private businesses in this state and one of whom is nominated by a statewide association whose purposes include support of a network of statewide land information systems. The board serves as a state clearinghouse for access to land information and provides technical assistance to state agencies and local governmental units with land information responsibilities, reviews and approves county plans for land records modernization, and provides aids to counties, derived from recording fee revenues collected by counties, for land records modernization projects. Under current law, the board and its functions are abolished effective on September 1, 2003.

^{changed} This bill ~~changes~~ this expiration date ^{to September 1, 2005.} ~~and makes the board and its functions~~ ~~permanent.~~

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 \$11 for

the first page of an instrument and \$2 for each additional page. Until September 1, 2003, counties must remit \$2 of each \$11 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 \$4 of the fee for recording or filing the first page of an instrument for land records modernization, the county must remit \$7 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 \$11 to \$8 and no portion is remitted to the state.

~~This bill deletes the changes that were to have occurred in September 1, 2003, and makes the current law provisions permanent.~~

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 establish a technical working group 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; 5) to establish a state agency working group that must facilitate and provide training and technical help for the development of local intergovernmental land use planning; and 6) 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 the council's functions and activities. The report must have been submitted not later than September 1, 2002.

The bill also ~~repeals~~ ^{changes} the current law August 31, 2003, sunset date for the council ^{to September 1, 2005}.

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

Under the bill, a similar report must be submitted no later than September 1, 2004.

changes occur to September 1, 2005.

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

- 1 **SECTION 1.** 15.07 (1) (b) 16. of the statutes is repealed and recreated to read:
- 2 15.07 (1) (b) 16. Land information board.
- 3 **SECTION 2.** 15.105 (16) of the statutes is repealed and recreated to read:
- 4 15.105 (16) LAND INFORMATION BOARD. (a) *Creation.* There is created a land
- 5 information board attached to the department of administration under s. 15.03



1 (b) *Members.* The board consists of the following members:

2 1. The secretary of administration, the secretary of agriculture, trade and
3 consumer protection, the secretary of natural resources, the secretary of revenue,
4 and the secretary of transportation, or their designees.

5 2. Four representatives from county and municipal government selected from
6 various geographical regions of the state, including at least one member of a county
7 board of supervisors, at least one member of a city council, village board, or town
8 board, and at least one person who is a county officer active in land information
9 management, to serve 6-year terms.

10 3. Four representatives chosen from public utilities and private businesses
11 selected from various geographical regions of the state, including at least one public
12 utility representative and at least one representative of a professional land
13 information organization, to serve 6-year terms.

14 4. The state cartographer.

15 5. One member nominated to the governor by a statewide association whose
16 purposes include support of a network of statewide land information systems.

17 (c) *Advisory members.* The state historic preservation officer and the state
18 geologist, or their designees, a representative of a regional planning commission who
19 is selected by the board, a county employee active in land information management
20 who is selected by the board, and representatives of state and federal agencies active
21 in land information management who are selected by the board, shall serve as
22 nonvoting, advisory members of the board.

23 SECTION 3. 15.107 (16) (e) of the statutes is repealed.

24 SECTION 4. 16.023 (3) of the statutes is repealed.

25 SECTION 5. 16.966 of the statutes is repealed and recreated to read:

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

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

9 (3) The department may develop and maintain geographic information
10 systems relating to land in this state for the use of governmental and
11 nongovernmental units.

12 (4) The department shall provide staff services to the land information board.

13 **SECTION 6.** 16.967 of the statutes is repealed and recreated to read:

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

15 (a) "Board" means the land information board.

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

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

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

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

8 (3) BOARD DUTIES. The board shall direct and supervise the land information
9 program and serve as the state clearinghouse for access to land information. In
10 addition, the board shall:

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

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

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

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

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

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

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

1 **(6) REPORTS.** By March 31 of each year, the department of administration, the
2 department of agriculture, trade and consumer protection, the department of
3 commerce, the department of health and family services, the department of natural
4 resources, the department of tourism, the department of revenue, the department of
5 transportation, the Board of Regents of the University of Wisconsin System, the
6 public service commission, and the board of curators of the historical society shall
7 each submit to the board a plan to integrate land information to enable such
8 information to be readily translatable, retrievable and geographically referenced for
9 use by any state, local governmental unit or public utility. The plans shall include
10 the information that will be needed by local governmental units to prepare
11 comprehensive plans containing the planning elements required under s. 66.1001
12 **(2).** Upon receipt of this information, the board shall integrate the information to
13 enable the information to be used to meet land information data needs. The
14 integrated information shall be readily translatable, retrievable, and geographically
15 referenced to enable members of the public to use the information.

