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SECTION 41

1 (3) For purposes of this section, a map, plat, or survey that shows an
2 approximate ordinary high water mark shall state on its face that the mark is shown
3 for reference only.

4 ^x
SECTION 42. 236.03 (2) of the statutes is amended to read:

5 236.03 (2) This chapter does not apply to cemetery plats made under s. 157.07
6 and assessors' plats made under s. 70.27, but such assessors' plats shall, except in
7 counties having a population of 500,000 or more, comply with ss. 236.15 (1) (a) (ac)
8 to (g) and 236.20 (1) and (2) (a) to (e), unless waived under s. 236.20 (2) (L).

9 ^x
SECTION 43. 236.11 (2) of the statutes is renumbered 236.11 (2) (a) and
10 amended to read:

11 236.11 (2) (a) The subdivider or subdivider's agent shall submit to the body or
12 bodies having authority to approve plats an electronic copy of the final plat or a copy
13 of the final plat that is capable of legible reproduction. The approving authority or
14 authorities shall approve or reject the final plat within 60 days of its submission,
15 unless the time is extended by agreement with the subdivider or subdivider's agent.
16 When the approving authority is a municipality and determines to approve the plat,
17 it shall give at least 10 days' prior written notice of its intention to the clerk of any
18 municipality whose boundaries are within 1,000 feet of any portion of such proposed
19 plat but failure to give such notice shall not invalidate any such plat. If a plat is
20 rejected, the reasons therefor shall be stated in the minutes of the meeting and a copy
21 thereof or a written statement of the reasons shall be supplied to the subdivider or
22 subdivider's agent. If the approving authority fails to act within 60 days and the time
23 has not been extended by agreement and if no unsatisfied objections have been filed
24 within that period, the plat shall be deemed approved, and, upon demand, a

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1 certificate to that effect shall be made on the face of the plat by the clerk of the
2 authority ~~which~~ that has failed to act.

3 **SECTION 44.** 236.11 (2) (b) of the statutes is created to read:

4 236.11 (2) (b) The approval of the approving authority or authorities may be
5 based on the copy submitted under par. (a) but the approval must be inscribed on the
6 recordable plat document. Before inscribing its approval, the approving authority
7 shall require the subdivider or subdivider's agent to certify the respects in which the
8 recordable plat document differs from the copy, if any. An approving authority must
9 approve all modifications in the final plat before it gives final approval to the plat.
10 No approving authority may inscribe its final approval on a plat before the affixing
11 of the certificate by the department under s. 236.12 (3).

12 **SECTION 45.** 236.12 (2) (intro.) and (a) of the statutes are consolidated,
13 renumbered 236.12 (2) (ap) and amended to read:

14 236.12 (2) (ap) Within 2 days after a preliminary or final plat is submitted for
15 approval, legible copies, together with a list of the authorities to which the plat must
16 be submitted for approval under s. 236.10 or objection under this subsection,
17 furnished by the subdivider at the subdivider's expense, shall be sent, by the clerk
18 or secretary of the approving authority to which the plat is submitted, to the
19 following agencies which have authority under par. (ac), the department shall
20 transmit an electronic copy of the plat, or, if the department prefers, 2 legible hard
21 copies of the plat, to each state agency authorized to object to the plat: (a) Two copies
22 for each of the state agencies required to review the plat to the department which
23 shall examine the plat for compliance with ss. 236.15, 236.16, 236.20 and 236.21 (1)
24 and (2) under this paragraph. If the subdivision abuts or adjoins a state trunk
25 highway or connecting highway, the department shall transmit 2 a copy or copies of

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1 the plat to the department of transportation so that the agency may determine
2 whether it has any objection to the plat on the basis of its rules as provided in s.
3 236.13. If the subdivision is not served by a public sewer and provision for that
4 service has not been made, the department shall transmit ~~2~~ a copy or copies of the
5 plat to the department of safety and professional services so that ~~that~~ the agency may
6 determine whether it has any objection to the plat on the basis of its rules as provided
7 in s. 236.13. In lieu of this procedure the agencies may designate local officials to act
8 as their agents in examining the plats for compliance with the statutes or their rules
9 by filing a written delegation of authority with the approving body.

10 **SECTION 46.** 236.12^x (2) (ac) of the statutes is created to read:

11 236.12 (2) (ac) The subdivider or subdivider's agent shall submit an electronic
12 copy of the preliminary or final plat, or a copy of the preliminary or final plat that
13 is capable of clearly legible reproduction, to the department, which shall examine the
14 plat for compliance with ss. 236.15, 236.16, 236.20, and 236.21 (1) and (2).

15 **SECTION 47.** 236.12^x (2) (b) of the statutes is amended to read:

16 236.12 (2) (b) ~~Four copies~~ Within 2 days after a preliminary or final plat is
17 submitted under par. (ac), the department shall transmit an electronic copy of the
18 plat, or, if the department prefers, 4 legible hard copies of the plat, to the county
19 planning agency, if the agency employs on a full-time basis a professional engineer,
20 a planner, or other person charged with the duty of administering planning
21 legislation and adopts a policy requiring submission so that the body may determine
22 if it has any objection to the plat on the basis of a conflict with park, parkway,
23 expressway, major highways, airports, drainage channels, schools, or other planned
24 public developments. If no county planning agency exists, then 2 copies to the county
25 park commission except that in a county with a county executive or county

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1 administrator, 2 copies to the county park manager, if the subdivision abuts a county
2 park or parkway so that the body may determine if it has any objection to the plat
3 on the basis of a conflict with the park or parkway development.

4 **SECTION 48.** 236.12 (3) and (6) of the statutes are consolidated, renumbered
5 236.12 (3) and amended to read:

6 236.12 (3) Within 20 days of after the date of receiving the copies of the plat
7 any agency having authority to object under sub. (2) shall notify the subdivider or
8 subdivider's agent and all ~~approving or objecting authorities~~ other agencies having
9 the authority to object of any objection based upon failure of the plat to comply with
10 the statutes or rules ~~which~~ that its examination under sub. (2) is authorized to cover,
11 or, if there is no objection, it shall so certify on the face of a copy of the plat and return
12 that copy to the approving authority from which it was received. ~~The plat shall not~~
13 ~~be approved or deemed approved until any objections have been satisfied. If the~~
14 ~~objecting agency fails to act within the 20-day limit it shall be deemed to have no~~
15 ~~objection to the plat. No approving authority may inscribe its approval on a plat prior~~
16 ~~to the affixing of the certificates under either sub. (4) or (6).~~ (6) In lieu of the
17 procedure under subs. (2) to (5), the subdivider or the subdivider's agent may submit
18 the original plat to the department which shall forward 2 copies to each of the
19 agencies authorized by sub. (2) to 9 department shall have the required number of
20 copies made at the subdivider's expense. Within 20 days of the date of receiving the
21 copies of the plat any agency having authority to object under sub. (2) shall notify the
22 subdivider, and all agencies having the authority to object, of any objection based
23 upon failure of the plat to comply with the statutes or rules which its examination
24 under sub. (2) is authorized to cover, or, if there is no objection, it shall so certify on
25 the face of a copy of the plat and return that copy to the department. After each

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1 agency and the department have certified that they have no objection or that their
 2 objections have been satisfied, the department shall so certify on the face of the plat.
 3 If an agency fails to act within 20 days from the date ~~of the receipt of~~ on which it
 4 received the copy or copies of the plat, and the department fails to act within 30 days
 5 of receipt of the original from the date on which it received the copy of the plat, it shall
 6 be deemed that there are no objections to the plat and, upon demand, ~~it~~ the
 7 department shall be so certified certify on the face of the plat ~~by the department.~~

8 ^x
 8 **SECTION 49.** 236.12 (4) of the statutes is repealed.

