



1997 SENATE BILL 44

January 29, 1997 - Introduced by Senators WELCH, RUDE and A. LASEE, cosponsored by Representatives FREESE, SERATTI, GOETSCH, AINSWORTH, POWERS, WARD, VRAKAS and OLSEN. Referred to Committee on Economic Development, Housing and Government Operations.

1 **AN ACT** *to renumber and amend* 443.01 (4) and 443.02 (4) (a); *to amend* 15.405
2 (2) (intro.), (a) and (b), 30.11 (3), 30.13 (3) (a), 59.20 (2), 59.43 (8), 59.74 (2) (b)
3 1., 59.74 (2) (h), 60.84 (1), 157.07 (1), 236.15 (2), 236.34 (1) (a), 440.08 (2) (a) 39.,
4 chapter 443 (title), 443.01 (3), 443.06 (title), 443.06 (1) (a), 443.06 (1) (b), 443.06
5 (2) (intro.), 443.06 (2) (a), 443.06 (2) (am), 443.06 (2) (b), 443.06 (2) (bm), 443.06
6 (2) (c), 443.06 (2) (cm), 443.06 (2) (d), 443.06 (2) (e), 443.06 (2) (em), 443.06 (3),
7 443.10 (2) (b), 443.10 (5), 443.12 (title), 443.12 (1), 443.12 (3), 443.14 (8) (a),
8 443.14 (8) (b), 443.14 (8) (c), 443.14 (8) (d), 443.14 (9), 443.14 (11), 443.18 (2) (b),
9 703.11 (2) (b), 703.11 (4), 703.13 (6) (e), 703.13 (7) (c) and 707.215 (5) (intro.); and
10 **to create** 443.01 (1g), 443.01 (1r), 443.01 (3b), 443.01 (6s) (a) and (b), 443.01 (6s)
11 (d) 3. and 4., 443.01 (6s) (f) to (h) and 443.01 (7m) of the statutes; **relating to:**
12 professional land surveyors and the practice of professional land surveying.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, a person may not practice land surveying or represent that he or she is a land surveyor unless the land surveyor

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section (section) of the examining board of architects, landscape architects, professional geologists, professional engineers, designers and land surveyors (board) has issued a certificate of registration or permit to the person. "Land surveying" is defined as determining the location of land boundaries and boundary corners; preparing maps that show the shape and area of tracts of land or subdivisions or the layout of roads, streets or rights-of-way; or preparing official plats or maps of land in this state.

This bill replaces "land surveying" with the term "practice of professional land surveying" and defines the term as any of the following:

1. Establishing, restoring or perpetuating private or public land boundaries and boundary corners.
2. Preparing maps that show any of the following: a) the shape and area of tracts of land or the subdivision or consolidation of tracts; b) the layout and rights-of-way of roads or streets; c) air, water or property rights; or d) public or private easements.
3. Preparing assessors' or official plats or maps of lands in this state.
4. Measuring and analyzing a tract of land to determine its boundaries or to describe it for conveyance.
5. Designing or coordinating designs for platting or subdividing tracts of land.
6. Applying knowledge or experience about land surveying to the development, use or management of geographic or land information systems.
7. Performing cartographic, construction or geodetic surveying in connection with any of the practices described in the above items.
8. Providing consultation services related to any of the practices described in the above items.

The bill also prohibits, with certain exceptions, a person from engaging in the practice of professional land surveying or representing that he or she is a professional land surveyor unless the person is issued a certificate of registration or permit by the section. In addition, the bill changes the name of the section to the professional land surveyor section and changes the name of the board to the examining board of architects, landscape architects, professional geologists, professional engineers, designers and professional land surveyors.

For further information see the *state* 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.** 15.405 (2) (intro.), (a) and (b) of the statutes are amended to read:
- 2 15.405 (2) (title) EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
- 3 PROFESSIONAL GEOLOGISTS, PROFESSIONAL ENGINEERS, DESIGNERS AND PROFESSIONAL LAND
- 4 SURVEYORS. (intro.) There is created an examining board of architects, landscape

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1 architects, professional geologists, professional engineers, designers and
2 professional land surveyors in the department of regulation and licensing. Any
3 professional member appointed to the examining board shall be registered to
4 practice architecture, landscape architecture, professional geology, professional
5 engineering, the design of engineering systems or professional land surveying under
6 ch. 443. The examining board shall consist of the following members appointed for
7 4-year terms: 3 architects, 3 landscape architects, 3 professional geologists, 3
8 professional engineers, 3 designers, 3 professional land surveyors and 12 public
9 members.