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

20 1. The design, development, and implementation of a land information system
21 that contains and integrates, at a minimum, property and ownership records with
22 boundary information, including a parcel identifier referenced to the U.S. public land
23 survey; tax and assessment information; soil surveys, if available; wetlands
24 identified by the department of natural resources; a modern geodetic reference
25 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 5. To support technological developments and improvements for the purpose
9 of providing Internet-accessible housing assessment and sales data.

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

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

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

22 (10) MEMORANDUM OF UNDERSTANDING. The board shall enter into a
23 memorandum of understanding with the Wisconsin land council to ensure
24 cooperation between the board and the council and to avoid duplication of activities.

1 (11) SOIL SURVEYS AND MAPPING. The board may conduct soil surveys and soil
2 mapping activities.

3 SECTION 7. 16.968 of the statutes, as affected by 1997 Wisconsin Act 27, section
4 142am, is repealed and recreated to read:

5 **16.968 Groundwater survey and analysis.** The department shall allocate
6 funds for programs of groundwater survey and analysis to the department of natural
7 resources and the geological and natural history survey following review and
8 approval of a mutually agreed upon division of responsibilities concerning
9 groundwater programs between the department of natural resources and the
10 geological and natural history survey, a specific expenditure plan and groundwater
11 data collection standards consistent with the purposes of s. 16.967. State funds
12 allocated under this section shall be used to match available federal funds prior to
13 being used for solely state-funded activities.

14 SECTION 8. 20.505 (1) (title) of the statutes, as affected by 1997 Wisconsin Act
15 27, section 666h, is repealed and recreated to read:

16 20.505 (1) (title) SUPERVISION AND MANAGEMENT; LAND INFORMATION BOARD.

17 SECTION 9. 20.505 (1) (ie) of the statutes is repealed and recreated to read:

18 20.505 (1) (ie) *Land information board; general program operations;*
19 *incorporations and annexations.* From the moneys received by the land information
20 board under s. 59.72 (5) (a), the amounts in the schedule for general program
21 operations of the board under s. 16.967 and for reviews of proposed municipal
22 incorporations and annexations by the department.

23 SECTION 10. 20.505 (1) (ig) of the statutes is repealed and recreated to read:

24 20.505 (1) (ig) *Land information board; technical assistance and education.*
25 The amounts in the schedule for the land information board to provide technical

1 assistance to counties and to conduct educational seminars, courses or conferences
2 under s. 16.967 (9). The charges paid by the counties and participants in educational
3 seminars, courses and conferences under s. 16.967 (9) shall be credited to this
4 appropriation account.

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

6 20.505 (1) (ij) *Land information board; aids to counties.* From the moneys
7 received by the land information board under s. 59.72 (5) (a), all moneys not
8 appropriated under pars. (ie), (if), and (ik) for the purpose of providing aids to
9 counties for land information projects under s. 16.967 (7).

10 SECTION 12. 20.505 (1) (ik) of the statutes is repealed and recreated to read:

11 20.505 (1) (ik) *Land information board; soil surveys and mapping.* From the
12 moneys received by the land information board under s. 59.72 (5) (a), the amounts
13 in the schedule to perform soil survey and mapping activities under s. 16.967 (11).

14 SECTION 13. 20.505 (1) (ka) of the statutes, as affected by 1997 Wisconsin Act
15 27, 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) and (kb) to (ku) and subs. (2) (k) and (5) (ka), and to
20 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
22 districts and from the sale of inventory items primarily to state agencies and such
23 districts, other than moneys received and disbursed under pars. (im) and (kb) to (ku)
24 and subs. (2) (k) and (5) (ka), shall be credited to this appropriation account.

1 **SECTION 14.** 23.27 (3) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
2 section 769ad, is repealed and recreated to read:

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

17 **SECTION 15.** 23.32 (2) (d) of the statutes is repealed and recreated to read:

18 23.32 (2) (d) The department shall cooperate with the land information board
19 under s. 16.967 in conducting wetland mapping activities or any related land
20 information collection activities.