9 ^x
 9 **SECTION 50.** 236.12 (5) of the statutes is repealed.

10 ^x
 10 **SECTION 51.** 236.12 (8) of the statutes is renumbered 236.12 (4m) and amended
 11 to read:

12 236.12 **(4m)** In order to facilitate approval of the final plat ~~where~~ whenever
 13 more than one approval is required, the subdivider may ~~or subdivider's agent shall~~
 14 file ~~a true copy of the plat with the~~ each approving authority ~~or authorities with~~
 15 ~~which the original of the final plat has not been filed.~~ The approval of such
 16 authorities may be based on such copy but shall be inscribed on the original of the
 17 final plat. ~~Before inscribing its approval, the approving authority shall require the~~
 18 surveyor or the owner to certify the respects in which the original of the final plat
 19 differs from the copy. ~~All modifications in the final plat shall be approved before final~~
 20 approval is given a true copy of the plat that the subdivider or subdivider's agent
 21 submitted to the department.

22 ^x
 22 **SECTION 52.** 236.13 (2) (a) of the statutes is amended to read:

23 236.13 **(2)** (a) As a further condition of approval, the governing body of the town
 24 or municipality within which the subdivision lies may require that the subdivider
 25 make and install any public improvements reasonably necessary or that the

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1 subdivider execute a surety bond or provide other security to ensure that he or she
2 will make those improvements within a reasonable time. The subdivider may
3 construct the project in such phases as the governing body approves, which approval
4 may not be unreasonably withheld. If the subdivider's project will be constructed in
5 phases, the amount of any surety bond or other security required by the governing
6 body shall be limited to the phase of the project that is currently being constructed.
7 The governing body may not require that the subdivider provide any security for
8 improvements sooner than is reasonably necessary before the commencement of the
9 installation of the improvements. This paragraph applies to all preliminary and
10 final plats, regardless of whether submitted for approval before, on, or after the
11 effective date of this paragraph [LRB inserts date].

12 **SECTION 53.** 236.13^x (2m) of the statutes is amended to read:

13 236.13 (2m) As a further condition of approval when lands included in the plat
14 lie within 500 feet of the ordinary high-water mark of any lake, any navigable
15 perennial stream, lake or any other body of navigable water or if land in the proposed
16 plat involves lake or navigable perennial stream shorelands referred to in s. 236.16,
17 the department of natural resources, to prevent pollution of navigable waters, or the
18 department of safety and professional services, to protect the public health and
19 safety, may require assurance of adequate drainage areas for private on-site
20 wastewater treatment systems and building setback restrictions, or provisions by
21 the owner for public sewage disposal facilities for waters of the state, as defined in
22 s. 281.01 (18), industrial wastes, as defined in s. 281.01 (5), and other wastes, as
23 defined in s. 281.01 (7). The public sewage disposal facilities may consist of one or
24 more systems as the department of natural resources or the department of safety and

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1 professional services determines on the basis of need for prevention of pollution of
2 the waters of the state or protection of public health and safety.

3 **SECTION 54.** 236.15 (1) (intro.) of the statutes is renumbered 236.15 (1) (ac) and
4 amended to read:

5 236.15 (1) (ac) All of the monuments required in pars. (a) (ag) to (h) shall be
6 placed flush with the ground where if practicable. Whenever placement of a
7 monument under this subsection is required at a corner or point that falls within a
8 street or proposed future street, the monument shall be placed in the side line of the
9 street if practicable.

10 **SECTION 55.** 236.15 (1) (a) of the statutes is renumbered 236.15 (1) (ag) and
11 amended to read:

12 236.15 (1) (ag) The external boundaries of a subdivision shall be monumented
13 in the field by monuments of concrete containing a ferrous rod one-fourth inch in
14 diameter or greater imbedded its full length, not less than 18 inches in length, not
15 less than 4 inches square or 5 inches in diameter, and marked on the top with a cross,
16 brass plug, iron rod, or other durable material securely embedded; or by iron rods or
17 pipes at least 18 inches long and 2 inches in diameter weighing not less than 3.65
18 pounds per lineal foot. Solid round or square iron bars of equal or greater length or
19 weight per foot may be used in lieu of pipes wherever pipes are specified in this
20 section. These monuments shall be placed at all corners, at each end of all curves,
21 at the point where a curve changes its radius, at all angle points in any line and at
22 all angle points along the meander line, said points to be not less than 20 feet back
23 from the determined or approximated ordinary high water mark ~~of the lake or from~~
24 ~~the bank of the stream, except that when such corners or points fall within a street,~~
25 ~~or proposed future street, the monuments shall be placed in the side line of the street.~~

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1 [✓]
SECTION 56. 236.15 (1) (b) of the statutes is amended to read:

2 236.15 (1) (b) All internal boundaries and those corners and points not required
3 to be marked by par. (a) (ag) shall be monumented in the field by like monuments as
4 defined in par. (a) (ag). These monuments shall be placed at all block corners, at each
5 end of all curves, at the point where a curve changes its radius, and at all angle points
6 in any line.

7 [✕]
SECTION 57. 236.15 (1) (d) of the statutes is amended to read:

8 236.15 (1) (d) The lines of lots, outlots, parks and public access and land
9 dedicated to the public that extend to lakes or to navigable perennial streams shall
10 be monumented in the field by iron pipes at least 18 inches long and one inch in
11 diameter weighing not less than 1.13 pounds per lineal foot, or by round or square
12 iron bars at least 18 inches long and weighing not less than 1.13 pounds per lineal
13 foot. These monuments shall be placed at the point of intersection of the lake or
14 navigable perennial stream lot line with a meander line established not less than 20
15 feet back from the determined or approximated ordinary high water mark ~~of the lake~~
16 ~~or from the bank of the stream.~~

17 [✕]
SECTION 58. 236.15 (2) of the statutes is amended to read:

18 236.15 (2) ACCURACY OF SURVEY. The survey shall be performed by a
19 professional land surveyor ~~registered in this state~~ and if the error in the latitude and
20 departure closure of the survey or any part thereof is greater than the ratio of one
21 in 3,000, the plat may be rejected.

22 [✓]
SECTION 59. 236.16 (3) (title) of the statutes is amended to read:

23 236.16 (3) (title) LAKE AND NAVIGABLE PERENNIAL STREAM SHORE PLATS; PUBLIC
24 ACCESS.

25 [✕]
SECTION 60. 236.16 (3) (a) of the statutes is amended to read:

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1 236.16 (3) (a) All subdivisions abutting on a navigable lake or a navigable
2 perennial stream shall provide public access at least 60 feet wide providing access
3 to the ~~low watermark~~ water's edge so that there will be public access, which is
4 connected to existing public roads, at not more than one-half mile intervals as
5 measured along the lake or the navigable perennial stream shore except where
6 greater intervals and wider access is agreed upon by the department of natural
7 resources and the department, and excluding shore areas where public parks or
8 open-space streets or roads on either side of ~~a~~ the navigable perennial stream are
9 provided.

10 **SECTION 61.** ^k 236.16 (3) (b) of the statutes is amended to read:

11 236.16 (3) (b) No public access established under this chapter may be vacated
12 except by circuit court action as provided in s. 236.43, except that such public access
13 may be discontinued under s. 66.1003, subject to s. 66.1006.