10 (a) In operation, the examining board shall be divided into an architect section,
11 a landscape architect section, a geologist section, an engineer section, a designer
12 section and a professional land surveyor section. Each section shall consist of the 3
13 members of the named profession appointed to the examining board and 2 public
14 members appointed to the section. The examining board shall elect its own officers,
15 and shall meet at least twice annually.

16 (b) All matters pertaining to passing upon the qualifications of applicants for
17 and the granting or revocation of registration, and all other matters of interest to
18 either the architect, landscape architect, geologist, engineer, designer or professional
19 land surveyor section shall be acted upon solely by the interested section.

20 **SECTION 2.** 30.11 (3) of the statutes is amended to read:

21 30.11 (3) HOW ESTABLISHED. Whenever any municipality proposes to establish
22 a bulkhead line or to reestablish an existing bulkhead line, the municipality shall
23 indicate both the existing shore and the proposed bulkhead line upon a map and shall
24 file with the department for its approval 6 copies of the map and 6 copies of the
25 ordinance establishing the bulkhead line. The map shall use a scale of not less than

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1 100 feet to an inch or any other scale required by the department. The map and a
2 metes and bounds description of the bulkhead line shall be prepared by a
3 professional land surveyor registered in this state. The department may require the
4 installation of permanent reference markers to the bulkhead line. Upon approval
5 by the department, the municipality shall deliver the map, description and
6 ordinance to the office of the register of deeds of the county in which the bulkhead
7 line lies, to be recorded by the register of deeds.

8 **SECTION 3.** 30.13 (3) (a) of the statutes is amended to read:

9 30.13 **(3)** (a) Any municipality authorized by s. 30.11 to establish a bulkhead
10 line may also establish a pierhead line in the same manner as it is authorized to
11 establish a bulkhead line, except that a metes and bounds legal description is not
12 required nor is the map required to be prepared by a registered professional land
13 surveyor and except that if the municipality has created a board of harbor
14 commissioners the municipality must obtain the approval of the board concerning
15 the establishment of the pierhead line in addition to obtaining the approval of the
16 department.

17 **SECTION 4.** 59.20 (2) of the statutes is amended to read:

18 59.20 **(2)** COUNTY OFFICERS; TERMS. A county clerk, treasurer, sheriff, coroner,
19 clerk of circuit court, register of deeds and surveyor, who shall be a registered
20 professional land surveyor, shall be elected in each county for full terms at the
21 general election held in each even-numbered year. The regular term of office of each
22 such officer shall commence on the first Monday of January next succeeding his or
23 her election and shall continue 2 years and until his or her successor qualifies. In
24 lieu of electing a surveyor in any county, the board may, by resolution, designate that
25 the duties under ss. 59.45 (1) and 59.74 (2) be performed by any registered

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1 professional land surveyor employed by the county. In any county containing one
2 town only, the county board may, by resolution, designate any county office a
3 part-time position, combine 2 or more county offices, and, if concurred in by the town
4 board, combine the offices of county clerk and town clerk and any other county and
5 town offices, provided that the offices combined are not incompatible and the
6 combination is not expressly forbidden by law. If the town board so concurs, the
7 election may be for the combined office and no separate election for the town office
8 shall be held until after the county board has by resolution decided to abandon the
9 combination and the town board has concurred by resolution. In counties having a
10 population of 500,000 or more, no county coroner or county surveyor may be elected.
11 In any county in which a medical examiner system is instituted, no coroner may be
12 elected.

13 **SECTION 5.** 59.43 (8) of the statutes is amended to read:

14 59.43 (8) REQUIRED SIGNATURE AND SEAL ON SURVEY DOCUMENT FOR FILING OR
15 RECORDING. It is unlawful for the register of deeds of any county or any proper public
16 authority to file or record a map, plat, survey or other document within the definition
17 of the practice of professional land surveying under s. 443.01 (6s), which does not
18 have impressed thereon, and affixed thereto, the personal signature and seal of a
19 registered professional land surveyor under whose responsible charge the map, plat,
20 survey or other document was prepared. This subsection does not apply to any deed,
21 contract or other recordable document prepared by an attorney.

22 **SECTION 6.** 59.74 (2) (b) 1. of the statutes is amended to read:

23 59.74 (2) (b) 1. Whenever it becomes necessary to destroy, remove or cover up
24 in such a way that will make it inaccessible for use, any landmark, monument of
25 survey, or corner post within the meaning of this subsection, the person including

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1 employees of governmental agencies who intend to commit such act shall serve
2 written notice at least 30 days prior to the act upon the county surveyor of the county
3 within which the landmark is located. Notice shall also be served upon the
4 municipality's engineer if the landmark is located within the corporate limits of a
5 municipality. The notice shall include a description of the landmark, monument of
6 survey or corner post and the reason for removing or covering it. In this paragraph,
7 removal of a landmark includes the removal of railroad track by the owner of the
8 track. In a county having a population of less than 500,000 where there is no county
9 surveyor, notice shall be served upon the clerk. In a county with a population of
10 500,000 or more where there is no county surveyor, notice shall be served upon the
11 executive director of the regional planning commission which acts in the capacity of
12 county surveyor for the county. Notwithstanding par. (c), upon receipt of the notice
13 the clerk shall appoint a registered professional land surveyor to perform the duties
14 of a county surveyor under subd. 2.