21 **SECTION 16.** 23.325 (1) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
22 is repealed and recreated to read:

23 23.325 (1) (a) Shall consult with the land information board, the department
24 of transportation, and the state cartographer, and may consult with other potential

1 users of the photographic products resulting from the survey, to determine the scope
2 and character of the survey.

3 SECTION 17. 36.09 (1) (e) of the statutes, as affected by 1999 Wisconsin Act 42,
4 section 18, is repealed and recreated to read:

5 36.09 (1) (e) The board shall appoint a president of the system; a chancellor for
6 each institution; a dean for each college campus; the state geologist; the director of
7 the laboratory of hygiene; the director of the psychiatric institute; the state
8 cartographer; with the advice of the land information board; and the requisite
9 number of officers, other than the vice presidents, associate vice presidents, and
10 assistant vice presidents of the system; faculty; academic staff and other employees
11 and fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4g) and
12 230.12 (3) (e), the duties and the term of office for each. The board shall fix the
13 salaries, subject to the limitations under par. (j) and ss. 20.923 (4g) and 230.12 (3)
14 (e), and the duties for each chancellor, vice president, associate vice president, and
15 assistant vice president of the system. No sectarian or partisan tests or any tests
16 based upon race, religion, national origin, or sex shall ever be allowed or exercised
17 in the appointment of the employees of the system.

18 SECTION 18. 36.25 (12m) (intro.) of the statutes, as affected by 1997 Wisconsin
19 Act 27, is repealed and recreated to read:

20 36.25 (12m) STATE CARTOGRAPHER. (intro.) In coordination and consultation
21 with the land information board, the state cartographer shall:

22 SECTION 19. 59.43 (1) (u) of the statutes is repealed and recreated to read:

23 59.43 (1) (u) Submit that portion of recording fees collected under sub. (2) (ag)

24 1. and (e) and not retained by the county to the land information board under s. 59.72

25 (5).

1 **SECTION 20.** 59.43 (2) (ag) 1. and (e) of the statutes are repealed and recreated
2 to read:

3 59.43 (2) (ag) 1. Subject to s. 59.72 (5), for recording any instrument entitled
4 to be recorded in the office of the register of deeds, \$11 for the first page and \$2 for
5 each additional page, except that no fee may be collected for recording a change of
6 address that is exempt from a filing fee under s. 185.83 (1) (b).

7 (e) Subject to s. 59.72 (5), for filing any instrument which is entitled to be filed
8 in the office of register of deeds and for which no other specific fee is specified, \$11
9 for the first page and \$2 for each additional page.

10 **SECTION 21.** 59.72 (1) (a) and (b) of the statutes, as affected by 1997 Wisconsin
11 Act 27, are repealed and recreated to read:

12 59.72 (1) (a) "Land information" has the meaning given in s. 16.967 (1) (b).

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

14 **SECTION 22.** 59.72 (1) (am) of the statutes is repealed and recreated to read:

15 59.72 (1) (am) "Land information system" has the meaning given in s. 16.967
16 (1) (c).

17 **SECTION 23.** 59.72 (3) of the statutes, as affected by 1997 Wisconsin Act 27, is
18 repealed and recreated to read:

19 59.72 (3) **LAND INFORMATION OFFICE.** The board may establish a county land
20 information office or may direct that the functions and duties of the office be
21 performed by an existing department, board, commission, agency, institution,
22 authority, or office. If the board establishes a county land information office, the
23 office shall:

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

4 (b) Within 2 years after the land information office is established, develop and
5 receive approval for a countywide plan for land records modernization. The plan
6 shall be submitted for approval to the land information board under s. 16.967 (3) (e).

7 (c) Review and recommend projects from local governmental units for grants
8 from the land information board under s. 16.967 (7).

9 **SECTION 24.** 59.72 (4) of the statutes is repealed and recreated to read:

10 59.72 (4) AID TO COUNTIES. A board that has established a land information
11 office under sub. (3) may apply to the land information board for a grant for a land
12 information project under s. 16.967 (7).

13 **SECTION 25.** 59.72 (5) of the statutes, as affected by 1997 Wisconsin Act 27, is
14 repealed and recreated to read:

15 59.72 (5) LAND RECORD MODERNIZATION FUNDING. (a) Before the 16th day of each
16 month a register of deeds shall submit to the land information board \$7 from the fee
17 for recording the first page of each instrument that is recorded under s. 59.43 (2) (ag)
18 1. and (e), less any amount retained by the county under par. (b).