14 **SECTION 62.** ^x 236.16 (4) of the statutes is amended to read:

15 236.16 (4) LAKE AND NAVIGABLE PERENNIAL STREAM SHORE PLATS; LAND BETWEEN
16 MEANDER LINE AND WATER'S EDGE. The lands lying between the meander line,
17 established in accordance with s. 236.20 (2) (g), and the water's edge, and any
18 otherwise unplattable lands which lie between a proposed subdivision and the
19 water's edge shall be included as part of lots, outlots or public dedications in any plat
20 abutting a lake or a navigable perennial stream. This subsection applies not only to
21 lands proposed to be subdivided but also to all lands under option to the subdivider
22 or in which the subdivider holds any interest and which are contiguous to the lands
23 proposed to be subdivided and which abut a lake or a navigable perennial stream.

24 **SECTION 63.** [✓] 236.20 (1) (a) of the statutes is amended to read:

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1 236.20 (1) (a) The plat shall have ~~a binding margin 1 1/2 inches wide on the~~
2 ~~left side,~~ and a one-inch margin on all other sides. A graphic scale of not more than
3 100 feet to one inch shall be shown on each sheet showing layout features. When
4 more than one sheet is used for any plat, each sheet shall be numbered consecutively
5 and shall contain a notation giving the total number of sheets in the plat and showing
6 the relation of that sheet to the other sheets and each sheet shall bear the subdivision
7 and county name.

8 ^x
SECTION 64. 236.20 (1) (b) of the statutes is repealed.

9 ^k
SECTION 65. 236.20 (2) (g) of the statutes is amended to read:

10 236.20 (2) (g) All ~~lake or stream~~ shore meander lines for all lakes or navigable
11 perennial streams that are established by the professional land surveyor in
12 accordance with s. 236.15 (1) (d), the distances and bearings thereof, and the distance
13 between the point of intersection of such meander lines with lot lines and the
14 determined or approximated ordinary high water mark.

15 ^y
SECTION 66. 236.20 (2) (k) of the statutes is amended to read:

16 236.20 (2) (k) When a street is on a circular curve, the main chords of the
17 right-of-way lines shall be drawn as dotted or dashed lines in their proper places.
18 All curved lines shall show, either on the lines or in an adjoining table, the radius of
19 the circle, the central angle subtended, the chord bearing, the chord length, and the
20 arc length for each segment. The tangent bearing shall be shown for each end of the
21 main chord for all nontangent circular lines. When a circular curve of 30-foot radius
22 or less is used to round off the intersection between 2 straight lines, it shall be
23 tangent to both straight lines. It is sufficient to show on the plat the radius of the
24 curve and the tangent distances from the points of curvature to the point of
25 intersection of the straight lines.

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1 ^y
SECTION 67. 236.20 (3) (b) of the statutes is amended to read:

2 236.20 (3) (b) The location of the subdivision shall be indicated by bearing and
3 distance from a boundary line of a government lot monumented in the original
4 survey or resurvey of Wisconsin, quarter section, recorded private claim, or federal
5 reservation in which the subdivision is located. The monumentation at the ends of
6 the boundary line shall be described and the bearing and distance between them
7 shown.

8 ^x
SECTION 68. 236.20 (4) (b) of the statutes is amended to read:

9 236.20 (4) (b) All lands dedicated to public use ~~except roads and streets~~ shall
10 be clearly marked "Dedicated to the Public".

11 ^x
SECTION 69. 236.20 (5) (c) of the statutes is amended to read:

12 236.20 (5) (c) The water elevations of adjoining lakes or navigable perennial
13 streams at the date of the survey and the approximate high and low water elevations
14 of those lakes or streams. All elevations shall be referred to some permanent
15 established datum plane.

16 ^x
SECTION 70. 236.20 (6) of the statutes is created to read:

17 236.20 (6) PUBLIC TRUST INFORMATION. A final plat of a subdivision, or a certified
18 survey map of land, to which s. 236.16 (4) applies shall show on its face the following
19 statement:

20 "Any land below the ordinary high water mark of a lake or a navigable
21 perennial stream is subject to the public trust in navigable waters that is established
22 under article IX, section 1, of the state constitution. However, the owner of the real
23 property that abuts such land has exclusive use of that land when it is exposed,
24 except as otherwise provided by law or by the owner's title."

25 ^x
SECTION 71. 236.21 (1) (intro.) of the statutes is amended to read:

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1 236.21 (1) ~~SURVEYOR'S~~ PROFESSIONAL LAND SURVEYOR'S CERTIFICATE OF
2 COMPLIANCE WITH STATUTE. (intro.) The certificate of the professional land surveyor
3 who surveyed, divided, and mapped the land giving all of the following information,
4 which shall have the same force and effect as an affidavit:

5 ^x
SECTION 72. 236.21 (1) (a) of the statutes is amended to read:

6 236.21 (1) (a) By whose direction the professional land surveyor made the
7 survey, subdivision, and plat of the land described on the plat.

8 ^v
SECTION 73. 236.21 (1) (b) of the statutes is renumbered 236.21 (1) (b) 1. and
9 amended to read:

10 236.21 (1) (b) 1. ~~A~~ Except as provided in subd. 2., a clear and concise
11 description of the land surveyed, divided, and mapped by government lot, recorded
12 private claim, quarter-quarter section, section, township, range, and county and by
13 metes and bounds commencing with a monument at a section or quarter section
14 corner of the quarter section that is not the center of the section, or commencing with
15 a monument at the end of a boundary line of a recorded private claim or federal
16 reservation in which the subdivision is located.

17 2. If the land is located shown in a recorded subdivision or plat, recorded
18 addition thereto, the land shall be described by the number or other description of
19 the lot, block or subdivision thereof, to a recorded subdivision plat, or recorded
20 certified survey map that has previously been tied to a corner marked and
21 established by the U.S. public land survey the monumented line of a quarter section,
22 government lot, recorded private claim, or federal reservation in which the land is
23 located, the land shall be described by the subdivision name or certified survey map
24 number and the description of the lot and block thereof.

25 ^x
SECTION 74. 236.21 (1) (d) of the statutes is amended to read:

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1 236.21 (1) (d) A statement that the professional land surveyor has fully
2 complied with the provisions of this chapter in surveying, dividing, and mapping the
3 land.

4 ^x
SECTION 75. 236.25 (2) (a) of the statutes is amended to read:

5 236.25 (2) (a) It is a permanent nonfading black image on durable white media
6 that is 22 inches wide by 30 inches long or on other media that is acceptable to the
7 register of deeds, complies with the requirements of s. 59.43 (2m) (b) 4., and bears
8 a department certification of no objection. Seals or signatures reproduced on images
9 complying with this paragraph shall be given the force and effect of original
10 signatures and seals;

11 ^x
SECTION 76. 236.25 (2) (c) of the statutes is amended to read:

12 236.25 (2) (c) The plat shows on its face all the certificates and affidavits
13 required by ss. ~~236.21~~ and 236.12 (4) (3) and 236.21;

14 ^x
SECTION 77. 236.25 (2) (d) of the statutes is amended to read:

15 236.25 (2) (d) The plat shows on its face the approval of all bodies required by
16 s. 236.10 to approve or the certificate of the clerk that the plat is deemed approved
17 under s. 236.11 (2) (a).

18 ^x
SECTION 78. 236.32 (except 236.32 (title)) of the statutes is renumbered 236.32
19 (1m), and 236.32 (1m) (intro.), (a) and (c), as renumbered, are amended to read:

20 236.32 (1m) (intro.) Any of the following may be fined not more than \$250 or
21 imprisoned not more than one year in county jail for any of the following violations:

22 (a) Any owner, professional land surveyor, or subdivider who fails to place
23 monuments as prescribed in this chapter when subdividing land.

