

1989 Assembly Bill 727

Date of enactment: April 27, 1990
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1989 Wisconsin Act 339

(Vetoed in Part)

AN ACT to renumber and amend 59.57 (1) (a) and 59.57 (6a); to amend 16.967 (3) (e), 16.967 (7) (b) and 59.88 (3) (b); and to create 16.967 (5), 20.505 (4) (im), 59.51 (21), 59.57 (1) (a) 2 and 3, 59.57 (6a) (b) and (c), 59.88 (1) (am) and 59.88 (5) of the statutes, relating to funding the land information board and land information modernization and making appropriations.

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

SECTION 1. 16.967 (3) (e) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

16.967 (3) (e) ~~At the request of a county land information office, review~~ Review for approval a county-wide plan for land records modernization prepared under s. 59.88 (3) (b).

SECTION 2. 16.967 (5) of the statutes is created to read:

16.967 (5) FEES. All fees received under s. 59.88 (5) (a) shall be credited to the appropriation under s. 20.505 (4) (im).

SECTION 3. 16.967 (7) (b) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

16.967 (7) (b) Grants shall be paid from the appropriation under s. 20.505 (4) (im). A grant under this subsection may not exceed \$100,000. The board shall not award a grant to a county board unless the county board matches at least 25% of the amount of the grant. The board may award more than one grant to a county board.

SECTION 4. 20.505 (4) (im) of the statutes is created to read:

20.505 (4) (im) *Land information board; program operations and aid to counties.* All moneys received by the land information board under s. 59.88 (5) (a), for the general program operations of the land information board, including systems integration, and for aid to counties for land information projects under s. 16.967 (7).

SECTION 5. 59.51 (21) of the statutes is created to read:

59.51 (21) Submit that portion of recording fees collected under s. 59.57 (1) (a) 2 or 3 and (6a) (b) or (c) and not retained by the county to the land information board under s. 59.88 (5).

SECTION 6. 59.57 (1) (a) of the statutes is renumbered 59.57 (1) (a) 1 and amended to read:

59.57 (1) (a) 1. ~~For~~ Before July 1, 1990, and after June 30, 1996, for recording any instrument entitled to be recorded in the office of the register of deeds, \$4 for ~~one page~~ ~~(the first page)~~ and \$2 for each additional page, except that no fee may be collected for recording a change of address exempt from a filing fee under s. 180.87 (1) (h), 181.68 (1) (b) or (e) or 185.83 (1) (b).

SECTION 7. 59.57 (1) (a) 2 and 3 of the statutes are created to read:

59.57 (1) (a) 2. After June 30, 1990, and before July 1, 1991, and subject to s. 59.88 (5), for recording any instrument entitled to be recorded in the office of the register of deeds, \$8 for the first page and \$2 for each additional page, except that no fee may be collected for recording a change of address exempt from a filing fee under s. 180.87 (1) (h), 181.68 (1) (b) or (e) or 185.83 (1) (b).

3. After June 30, 1991, and before July 1, 1996, and subject to s. 59.88 (5), for recording any instrument entitled to be recorded in the office of the register of deeds, \$10 for the first page and \$2 for each additional page, except that no fee may be collected for recording a change of address exempt from a filing fee under s. 180.87 (1) (h), 181.68 (1) (b) or (e) or 185.83 (1) (b).

SECTION 8. 59.57 (6a) of the statutes is renumbered 59.57 (6a) (a) and amended to read:

59.57 (6a) (a) ~~For~~ Before July 1, 1990, and after June 30, 1996, for filing any instrument which is entitled to be filed in the office of register of deeds and for which no other specific fee is specified, \$4 for the first page and \$2 for each additional page.

SECTION 9. 59.57 (6a) (b) and (c) of the statutes are created to read:

59.57 (6a) (b) After June 30, 1990, and before July 1, 1991, and subject to s. 59.88 (5), for filing any instrument which is entitled to be filed in the office of register of deeds and for which no other specific fee is specified, \$8 for the first page and \$2 for each additional page.

(c) After June 30, 1991, and before July 1, 1996, and subject to s. 59.88 (5), for filing any instrument which is entitled to be filed in the office of register of deeds and for which no other specific fee is specified, \$10 for the first page and \$2 for each additional page.

SECTION 10. 59.88 (1) (am) of the statutes is created to read:

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

SECTION 11. 59.88 (3) (b) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

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

SECTION 12. 59.88 (5) of the statutes is created to read:

59.88 (5) LAND RECORD MODERNIZATION FUNDING.

(a) Before the 16th day of each month a register of deeds shall submit to the land information board \$4 from the fee for recording the first page of each instrument that is recorded under s. 59.57 (1) (a) 2 and (6a) (b) or \$6 from the fee for recording the first page of each instrument that is recorded under s. 59.57 (1) (a) 3 and (6a) (c), less any amount retained by the county under par. (b).

(b) A county may retain \$2 of the \$4 submitted under par. (a) from the fee for recording the first page of each instrument that is recorded under s. 59.57 (1) (a) 2 and (6a) (b) or \$4 of the \$6 submitted under par. (a) from the fee for recording the first page of each instrument that is recorded under s. 59.57 (1) (a) 3 and (6a) (c) if all of the following conditions are met:

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

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

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

SECTION 13. **Nonstatutory provisions; land information board.** The authorized FTE positions for the department of administration are increased by 1.5 ~~QPR~~ project positions for a one-year period beginning no earlier than July 1, 1990, and the 1.0 ~~QPR~~ project position authorized by 1989 Wisconsin Act 31, section 3001 (14n) (a), is continued for an additional one-year period beginning no earlier than July 1, 1990, all for the purpose of providing staff services, including technical assistance and systems integration, for the land information board. ~~Except as provided in SECTION 14 of this act,~~ the positions shall be funded from the appropriation under section 20.505 (4) (im) of the statutes.

Vetoed in Part

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~~SECTION 14. **Appropriation changes; land information board.** The dollar amounts in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (4) (cm) of the statutes, as affected by the acts of 1989, are increased by \$10,000 for fiscal year 1990-91 to fund for a 3-month period the 1.0 FTE ~~QPR~~ project position authorized for an additional one-year period under SECTION 13 of this act.~~

Vetoed in Part

SECTION 15. **Initial applicability.** (1) The treatment of section 59.57 (1) (a) 2 and (6a) (b) of the statutes first applies to instruments recorded on July 2, 1990.

(2) The treatment of section 59.57 (1) (a) 3 and (6a) (c) of the statutes first applies to instruments recorded on July 1, 1991.

SECTION 16. **Effective date.** This act takes effect on July 1, 1990.