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

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

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

1 3. The county uses \$4 of each \$5 fee retained under this paragraph to develop,
2 implement, and maintain the countywide plan for land records modernization, and
3 \$1 of each \$5 fee retained under this paragraph to develop and maintain a
4 computerized indexing of the county's land information records relating to housing,
5 including the housing element of the county's land use plan under s. 66.1001 (2) (b),
6 in a manner that would allow for greater public access via the Internet.

7 **SECTION 26.** 92.10 (4) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
8 is repealed and recreated to read:

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

13 **SECTION 27.** 1997 Wisconsin Act 27, section 9101 (1) is repealed.

14 **SECTION 28.** 1997 Wisconsin Act 27, section 9456 (3m) is repealed.

15 **SECTION 29.** 1999 Wisconsin Act 9, section 519 is repealed.

16 **SECTION 30.** 1999 Wisconsin Act 9, section 9401 (2zt) is repealed.

17 **SECTION 31.** 1999 Wisconsin Act 9, section 9401 (2zu) is repealed.

18 **SECTION 32.** 2001 Wisconsin Act 16, section 813b is repealed.

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

20 (1) **LAND INFORMATION BOARD AND WISCONSIN LAND COUNCIL MEMBERSHIP**
21 **TRANSITION.** Notwithstanding the treatment of sections 15.105 (16) and 15.107 (16)
22 (e) of the statutes by this act, the members of the land information board and the
23 Wisconsin land council who are serving on the effective date of this subsection, if any,

1 shall continue to serve until their terms of office expire and until their successors are
2 appointed and qualified, unless removed as provided by law.

3

(END)

Inst 15-KA

LFB:.....Renner - Land information and comprehensive planning grants
FOR 2001-03 BUDGET -- NOT READY FOR INTRODUCTION
LFB AMENDMENT
TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

Ins. 15-KA

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

2 1. Page 195, line 4: after "except" insert "the Wisconsin land council has the
3 powers specified in s. 16.965 (3) and (5) and the powers granted to agencies under
4 ch. 227,".

5 2. Page 195, line 10: delete lines 10 and 11.

6 3. Page 196, line 12: delete lines 12 and 13.

7 4. Page 207, line 21: delete lines 21 to 24.

8 5. Page 208, line 1: delete lines 1 to 25 and substitute:

9 ~~SECTION 200b.~~ SECTION 16.023 (2) of the statutes is amended to read:

10 16.023 (2) In conjunction with the working group established under sub. (1) (L)
11 1., the council shall, not later than one year after October 14, 1997, develop

PLUF

1 evaluation criteria for its functions under sub. (1). The council shall complete a
 2 report that contains an evaluation of its functions and activities not later than
 3 September 1, 2002 ~~2006~~ ²⁰⁰⁴, and shall submit the report to the chief clerk of each house
 4 of the legislature, for distribution to the legislature under s. 13.172 (2), and to the
 5 governor. The report shall also include a recommendation as to whether the council
 6 should continue in existence past its sunset date specified in s. 15.107 (16) (e) and,
 7 if so, a recommendation as to whether any structural modifications should be made
 8 to the council's functions or to the state's land use programs.

9 ~~6. Page 209, line 1: delete lines 1 to 5 and substitute:~~

10 "SECTION ~~301c.~~ 16.023 (3) of the statutes is amended to read:
 11 16.023 (3) Subsections (1) and (2) do not apply after August 31, 2003 ^{plain} ~~2007~~." 2025

12 ~~7. Page 259, line 15: delete lines 15 to 25.~~

13 ~~8. Page 261, line 2: delete the material beginning with "forward" and ending
 14 with "also" on line 4.~~

15 ~~9. Page 262, line 4: delete the material beginning with that line and ending
 16 with page 265, line 22, and substitute:~~

17 ~~"SECTION 342m. 16.966 (5) of the statutes is created to read:~~

18 ~~16.966 (5) Notwithstanding s. 16.705 (1), the department shall enter into a
 19 contract for the operation and maintenance of the land information system under s.
 20 16.967 (6m).~~

21 ~~SECTION 342n. 16.966 (5) of the statutes, as created by 2001 Wisconsin Act
 22 (this act), is repealed."~~