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1 (c) ~~Fails~~ Any person who fails to replace properly any monuments ~~which that~~
2 have been removed or disturbed when ordered to do so by the governing body of the
3 municipality or county in which the subdivision is located.

4 **SECTION 79.** ^x 236.32 (2m) of the statutes is created to read:

5 236.32 (2m) Each monument to which a violation under sub. (1m) applies
6 constitutes a separate violation.

7 **SECTION 80.** ^x 236.34 (1) (a) of the statutes is amended to read:

8 236.34 (1) (a) The survey shall be performed and the map prepared by a
9 professional land surveyor ~~registered in this state~~. The error in the latitude and
10 departure closure of the survey may not exceed the ratio of one in 3,000.

11 **SECTION 81.** ^x 236.34 (1) (b) of the statutes is amended to read:

12 236.34 (1) (b) All corners shall be monumented in accordance with s. 236.15 (1)
13 (ac), (c), (d), and (g).

14 **SECTION 82.** ^x 236.34 (1) (c) of the statutes is amended to read:

15 236.34 (1) (c) The map shall be prepared in accordance with ~~s.~~ ss. 236.16 (4) and
16 236.20 (2) (a), (b), (c), (e), (f), (g), (h), (i), (j), (k), and (L) and (3) (b), (d), and (e) at a
17 graphic scale of not more than 500 feet to an inch, which shall be shown on each sheet
18 showing layout features. The map shall be prepared with a binding margin 1.5
19 inches wide and a 0.5 inch margin on all other sides on durable white media that is
20 8 1/2 inches wide by 14 inches long, or on other media that is acceptable to the register
21 of deeds, with a permanent nonfading black image. When more than one sheet is
22 used for any map, each sheet shall be numbered consecutively and shall contain a
23 notation giving the total number of sheets in the map and showing the relationship
24 of that sheet to the other sheets. “CERTIFIED SURVEY MAP” shall be printed on
25 the map in prominent letters with the location of the land by government lot,

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1 recorded private claim, quarter-quarter section, section, township, range and
2 county noted. Seals or signatures reproduced on images complying with this
3 paragraph shall be given the force and effect of original signatures and seals.

4 **SECTION 83.** 236.34 (1) (d) (intro.) of the statutes is amended to read:

5 236.34 (1) (d) (intro.) The map shall include a certificate of the professional
6 land surveyor who surveyed, divided, and mapped the land which has the same force
7 and effect as an affidavit and which gives all of the following information:

8 **SECTION 84.** 236.34 (1) (d) 1. of the statutes is amended to read:

9 236.34 (1) (d) 1. By whose direction the professional land surveyor made the
10 survey, division, and map of the land described on the certified survey map.

11 **SECTION 85.** 236.34 (1) (d) 2. of the statutes is amended to read:

12 236.34 (1) (d) 2. A clear and concise description of the land surveyed, divided,
13 and mapped by government lot, recorded private claim, quarter-quarter section,
14 section, township, range and county; and by metes and bounds commencing with a
15 monument at a section or quarter section corner of the quarter section that is not the
16 center of a section, or commencing with a monument at the end of a boundary line
17 of a recorded private claim or federal reservation in which the land is located; ~~or if,~~
18 If, however, the land is located shown in a recorded subdivision ~~or plat,~~ recorded
19 addition to a recorded subdivision, ~~then by the number or other description of the lot,~~
20 ~~block or subdivision, which~~ plat, or recorded certified survey map that has previously
21 ~~been tied to a corner marked and established by the U.S. public land survey the~~
22 monumented line of a quarter section, government lot, recorded private claim, or
23 federal reservation in which the land is located, the land shall be described by the
24 subdivision name or certified survey map number and the description of the lot and
25 block thereof.

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1 [✓]
SECTION 86. 236.34 (1) (d) 4. of the statutes is amended to read:

2 236.34 (1) (d) 4. A statement that the professional land surveyor has fully
3 complied with the provisions of this section in surveying, dividing, and mapping the
4 land.

5 [✓]
SECTION 87. 236.34 (1) (e) of the statutes is amended to read:

6 236.34 (1) (e) A certified survey map may be used for dedication of streets and
7 other public areas, and for granting easements to the public or any person, society,
8 or corporation marked or noted on the map, when owners' certificates and
9 mortgagees' certificates which are in substantially the same form as required by s.
10 236.21 (2) (a) have been executed and the city council or village or town board
11 involved have approved such dedication or grant. Approval and recording of such
12 certified surveys shall have the force and effect provided by s. 236.29.

13 [✓]
SECTION 88. 236.34 (2) (b) 1. of the statutes is amended to read:

14 236.34 (2) (b) 1. The certified survey map is offered for record within ~~6~~ 12
15 months after the date of the last approval of the map and within ~~24~~ 36 months after
16 the date of the first approval of the map.

17 [✕]
SECTION 89. 236.34 (4) of the statutes is created to read:

18 236.34 (4) VACATION. A certified survey map may be vacated by the circuit court
19 of the county in which the parcels of land are located in the same manner and with
20 like effect as provided in ss. 236.40 to 236.44, except that application for vacation of
21 the certified survey map may be made by any of the following:

22 (a) The owner of any lot or outlot in the land that is the subject of the certified
23 survey map.

24 (b) The county board if the county has acquired an interest by tax deed in any
25 lot or outlot in the land that is the subject of the certified survey map.

BILL**SECTION 90**

1 **SECTION 90.** 293.37 (2) (a) of the statutes is amended to read:

2 293.37 (2) (a) A mining plan, including a description and a detailed map of the
3 proposed mining site drawn to a scale approved by the department. Aerial
4 photographs may be accepted if the photographs show the details to the satisfaction
5 of the department. The map, plan, or photograph shall be prepared and certified by
6 a competent engineer, licensed professional surveyor, or other person approved by
7 the department, and shall show the boundaries of the area of land which will be
8 affected; the drainage area above and below the area; the location and names of all
9 streams, roads, railroads, pipelines, and utility lines on or within 1,000 feet of the
10 site; the name of the owner or owners of the site; the name of the city, village, or town
11 in which the site is located; and the name of any other city, village, or town if within
12 3 miles of the site. The map or photograph shall be accompanied by descriptive data
13 as required by the department, including but not limited to the soil conservation
14 service soil capabilities classifications of the affected area, the anticipated geometry
15 of the excavation, the estimated total production of tailings produced, the nature and
16 depth of the overburden, the elevation of the water table, and such other information
17 about the geology of the deposit as the department, after consultation with the
18 geological and natural history survey, finds is necessary to evaluate the applicant's
19 mining plan and reclamation plan.

20 **SECTION 91.** 295.48 (1) (intro.) of the statutes, as created by 2013 Wisconsin Act
21 1, is amended to read:

22 295.48 (1) GENERAL. (intro.) An applicant for a mining permit shall submit as
23 part of the application a mining plan that includes a description of the proposed
24 mining site and either a detailed map drawn to a scale approved by the department
25 or aerial photographs, if the photographs show the details to the satisfaction of the

BILL

1 department, prepared and certified by a competent engineer, licensed professional
2 surveyor, or other person approved by the department that show all of the following:

3 **SECTION 92.** 440.03 (13) (b) 34.^x of the statutes is amended to read:

4 440.03 (13) (b) 34. Land surveyor, professional.

