Wisconsin Department of Administration
Division of Executive Budget and Finance

Fiscal Estimate - 2013 Session

☒ Original ☐ Updated ☐ Corrected ☐ Supplemental

LRB Number **13-2048/1**	Introduction Number **AB-0506**

Description
Professional land surveyors; the practice of professional land surveying; surveying land abutting navigable waters; various changes regarding platting, surveying, and certified survey maps; and granting rule-making authority

Fiscal Effect

State:
- ☐ No State Fiscal Effect
- ☒ Indeterminate
  - ☐ Increase Existing Appropriations
  - ☐ Decrease Existing Appropriations
  - ☐ Create New Appropriations
  - ☐ Increase Existing Revenues
  - ☐ Decrease Existing Revenues
  - ☐ Increase Costs - May be possible to absorb within agency's budget ☐ Yes ☐ No
  - ☐ Decrease Costs

Local:
- ☐ No Local Government Costs
- ☒ Indeterminate
  1. ☐ Increase Costs ☐ Permissive ☐ Mandatory
  2. ☐ Decrease Costs ☐ Permissive ☐ Mandatory
  3. ☐ Increase Revenue ☐ Permissive ☐ Mandatory
  4. ☐ Decrease Revenue ☐ Permissive ☐ Mandatory
  5. Types of Local Government Units Affected
     ☐ Towns ☐ Village ☐ Cities
     ☐ Counties ☐ Others
     ☐ School Districts ☐ WTCS Districts

Fund Sources Affected
☐ GPR ☐ FED ☐ PRO ☐ PRS ☐ SEG ☐ SEGS

Affected Ch. 20 Appropriations

Agency/Prepared By	Authorized Signature	Date
DNR/ Joe Polasek (608) 266-2794	Joe Polasek (608) 266-2794	11/27/2013

Fiscal Estimate Narratives

DNR 11/27/2013

LRB Number **13-2048/1**	Introduction Number **AB-0506**	Estimate Type **Original**
Description Professional land surveyors; the practice of professional land surveying; surveying land abutting navigable waters; various changes regarding platting, surveying, and certified survey maps; and granting rule-making authority		

Assumptions Used in Arriving at Fiscal Estimate

The bill makes several changes to laws relating to land surveying, subdivision plats, certified survey maps, and the recording of certain plats.

Assumptions

1. Bureau of Watershed Management--The bill would authorize a professional land surveyor (PLS) to incorporate an ordinary high water mark (OHWM) onto a plat, where the OHWM has been determined by the Department or otherwise by law, or for a PLS to approximate the OHWM. It also requires that statements be included on the face of certain plats or maps to explain that the land below the OHWM of a navigable water is subject to the public trust doctrine, and that exposed land between the OHWM and the water's edge is to be used exclusively by the owner of the adjacent waterfront property, unless otherwise provided by law or by the owner's title. As a result of these OHWM provisions, the Department anticipates incurring minimal one-time costs to train staff as needed.

2. Forestry--As a result of the surveying requirements in the bill, the Department would incur additional, indeterminate costs associated with the purchase of working forest easements, especially along forest roads and trails, as well as from timber sales conducted by the Department that involve the sale of timber along private property lines. Costs would vary according to the frequency of easement purchases and affected timber sales, the size of the properties involved and the ease/difficulty with which a certified survey can be done. Costs could be high enough to make some sales and harvests of timber cost prohibitive.

3. Parks & Recreation-- State Trails would also be impacted by the requirements of this bill. The Bureau of Parks & Recreation estimates 60 land transactions would require survey work each year - most of them not having the legal descriptions that are required by the bill. Based on an estimate that one land transaction would cost an additional $3,000 in survey work, it would translate to a total annual expense of $180,000. In addition, Parks & Recreation is currently working to mark boundaries to protect state land assets, so the bill would also add survey work expenses of $3,000 per project to those boundary projects.

4. The bill eliminates an exemption for state employees to obtain a license for performing land surveying. The Department believes that foresters, land managers, GIS technicians, and other Department positions would be affected by the elimination of this exemption. The costs associated with obtaining a license are presumed to be absorbed by the employees themselves, but that the Department may absorb costs associated with training individuals to be license-eligible.

5. Private Sector--The bill will increase costs to forest landowners and the primary forest industry including sawmills, paper companies, wood biomass energy companies, loggers, and consulting foresters by an indeterminate, but potentially significant amount. As an example, based on a random sample survey of 2012 Managed Forest Law (MFL) applications, about 1,300 landowners would need certified surveys of their MFL entries to allow entry into the program.

Long-Range Fiscal Implications