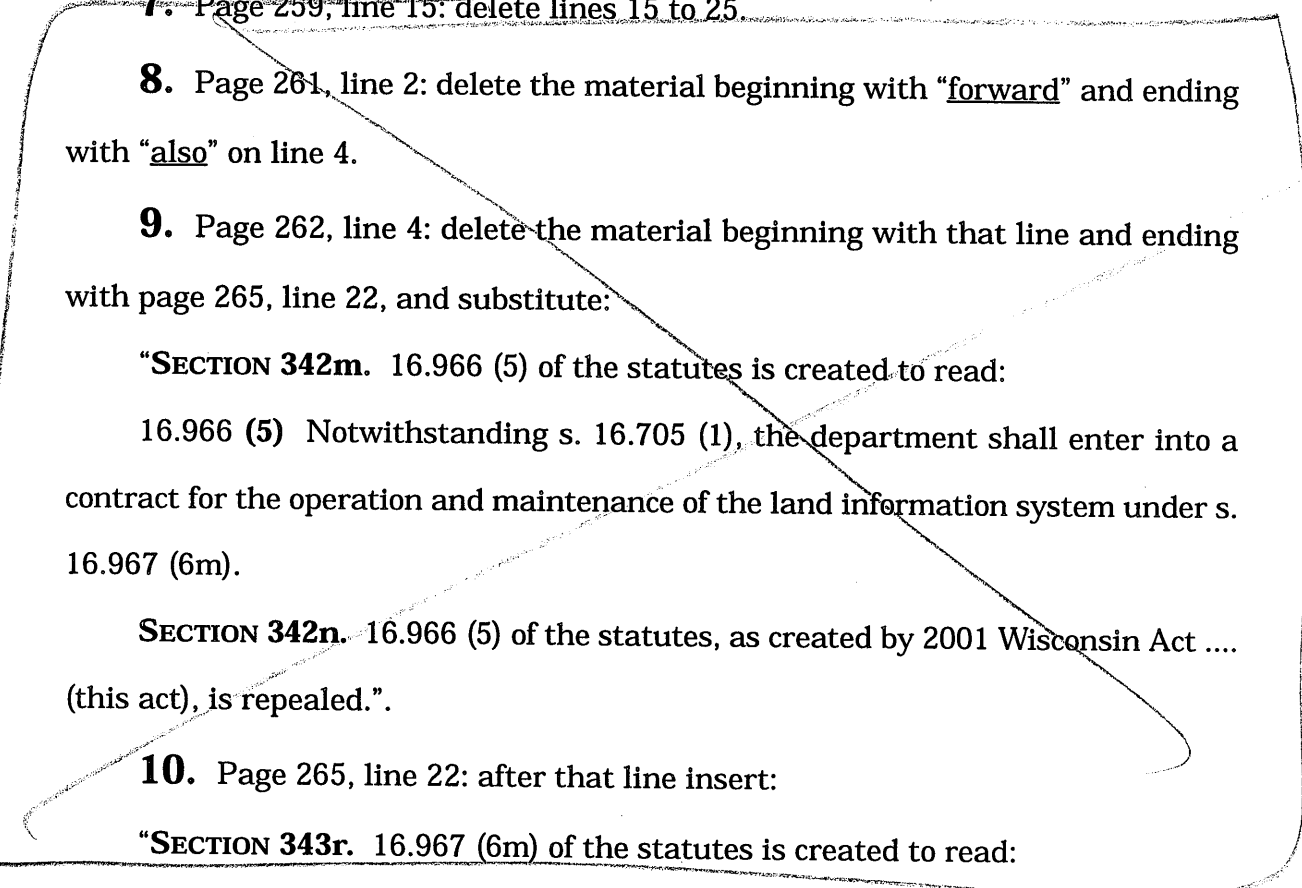
23 ~~10. Page 265, line 22: after that line insert:~~

24 ~~"SECTION 343r. 16.967 (6m) of the statutes is created to read:~~

pwf
pwf

[Handwritten mark]

[Handwritten mark]



1 16.967 (6m) STATE LAND INFORMATION SYSTEM. The board shall promulgate rules
2 governing the creation and maintenance of a state land information system.

3 **SECTION 343t.** 16.967 (7) (a) 5. of the statutes is created to read:

4 16.967 (7) (a) 5. To support technological developments and improvements for
5 the purpose of providing Internet-accessible housing assessment and sales data.”.

6 **11.** Page 265, line 23: delete the material beginning with that line and ending
7 with page 266, line 9.

8 **12.** Page 560, line 19: delete lines 19 to 21.