5 **SECTION 93.** 440.08 (2) (a) 39.^x of the statutes is amended to read:

6 440.08 (2) (a) 39. Land surveyor, professional: February 1 of each
7 even-numbered year.

8 **SECTION 94.** Chapter 443 (title)^x of the statutes is amended to read:

9 **CHAPTER 443**

10 **EXAMINING BOARD OF ARCHITECTS,**

11 **LANDSCAPE ARCHITECTS,**

12 **PROFESSIONAL ENGINEERS,**

13 **DESIGNERS, AND PROFESSIONAL**

14 **LAND SURVEYORS**

15 **SECTION 95.** 443.01 (1m)^x of the statutes is created to read:

16 443.01 (1m) “Construction surveying” means surveying or mapping that is
17 performed in support of infrastructure design, in support of improvements related
18 to private and public boundary lines, or in support of construction layout or historic
19 preservation, and establishing any postconstruction documentation related to that
20 surveying or mapping.

21 **SECTION 96.** 443.01 (3)^x of the statutes is amended to read:

22 443.01 (3) “Examining board” means the examining board of architects,
23 landscape architects, professional engineers, designers, and professional land
24 surveyors.

25 **SECTION 97.** 443.01 (3b)^x of the statutes is created to read:

BILL

1 443.01 **(3b)** “Geodetic surveying” means surveying to determine the size and
2 shape of the earth or the precise positions of points on the surface of the earth.

3 **SECTION 98.** 443.01^x (3r) (c) of the statutes is amended to read:

4 443.01 **(3r)** (c) Professional services performed by a ~~registered~~ professional
5 land surveyor ~~or by a person who has in effect a permit under s. 443.06 (3).~~

6 **SECTION 99.** 443.01^x (4) of the statutes is repealed.

7 **SECTION 100.** 443.01^y (6s) of the statutes is created to read:

8 443.01 **(6s)** “Practice of professional land surveying” means any of the
9 following:

10 (a) Any service comprising the establishment or reestablishment of the
11 boundaries of one or more tracts of land or the boundaries of any of the following
12 interests in real property:

- 13 1. The alignment and rights-of-way of roads or streets.
- 14 2. Air or subsurface property rights.
- 15 3. Public or private easements.

16 (b) Designing or coordinating designs for the purpose of platting or subdividing
17 land into smaller tracts.

18 (c) Placing, replacing, restoring, or perpetuating monuments in or on the
19 ground to evidence the location of a point that is necessary to establish boundaries
20 of one or more tracts of land or the subdivision or consolidation of one or more tracts
21 of land or to describe the boundaries of any interest in real property identified in par.

22 (a).

23 (d) Preparing maps that depict any interest in real property identified in par.

24 (a) for the purpose of establishing the boundaries of any such interest in real
25 property.

BILL

- 1 (e) Preparing any of the following:
- 2 1. An official map established or amended under s. 62.23 (6), established or
- 3 amended under the authority of s. 61.35, or adopted under s. 60.61.
- 4 2. An assessor's plat under s. 70.27.
- 5 3. A map or plat of cemetery lands under s. 157.07.
- 6 4. A subdivision plat, certified survey map, or correction instrument under ch.
- 7 236.
- 8 5. A condominium plat or correction instrument under ch. 703.
- 9 6. A project and time-share property plat under s. 707.215.

10 (f) Performing construction surveying or geodetic surveying in connection with

11 any of the practices specified in pars. (a) to (e).

12 ^x
SECTION 101. 443.01 (7m) of the statutes is created to read:

13 443.01 (7m) "Professional land surveyor" means a person who, by reason of his

14 or her knowledge of law, mathematics, physical sciences, and measurement

15 techniques, acquired by education and practical experience, is granted a license

16 under this chapter to engage in the practice of professional land surveying.

17 ^x
SECTION 102. 443.02 (4) of the statutes is amended to read:

18 443.02 (4) No person may engage in or offer to engage in the practice of

19 professional land surveying in this state or use or advertise any title or description

20 tending to convey the impression that the person is a professional land surveyor

21 unless the person has been ~~issued a certificate of registration or granted a permit to~~

22 ~~practice~~ license under this chapter to engage in the practice of professional land

23 surveying.

24 ^y
SECTION 103. 443.06 (title) of the statutes is amended to read:

BILL**SECTION 103**

1 **443.06** (title) ~~Registration~~ Licensure requirements for professional
2 land surveyors.

3 [✓]
SECTION 104. 443.06 (1) (title) of the statutes is amended to read:

4 443.06 (1) (title) ~~REGISTRATION~~ LICENSURE, APPLICATION, QUALIFYING EXPERIENCE.

5 [✓]
SECTION 105. 443.06 (1) (a) of the statutes is amended to read:

6 443.06 (1) (a) Application for registration as a land surveyor or a permit license
7 to engage in the practice of professional land surveying shall be made to the
8 professional land surveyor section of the examining board under oath, on forms
9 provided by the department, which shall require the applicant to submit such
10 information as the professional land surveyor section of the examining board deems
11 necessary. The professional land surveyor section may require applicants to pass
12 written or oral examinations or both. Applicants who do not have an arrest or
13 conviction record, subject to ss. 111.321, 111.322, and 111.335, shall be entitled to be
14 ~~registered or issued~~ granted a permit license to engage in the practice as of
15 professional land surveyors surveying when satisfactory evidence is submitted that
16 the applicant has met one or more of the requirements of sub. (2).

17 [✓]
SECTION 106. 443.06 (1) (b) of the statutes is amended to read:

18 443.06 (1) (b) Each year, but not more than 4 years, of work or training
19 completed in a curriculum in the practice of professional land surveying approved by
20 the professional land surveyor section, or of responsible charge of ~~land surveying~~
21 teaching the practice of professional land surveying may be considered as equivalent
22 to one year of qualifying experience in ~~land surveying work~~ the practice of
23 professional land surveying, and each year, but not more than 4 years, completed in
24 a curriculum other than the practice of professional land surveying approved by the

BILL

1 professional land surveyor section, may be considered as equivalent to one-half year
2 of qualifying experience.

3 ^v
SECTION 107. 443.06 (2) (intro.) of the statutes is amended to read:

4 443.06 (2) REQUIREMENTS; ~~CERTIFICATE OF REGISTRATION LICENSE~~. (intro.) The
5 professional land surveyor section may grant a certificate of registration as a license
6 to engage in the practice of professional land surveyor surveying to any person who
7 has submitted to it an application, the required fees, and one or more of the following:

8 [^]
SECTION 108. 443.06 (2) (a) of the statutes is repealed.

9 ^x
SECTION 109. 443.06 (2) (am) of the statutes is amended to read:

10 443.06 (2) (am) Evidence satisfactory to the professional land surveyor section
11 that he or she has received a bachelor's degree in a course in the practice of
12 professional land surveying or a related field that has a duration of not less than 4
13 years and is approved by the professional land surveyor section, and that he or she
14 has engaged in the practice of professional land surveying for at least 2 years of land
15 surveying and has demonstrated practice of satisfactory character that indicates
16 that the applicant is competent to engage in the practice of professional land
17 surveying, if the applicant has passed an oral and written or written examination
18 administered by the professional land surveyor section. ~~This paragraph applies to~~
19 ~~actions of the land surveyor section on applications for land surveyors' certificates~~
20 ~~that are submitted to the land surveyor section after June 30, 2000.~~

21 ^x
SECTION 110. 443.06 (2) (b) of the statutes is repealed.