9 **13.** Page 561, line 7: delete lines 7 to 14 and substitute:

10 **“SECTION 803b.** 20.505 (1) (ie) of the statutes is amended to read:

11 20.505 (1) (ie) *Land information board; general program operations;*
12 *incorporations and annexations.* From the moneys received by the land information
13 board under s. 59.72 (5) (a), the amounts in the schedule for general program
14 operations of the board under s. 16.967 and for reviews of proposed municipal
15 incorporations and annexations by the department.”.

16 **14.** Page 561, line 20: delete lines 20 to 25.

17 **15.** Page 563, line 5: delete lines 5 to 15.

18 **16.** Page 565, line 21: delete the material beginning with that line and ending
19 with page 566, line 2.

20 **17.** Page 620, line 10: delete the material beginning with that line and ending
21 with page 621, line 15.

22 **18.** Page 692, line 15: delete the material beginning with that line and ending
23 with page 693, line 4.

1 **19.** Page 695, line 3: delete lines 3 to 6.

2 **20.** Page 898, line 11: delete lines 11 to 21 and substitute:

3 “**SECTION 1999m.** 59.43 (2) (ag) 1. of the statutes is amended to read:

4 59.43 (2) (ag) 1. ~~After June 30, 1991, and subject Subject~~ to s. 59.72 (5), for
5 recording any instrument entitled to be recorded in the office of the register of deeds,
6 \$10 ~~\$11~~ for the first page and \$2 for each additional page, except that no fee may be
7 collected for recording a change of address that is exempt from a filing fee under s.
8 185.83 (1) (b).

9 **SECTION 1999n.** 59.43 (2) (ag) 1. of the statutes, as affected by 2001 Wisconsin
10 Act (this act), is amended to read:

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

15 **21.** Page 899, line 1: delete lines 1 to 5 and substitute:

16 “**SECTION 2001m.** 59.43 (2) (e) of the statutes is amended to read:

17 59.43 (2) (e) ~~After June 30, 1991, and subject Subject~~ to s. 59.72 (5), for filing
18 any instrument which is entitled to be filed in the office of register of deeds and for
19 which no other specific fee is specified, \$10 ~~\$11~~ for the first page and \$2 for each
20 additional page.

21 **SECTION 2001n.** 59.43 (2) (e) of the statutes, as affected by 2001 Wisconsin Act
22 (this act), is amended to read:

1 59.43 (2) (e) ~~Subject to s. 59.72 (5), for~~ For filing any instrument which is
2 entitled to be filed in the office of register of deeds and for which no other specific fee
3 is specified, \$11 for the first page and \$2 for each additional page.”.

4 **22.** Page 899, line 10: delete the material beginning with that line and ending
5 with page 900, line 25, and substitute:

6 “**SECTION 2003c.** 59.72 (3) (intro.) of the statutes is amended to read:

7 59.72 (3) LAND INFORMATION OFFICE. The board may establish a county land
8 information office or may direct that the functions and duties of the office be
9 performed by an existing department, board, commission, agency, institution,
10 authority, or office. ~~The~~ If the board establishes a county land information office, the
11 office shall:

12 **SECTION 2003e.** 59.72 (5) (a) of the statutes is amended to read:

13 59.72 (5) (a) Before the 16th day of each month a register of deeds shall submit
14 to the land information board ~~\$6~~ \$7 from the fee for recording the first page of each
15 instrument that is recorded under s. 59.43 (2) (ag) 1. and (e), less any amount
16 retained by the county under par. (b).

17 **SECTION 2003g.** 59.72 (5) (b) (intro.) of the statutes is amended to read:

18 59.72 (5) (b) (intro.) A county may retain ~~\$4~~ \$5 of the ~~\$6~~ \$7 submitted under
19 par. (a) from the fee for recording the first page of each instrument that is recorded
20 under s. 59.43 (2) (ag) 1. and (e) if all of the following conditions are met:

21 **SECTION 2003m.** 59.72 (5) (b) 3. of the statutes is amended to read:

22 59.72 (5) (b) 3. The county uses ~~the fees~~ \$4 of each \$5 fee retained under this
23 paragraph to develop, implement, and maintain the countywide plan for land records
24 modernization, and \$1 of each \$5 fee retained under this paragraph to develop and

1 maintain a computerized indexing of the county's land information records relating
 2 to housing, including the housing element of the county's land use plan under s.
 3 66.1001 (2) (b), in a manner that would allow for greater public access via the
 4 Internet."

5 **23.** Page 1044, line 24: delete the material beginning with that line and
 6 ending with page 1045, line 5.

7 **24.** Page 1404, line 1: delete lines 1 to 5.

8 **25.** Page 1721, line 16: delete that line and substitute:

9 ~~SECTION 4039b.~~ SECTION 4039b. 1997 Wisconsin Act 27, section 9101 (11m) is amended to
 10 read:

11 [1997 Wisconsin Act 27] Section 9101 (11m) REPORT BY LAND INFORMATION
 12 BOARD AND WISCONSIN LAND COUNCIL. No later than September 1, 2002 ~~2002~~ ²⁰⁰⁴, the land
 13 information board and Wisconsin land council shall report to the legislature in the
 14 manner provided under section 13.172 (2) of the statutes and to the governor
 15 concerning the issue of continuation of their functions, including the feasibility of
 16 combination of their functions. ~~⊠~~ ✓

17 ~~**26.** Page 1721, line 18: delete that line and substitute~~

18 ~~SECTION 4041b.~~ SECTION 4041b. 1997 Wisconsin Act 27, Section 9456 (3m) is amended to read:
 as last affected by 2001 Wisconsin Act 16,

19 [1997 Wisconsin Act 27] Section 9456 (3m) ELIMINATION OF LAND INFORMATION
 20 BOARD AND WISCONSIN LAND COUNCIL. The treatment of sections 15.07 (1) (b) 16.,
 21 15.105 (16), 16.968 (by SECTION 142am), 20.505 (1) (title) (by SECTION 666h), 20.505
 22 (1) (ka) (by SECTION 669am), 23.27 (3) (a) (by SECTION 769ad), 23.325 (1) (a), 36.09 (1)
 23 (e), 36.25 (12m) (intro.), ~~44.43 (4) (a) and 44.43 (4) (b)~~ 59.72 (1) (a) and (b), (3) (intro.), (a)
 24 and (b) and (5) and 92.10 (4) (a) of the statutes, the repeal of sections 16.966 (1), (2)

restore plain

1 ~~and~~ (4) ~~and~~ (5), 16.967, 20.505 (1) (ie), (ig), (ij) and (ks), 23.32 (2) (d), 59.43 (1) (u) and
2 59.72 (1) (am), (3) (c) and (4) of the statutes and SECTION 9101 (1) of this act take effect
3 on September 1, 2003 ²⁰⁰⁵ ~~2007~~ ✓

4 ~~27. Page 1722, line 15: delete lines 15 and 16 and substitute.~~

5 ~~SECTION 4059b.~~ SECTION ~~4059b.~~ 1999 Wisconsin Act 9, section 9401 (2zt) is amended to read:

6 [1999 Wisconsin Act 9] Section 9401 (2zt) WISCONSIN LAND COUNCIL. The
7 treatment of section 20.505 (1) (ka) (by SECTION 519) of the statutes takes effect on
8 September 1, 2003 ~~2007~~ ²⁰⁰⁵

9 SECTION ~~4059g.~~ 1999 Wisconsin Act 9, section 9401 (2zu) is amended to read:

10 [1999 Wisconsin Act 9] Section 9401 (2zu) SOIL SURVEYS AND MAPPING. The
11 repeal of sections 16.967 (11) and 20.505 (1) (ik) and of the statutes, the treatment
12 of sections 15.01 (4) (by SECTION 12n) and 227.01 (1) (by SECTION 2353n) of the
13 statutes and the repeal of section 16.965 (3) and (5) of the statutes take effect on
14 September 1, 2003 ²⁰⁰⁵ ~~2007~~

15 ~~28. Page 1725, line 14: delete the material beginning with that line and~~
16 ~~ending with page 1726, line 13.~~

17 ~~29. Page 1726, line 14: delete lines 14 to 17.~~

18 ~~30. Page 1785, line 14: delete lines 14 to 17.~~

19 ~~31. Page 1815, line 25: after that line insert:~~

20 ~~"(11bp) REGISTER OF DEEDS RECORDING FEES. The treatment of sections 59.43 (2)~~
21 ~~(ag) 1. (by SECTION 1999m) and (e) (by SECTION 2001m) and 59.72 (5) (a) and (b) (intro.)~~
22 ~~and 3. of the statutes first applies to filings that occur on the effective date of this~~
23 ~~subsection."~~

24 ~~32. Page 1827, line 15: after that line insert:~~



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1308/2
JTK&MES:kmg:cph

DOA:.....Walker – BB0303, Land information program sunset repealed
FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: continuation of the Land Information Board and
2 Wisconsin Land Council.