22 ^v
SECTION 111. 443.06 (2) (bm) of the statutes is amended to read:

23 443.06 (2) (bm) Evidence satisfactory to the professional land surveyor section
24 that he or she has received an associate degree in a course in the practice of
25 professional land surveying or a related field that has a duration of not less than 2

BILL**SECTION 111**

1 years and is approved by the professional land surveyor section, and that he or she
 2 has engaged in the practice of professional land surveying for at least 4 years ~~of land~~
 3 surveying and has demonstrated practice of satisfactory character that indicates
 4 that the applicant is competent to engage in the practice of professional land
 5 surveying, if the applicant has passed an oral and written or written examination
 6 administered by the professional land surveyor section. ~~This paragraph applies to~~
 7 ~~actions of the land surveyor section on applications for land surveyors' certificates~~
 8 ~~that are submitted to the land surveyor section after June 30, 2000.~~

9 ^x
 SECTION 112. 443.06 (2) (c) of the statutes is repealed.

10 ^x
 SECTION 113. 443.06 (2) (cm) of the statutes is amended to read:

11 443.06 (2) (cm) Evidence satisfactory to the professional land surveyor section
 12 that he or she has engaged in the practice of professional land surveying for at least
 13 10 years ~~of land surveying and has demonstrated~~ practice of satisfactory character
 14 that indicates that the applicant is competent to engage in the practice of
 15 professional land surveying, if the applicant has passed an oral and written or
 16 written examination administered by the professional land surveyor section. This
 17 paragraph applies to ~~actions of the land surveyor section on applications for licenses~~
 18 to engage in the practice of professional land surveyors' certificates surveying that
 19 are submitted to the professional land surveyor section after June 30, 2000 and
 20 before July 1, 2019.

21 ^v
 SECTION 114. 443.06 (2) (d) of the statutes is amended to read:

22 443.06 (2) (d) An unexpired certificate of registration, certificate of
 23 certification, or license as a land surveyor or to engage in the practice of professional
 24 land surveying issued to the applicant by the proper authority in any state or
 25 territory or possession of the United States or in any other country whose

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1 requirements meet or exceed the requirement for ~~registration~~ licensure in this
2 subsection, if the applicant has passed an oral and written or written examination
3 administered by the professional land surveyor section.

4 ^x
SECTION 115. 443.06 (2) (e) of the statutes is repealed.

5 ^x
SECTION 116. 443.06 (2) (em) of the statutes is repealed.

6 [✓]
SECTION 117. 443.06 (3) of the statutes is repealed.

7 ^x
SECTION 118. 443.10 (title) of the statutes is amended to read:

8 **443.10 (title) Applications, certificates, licenses, rules, and roster.**

9 SECTION 119. 443.10 (2) (b) of the statutes is amended to read:

10 443.10 (2) (b) The fees for examinations and licenses credentials, as defined in
11 s. 440.01 (2) (a), granted under this chapter are specified in s. 440.05, and the fee for
12 renewal of such licenses credentials is determined by the department under s. 440.03
13 (9) (a).

14 ^x
SECTION 120. 443.10 (5) of the statutes is amended to read:

15 443.10 (5) FEES; RENEWALS. The professional land surveyor's surveyor section
16 shall grant a ~~certificate of registration as a~~ license to engage in the practice of
17 professional land surveyor surveying to any applicant who has met the applicable
18 requirements of this chapter. The renewal date for the ~~certificate~~ license is specified
19 under s. 440.08 (2) (a), and the renewal fee for the ~~certificate~~ license is determined
20 by the department under s. 440.03 (9) (a).

21 ^x
SECTION 121. 443.12 (title) of the statutes is amended to read:

22 **443.12 (title) Disciplinary proceedings against professional land**
23 **surveyors.**

24 ^x
SECTION 122. 443.12 (1) of the statutes is amended to read:

BILL**SECTION 122**

1 443.12 (1) The professional land surveyor section may reprimand a
2 professional land surveyor, or limit, suspend, or revoke the ~~certificate of registration~~
3 license of any professional land surveyor, for the practice of any fraud or deceit in
4 obtaining the ~~certificate~~ license, or any gross negligence, incompetence, or
5 misconduct in the practice of professional land surveying.

6 ×
SECTION 123. 443.12 (2) of the statutes is amended to read:

7 443.12 (2) Charges of fraud, deceit, gross negligence, incompetence, or
8 misconduct may be made against any professional land surveyor by the professional
9 land surveyor section or any person. Such charges may be made on information and
10 belief, but shall be in writing, stating the specific acts, be signed by the complainant
11 and be submitted to the examining board. All charges shall be heard according to
12 the rules promulgated under s. 440.03 (1).

13 ×
SECTION 124. 443.12 (3) of the statutes is amended to read:

14 443.12 (3) If after a hearing 3 members vote in favor of reprimand or limiting,
15 suspending, or revoking the ~~certificate of registration~~ license of a professional land
16 surveyor, the professional land surveyor section shall notify the surveyor to that
17 effect. The surveyor shall return the ~~certificate~~ license to the examining board
18 immediately on receipt of notice of a revocation. The action of the professional land
19 surveyor section may be reviewed under ch. 227.

20 ×
SECTION 125. 443.12 (4) of the statutes is amended to read:

21 443.12 (4) The professional land surveyor section, for reasons it deems
22 sufficient, may reinstate a ~~certificate of registration~~ license to engage in the practice
23 of professional land surveying that has been revoked, if 3 members vote in favor of
24 such reinstatement. This subsection does not apply to a ~~certificate of registration~~
25 license that is revoked under s. 440.12.

BILL

1 **SECTION 126.** 443.134^x of the statutes is created to read:

2 **443.134 Exception for photogrammetry.** Nothing in this chapter may be
3 construed to prohibit a person who has not been granted a license to engage in the
4 practice of professional land surveying under this chapter from utilizing
5 photogrammetry or remote sensing techniques or performing topographic
6 surveying, construction surveying, or geodetic surveying for purposes other than a
7 boundary establishment or reestablishment specified in s. 443.01 (6s).

8 **SECTION 127.** 443.135^x of the statutes is created to read:

9 **443.135 Other exceptions.** Nothing in this chapter may be construed to
10 prohibit a person who has not been granted a license or permit to engage in the
11 practice of professional land surveying under this chapter from doing any of the
12 following:

13 (1) Performing services related to timber management or sales if any map that
14 is prepared as a part of those services contains the following statement: “This map
15 is not a survey of the actual boundary of any property this map depicts.”

16 (2) Preparing a map that depicts temporary trails, easements, or other uses of
17 lands if the map contains the following statement: “This map is not a survey of the
18 actual boundary of any property this map depicts.”

19 **SECTION 128.** 443.14 (8) (a)^x of the statutes is amended to read:

20 443.14 (8) (a) An employee of a professional land surveyor ~~registered in this~~
21 ~~state or authorized to practice under a permit, while working~~ doing surveying work
22 under the supervision of the employer. ~~Such exempt, if the employee shall~~ is not be
23 in responsible charge of the practice of professional land surveying.

24 **SECTION 129.** 443.14 (8) (b)^x of the statutes is repealed.

25 **SECTION 130.** 443.14 (8) (c)^x of the statutes is repealed.