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 nine other persons appointed by the governor, four of whom are representatives of county or municipal governments in this state, four of whom are representatives of public utilities or private businesses in this state and one of whom is nominated by a statewide association whose purposes include support of a network of statewide land information systems. The board serves as a state clearinghouse for access to land information and provides technical assistance to state agencies and local governmental units with land information responsibilities, reviews and approves county plans for land records modernization, and provides aids to counties, derived from recording fee revenues collected by counties, for land records modernization projects. Under current law, the board and its functions are abolished effective on September 1, 2003.

This bill changes this expiration date to September 1, 2005.

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 \$11 for

the first page of an instrument and \$2 for each additional page. Until September 1, 2003, counties must remit \$2 of each \$11 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 \$4 of the fee for recording or filing the first page of an instrument for land records modernization, the county must remit \$7 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 \$11 to \$8 and no portion is remitted to the state.

This bill changes the date on which these changes occur to September 1, 2005.

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 establish a technical working group 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; 5) to establish a state agency working group that must facilitate and provide training and technical help for the development of local intergovernmental land use planning; and 6) 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 the council's functions and activities. The report must have been submitted not later than September 1, 2002. Under the bill, a similar report must be submitted no later than September 1, 2004.

The bill also changes the current law August 31, 2003, sunset date for the council to September 1, 2005.

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.** 16.023 (2) of the statutes is amended to read:
- 2 16.023 (2) In conjunction with the working group established under sub. (1) (L)
- 3 1., the council shall, not later than one year after October 14, 1997, develop
- 4 evaluation criteria for its functions under sub. (1). The council shall complete a
- 5 report that contains an evaluation of its functions and activities not later than

1 September 1, ~~2002~~ 2004, and shall submit the report to the chief clerk of each house
2 of the legislature, for distribution to the legislature under s. 13.172 (2), and to the
3 governor. The report shall also include a recommendation as to whether the council
4 should continue in existence past its sunset date specified in s. 15.107 (16) (e) and,
5 if so, a recommendation as to whether any structural modifications should be made
6 to the council's functions or to the state's land use programs.

7 **SECTION 2.** 16.023 (3) of the statutes is amended to read:

8 16.023 (3) Subsections (1) and (2) do not apply after August 31, ~~2003~~ 2005.

9 **SECTION 3.** 1997 Wisconsin Act 27, section 9101 (11m) is amended to read:

10 [1997 Wisconsin Act 27] Section 9101 (11m) REPORT BY LAND INFORMATION
11 BOARD AND WISCONSIN LAND COUNCIL. No later than September 1, ~~2002~~ 2004, the land
12 information board and Wisconsin land council shall report to the legislature in the
13 manner provided under section 13.172 (2) of the statutes and to the governor
14 concerning the issue of continuation of their functions, including the feasibility of
15 combination of their functions.

16 **SECTION 4.** 1997 Wisconsin Act 27, section 9456 (3m), as last affected by 2001
17 Wisconsin Act 16, is amended to read:

18 [1997 Wisconsin Act 27] Section 9456 (3m) ELIMINATION OF LAND INFORMATION
19 BOARD AND WISCONSIN LAND COUNCIL. The treatment of sections 15.07 (1) (b) 16.,
20 15.105 (16), 16.968 (by SECTION 142am), 20.505 (1) (title) (by SECTION 666h), 20.505
21 (1) (ka) (by SECTION 669am), 23.27 (3) (a) (by SECTION 769ad), 23.325 (1) (a), 36.09 (1)
22 (e), 36.25 (12m) (intro.), 59.72 (1) (a) and (b), (3) (intro.), (a) and (b) and (5) and 92.10
23 (4) (a) of the statutes, the repeal of sections 16.966 (1), (2) and (4), 16.967, 20.505 (1)
24 (ie), (ig), (ij) and (ks), 23.32 (2) (d), 59.43 (1) (u) and 59.72 (1) (am), (3) (c) and (4) of
25 the statutes and SECTION 9101 (1) of this act take effect on September 1, ~~2003~~ 2005.