BILL**SECTION 131**

x

1 **SECTION 131.** 443.14 (8) (d) of the statutes is amended to read:

2 443.14 (8) (d) Employees of public utilities regulated by the public service
3 commission while engaged in the practice of professional land surveying for such
4 utilities. This paragraph does not apply after June 30, 2019.

x

5 **SECTION 132.** 443.14 (11) of the statutes is amended to read:

6 443.14 (11) Any professional land surveyor registered licensed under s. 443.06
7 who is engaged in the planning, design, installation, or regulation of land and water
8 conservation activities under ch. 92 or s. 281.65.

x

9 **SECTION 133.** 443.18 (2) (b) of the statutes is amended to read:

10 443.18 (2) (b) If it appears upon complaint to the examining board by any
11 person, or is known to the ~~land surveyor section~~ of the examining board that any
12 person who is ~~not authorized is practicing or offering~~ does not have a license to
13 engage in the practice of professional land surveying in this state, or who is not
14 exempt from the licensure requirements under this chapter, is engaging in or
15 offering to engage in the practice of professional land surveying in this state, the
16 professional land surveyor section, the examining board, the department, the
17 department of justice, or the district attorney of the proper county may investigate
18 and may, in addition to any other remedies, bring action in the name and on behalf
19 of the state to enjoin the person from practicing engaging in or offering to engage in
20 the practice of professional land surveying.

x

21 **SECTION 134.** 470.025 (7) of the statutes is amended to read:

22 470.025 (7) A professional land surveyor registered licensed under ch. 443 who
23 is engaged in the planning, design, installation, or regulation of land and water
24 conservation activities under ch. 92 or s. 281.65.

x

25 **SECTION 135.** 703.02 (6m) of the statutes is amended to read:

BILL

1 703.02 (6m) “Correction instrument” means an instrument drafted by a
2 licensed professional land surveyor that complies with the requirements of s. 59.43
3 (2m) and that, upon recording, corrects an error in a condominium plat. “Correction
4 instrument” does not include an instrument of conveyance.

5 ^x
SECTION 136. 703.02 (13r) of the statutes is created to read:

6 703.02 (13r) “Professional land surveyor” means a professional land surveyor
7 licensed under ch. 443.

8 ^x
SECTION 137. 703.11 (2) (intro.) of the statutes is amended to read:

9 703.11 (2) REQUIRED PARTICULARS. (intro.) A condominium plat may consist of
10 one or more sheets, shall be produced on media that is acceptable to the register of
11 deeds, and shall contain at least the following particulars:

12 ^x
SECTION 138. 703.11 (2) (b) of the statutes is amended to read:

13 703.11 (2) (b) A survey of the property described in the declaration complying
14 with minimum standards for property surveys adopted by the examining board of
15 architects, landscape architects, professional engineers, designers and professional
16 land surveyors and showing the location of any unit or building located or to be
17 located on the property.

18 ^x
SECTION 139. 703.11 (4) of the statutes is amended to read:

19 703.11 (4) SURVEYOR'S PROFESSIONAL LAND SURVEYOR'S CERTIFICATE. A
20 condominium plat is sufficient for the purposes of this chapter if there is attached to
21 or included in it a certificate of a licensed professional land surveyor ~~authorized to~~
22 ~~practice that profession in this state~~ that the plat is a correct representation of the
23 condominium described and the identification and location of each unit and the
24 common elements can be determined from the plat.

25 ^x
SECTION 140. 703.115 (1) (b) of the statutes is amended to read:

BILL

1 703.115 (1) (b) Provides that a condominium instrument may be rejected only
2 if it fails to comply with the applicable requirements of ss. 703.095, 703.11 (2) (a), (c)
3 and (d) and (3), 703.275 (5) and 703.28 (1m) or if the professional land surveyor's
4 certificate under s. 703.11 (4) is not attached to or included in the condominium plat.

5 ^x
SECTION 141. 703.13 (6) (e) of the statutes is amended to read:

6 703.13 (6) (e) Plats and plans showing the altered boundaries and the
7 dimensions thereof between adjoining units, and their identifying numbers or
8 letters, shall be prepared. The plats and plans shall be certified as to their accuracy
9 in compliance with this subsection by a civil engineer, architect, or licensed
10 professional land surveyor ~~authorized to practice his or her profession in the state.~~

11 ^x
SECTION 142. 703.13 (7) (c) of the statutes is amended to read:

12 703.13 (7) (c) Plats and plans showing the boundaries and dimensions
13 separating the new units together with their other boundaries and their new
14 identifying numbers or letters shall be prepared. The plats and plans shall be
15 certified as to their accuracy and compliance with this subsection by a civil engineer,
16 architect, or licensed professional land surveyor ~~authorized to practice his or her~~
17 ~~profession in the state.~~

18 ^x
SECTION 143. 703.13 (8) (c) of the statutes is amended to read:

19 703.13 (8) (c) Plats and plans showing the boundaries and dimensions of the
20 new unit together with the new identifying number or letter shall be prepared. The
21 plats and plans shall be certified as to their accuracy and compliance with this
22 subsection by a civil engineer, architect, or licensed professional land surveyor
23 ~~authorized to practice in this state.~~

24 ^x
SECTION 144. 707.215 (2) (intro.) of the statutes is amended to read:

BILL

1 707.215 (2) REQUIRED CONTENTS. (intro.) A plat filed for recording under sub.
2 (1) may consist of one or more sheets, shall be produced on media that is acceptable
3 to the register of deeds, and shall contain at least all of the following:

4 ^x
SECTION 145. 707.215 (3) of the statutes is amended to read:

5 707.215 (3) FORM OF MAPS AND PLANS. All survey maps and floor plans submitted
6 for recording shall be legibly prepared with a binding margin of ~~1.5 inches on the left~~
7 ~~side and a one-inch margin~~ one inch on all other sides on durable white media that
8 is 14 inches in length and 22 inches in width, or on other media that is acceptable
9 to the register of deeds, with a permanent nonfading black image. The maps and
10 plans shall be drawn to a convenient scale.

11 ^x
SECTION 146. 707.215 (5) (intro.) of the statutes is amended to read:

12 707.215 (5) ~~SURVEYOR'S~~ PROFESSIONAL LAND SURVEYOR'S CERTIFICATE. (intro.) A
13 plat is sufficient for the purposes of this chapter if attached to or included in the plat
14 is a certificate of a professional land surveyor licensed to practice in this state under
15 ch. 443, and the certificate provides all of the following:

16 ^x
SECTION 147. 709.02 (1) of the statutes is amended to read:

17 709.02 (1) In regard to transfers described in s. 709.01, the owner of the
18 property shall furnish, not later than 10 days after acceptance of a contract of sale
19 or option contract, to the prospective buyer of the property a completed copy of the
20 report under s. 709.03 or 709.033, whichever is applicable, subject to s. 709.035,
21 except that the owner may substitute for any entry information supplied by a
22 licensed engineer, professional land surveyor, as defined in s. 443.01 (7m), or
23 structural pest control operator, by an individual who is a qualified 3rd party, or by
24 a contractor about matters within the scope of the contractor's occupation, if the
25 information is in writing and is furnished on time and if the entry to which it relates

BILL**SECTION 147**

1 is identified, and except that the owner may substitute for any entry information
2 supplied by a public agency. Information that substitutes for an entry on the report
3 under s. 709.03 or 709.033 and that is supplied by a person specified in this section
4 may be submitted and certified on a supplemental report prepared by the person, as
5 long as the information otherwise satisfies the requirements under this section. A
6 prospective buyer who does not receive a report within the 10 days may, within 2
7 business days after the end of that 10-day period, rescind the contract of sale or
8 option contract by delivering a written notice of rescision to the owner or to the owner's
9 agent.

x

10 **SECTION 148.** 709.07 of the statutes is amended to read:

11 **709.07 Liability precluded.** An owner is not liable for an error or omission
12 in a report under s. 709.03 or 709.033 if the owner had no knowledge of that error
13 or omission, if the error or omission was based on information provided by a public
14 agency, by a licensed engineer, professional land surveyor, as defined in s. 443.01
15 (7m), structural pest control operator, or qualified 3rd party, or by a contractor about
16 matters within the scope of the contractor's occupation.

x

17 **SECTION 149.** 710.09 of the statutes is created to read:

18 **710.09 Navigable stream does not divide parcel.** Unless otherwise
19 provided by local ordinance, a navigable stream running through a parcel of land
20 does not, in and of itself, divide the parcel into 2 parcels if the parcel, on both sides
21 of the stream, is owned by the same owner.

x

22 **SECTION 150.** 893.37 of the statutes is amended to read:

23 **893.37 Survey.** No action may be brought against an engineer or any
24 professional land surveyor, as defined in s. 443.01 (7m), to recover damages for
25 negligence, errors, or omission in the making of any survey nor for contribution or

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1 indemnity related to such negligence, errors, or omissions more than 6 years after
2 the completion of a survey.

3 **SECTION 151.** 2009 Wisconsin Act 376, section 13 (1) is amended to read:

4 [2009 Wisconsin Act 376] Section 13 (1) The treatment of section 236.13 (1) (b)
5 and ~~(2) (a)~~ of the statutes first applies to preliminary plats or, in cases in which no
6 preliminary plats are submitted, final plats that are submitted for approval on the
7 effective date of this subsection.

8 **SECTION 152. Nonstatutory provisions.**

9 (1) Notwithstanding section 443.02 (4) of the statutes, as affected by this act,
10 on the effective date of this subsection, a person who has been granted a certificate
11 of registration as a land surveyor under section 443.06 (2), 2011 stats., is considered
12 to be granted a license to engage in the practice of professional land surveying under
13 section 443.06 (2) of the statutes, as affected by this act, and the professional land
14 surveyor section of the examining board of architects, landscape architects,
15 professional engineers, designers, and professional land surveyors shall issue to the
16 person a license to engage in the practice of professional land surveying under
17 section 443.06 (2) of the statutes, as affected by this act.

18 **SECTION 153. Initial applicability.**

19 (1) PROFESSIONAL LAND SURVEYORS.

20 (a) The treatment of section 26.09 (3) (b) 1. of the statutes first applies to
21 surveys recorded on the effective date of this paragraph.

22 (b) The treatment of section 70.27 (5), (6), and (7) (intro.) and (d) of the statutes
23 first applies to assessor's plats made on the effective date of this paragraph.

24 (c) The treatment of section 157.07 (1) of the statutes first applies to lands
25 surveyed and platted on the effective date of this paragraph.

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1 (d) The treatment of section 157.07 (2) and (3) of the statutes first applies to
2 cemetery plats and maps created on the effective date of this paragraph.

3 (e) The treatment of section 236.21 (1) (intro.), (a), and (d) of the statutes first
4 applies to plats certified by a professional land surveyor, as defined in section 236.02
5 (9b) of the statutes, as created by this act, on the effective date of this paragraph.

6 (f) The treatment of section 236.02 (2m) of the statutes first applies to
7 correction instruments that are drafted on the effective date of this paragraph.

8 (g) The treatment of sections 236.15 (2) and 236.34 (1) (a) of the statutes first
9 applies to surveys that are performed on the effective date of this paragraph.

10 (h) The renumbering and amendment of section 236.32 of the statutes and the
11 creation of section 236.32 (2m) of the statutes first apply to the placement, removal,
12 or disturbance of monuments, or the failure to replace monuments, on the effective
13 date of this paragraph.

14 (i) The treatment of section 236.34 (1) (d) (intro.), 1., and 4. of the statutes first
15 applies to certified survey maps offered for record on the effective date of this
16 paragraph.

17 (j) The treatment of section 703.02 (6m) of the statutes first applies to correction
18 instruments drafted on the effective date of this paragraph.

19 (k) The treatment of section 703.11 (4) of the statutes first applies to
20 condominium plats certified on the effective date of this paragraph.

21 (L) The treatment of section 703.13 (6) (e), (7) (c), and (8) (c) of the statutes first
22 applies to condominium plats and plans certified on the effective date of this
23 paragraph.

24 (l) The treatment of section 707.215 (5) (intro.) of the statutes first applies to
25 certifications made on the effective date of this paragraph.

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1 (m) The treatment of sections 709.02 (1) and 709.07 of the statutes first applies
2 to original reports furnished on the effective date of this paragraph.

3 (n) The treatment of section 893.37 of the statutes first applies to acts or
4 omissions occurring on the effective date of this paragraph.

5 (2) PLATS AND CERTIFIED SURVEY MAPS.

6 (a) The treatment of sections 236.12 (2) (intro.), (a), (ac), and (b), (3), (4), (5), (6),
7 and (8), 236.13 (2m), and 236.20 (1) (b) of the statutes, the renumbering and
8 amendment of section 236.11 (2) of the statutes, and the creation of section 236.11
9 (2) (b) of the statutes first apply to preliminary plats or, in cases in which no
10 preliminary plats are submitted, to final plats, that are submitted for approval on
11 the effective date of this paragraph.

12 (b) The treatment of sections 236.025, 236.15 (1) (intro.), (a), and (d), and 236.34
13 (1) (b) of the statutes first applies to surveys performed on the effective date of this
14 paragraph.

15 (c) The treatment of section 236.20 (1) (a), (2) (g) and (k), (3) (b), (4) (b), (5) (c),
16 and (6) of the statutes first applies to final plats, and to certified survey maps if
17 applicable, that are submitted for approval on the effective date of this paragraph.

18 (d) The treatment of sections 236.21 (1) (b) and 236.25 (2) (c) and (d) of the
19 statutes first applies to final plats that are offered for record on the effective date of
20 this paragraph.

21 (e) The treatment of section 236.34 (1) (d) 2. and (2) (b) 1. of the statutes first
22 applies to certified survey maps that are offered for record on the effective date of this
23 paragraph.

24 (f) The treatment of section 236.34 (1) (e) of the statutes first applies to certified
25 survey maps that are submitted for approval on the effective date of this paragraph.

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1 (3) RECORDING MEDIA.

2 (a) The treatment of section 70.27 (2) of the statutes first applies to assessor's
3 plats that are offered for record on the effective date of this paragraph.

4 (b) The treatment of section 236.25 (2) (a) of the statutes first applies to final
5 plats that are offered for record on the effective date of this paragraph.

6 (c) The treatment of section 236.34 (1) (c) of the statutes first applies to certified
7 survey maps that are offered for record on the effective date of this paragraph.

8 (d) The treatment of section 703.11 (2) (intro.) of the statutes first applies to
9 condominium plats that are offered for record on the effective date of this paragraph.

10 (e) The treatment of section 707.215 (2) (intro.) and (3) of the statutes first
11 applies to time–share property plats or time–share property survey maps and floor
12 plans, as applicable, that are offered for record on the effective date of this
13 paragraph.

14 **SECTION 154. Effective date.**

15 (1) This act takes effect on the first day of the 4th month beginning after
16 publication.

17 (END)

Parisi, Lori

From: Kovach, Robert
Sent: Friday, October 18, 2013 12:37 PM
To: LRB.Legal
Subject: Draft Review: LRB -3460/1 Topic: Changes to licensure of professional land surveyors

Please Jacket LRB -3460/1 for the SENATE.