15 **SECTION 7.** 59.74 (2) (h) of the statutes is amended to read:

16 59.74 (2) (h) Any registered professional land surveyor employed by the
17 department of transportation or by a county highway department, may, incident to
18 employment as such, assume and perform the duties and act in the capacity of the
19 county surveyor under this subsection with respect to preservation and perpetuation
20 of landmarks, witness monuments and corner posts upon and along state trunk,
21 county trunk and town highways. Upon completing a survey and perpetuating
22 landmarks and witness monuments under par. (b) 2., a land surveyor employed by
23 the state shall file the field notes and records in the district office or main office of
24 the department of transportation, and a land surveyor employed by a county shall
25 file the field notes and records in the office of the county highway commissioner, open

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1 to inspection by the public, and in either case a true and correct copy of the field notes
2 and records shall be filed with the county surveyor. In a county with a population
3 of 500,000 or more where there is no county surveyor, a copy of the field notes and
4 records shall also be filed in the office of the regional planning commission which acts
5 in the capacity of county surveyor for the county.

6 **SECTION 8.** 60.84 (1) of the statutes is amended to read:

7 60.84 (1) SURVEY, CONTRACT FOR. The town board may contract with the county
8 surveyor or any registered professional land surveyor to survey all or some of the
9 sections in the town and to erect monuments under this section as directed by the
10 board.

11 **SECTION 9.** 157.07 (1) of the statutes is amended to read:

12 157.07 (1) A cemetery authority shall cause to be surveyed and platted by a
13 professional land surveyor registered in this state those portions of the lands that are
14 from time to time required for burial, into cemetery lots, drives and walks, and record
15 a plat or map of the land in the office of the register of deeds. The plat or map may
16 not be recorded unless laid out and platted to the satisfaction of the county board of
17 the county, and the town board of the town in which the land is situated, or, if the land
18 is situated within a 1st class city, then only by the common council of that city.

19 **SECTION 10.** 236.15 (2) of the statutes is amended to read:

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

24 **SECTION 11.** 236.34 (1) (a) of the statutes is amended to read:

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

4 **SECTION 12.** 440.08 (2) (a) 39. of the statutes is amended to read:

5 440.08 **(2)** (a) 39. Land surveyor, professional: February 1 of each
6 even-numbered year; \$73.

7 **SECTION 13.** Chapter 443 (title) of the statutes is amended to read:

8 **CHAPTER 443**

9 **EXAMINING BOARD OF ARCHITECTS,**
10 **LANDSCAPE ARCHITECTS, PROFESSIONAL**
11 **GEOLOGISTS, PROFESSIONAL ENGINEERS,**
12 **DESIGNERS AND PROFESSIONAL**
13 **LAND SURVEYORS**

14 **SECTION 14.** 443.01 (1g) of the statutes is created to read:

15 443.01 **(1g)** “Cartographic surveying” means collecting topographic,
16 hydrographic, aerial, anthropologic, forensic, architectural or mining data that
17 depicts areas and physical features on, below or above the surface of the earth and
18 compiling maps.

19 **SECTION 15.** 443.01 (1r) of the statutes is created to read:

20 443.01 **(1r)** “Construction surveying” means surveying or mapping in support
21 of infrastructure design, improvements related to private and public boundary lines,
22 construction layout or historic preservation, and establishing any post-construction
23 documentation related to such surveying or mapping.

24 **SECTION 16.** 443.01 (3) of the statutes is amended to read:

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1 443.01 (3) “Examining board” means the examining board of architects,
2 landscape architects, professional geologists, professional engineers, designers and
3 professional land surveyors.

4 **SECTION 17.** 443.01 (3b) of the statutes is created to read:

5 443.01 (3b) “Geodetic surveying” means surveying to determine the size and
6 shape of the earth or the precise positions of points on the surface of the earth.

7 **SECTION 18.** 443.01 (4) of the statutes is renumbered 443.01 (6s) (intro.) and
8 amended to read:

9 443.01 (6s) (intro.) “Land Practice of professional land surveying” means any
10 ~~service comprising the determination of the location of the following:~~

11 (c) Establishing, restoring or perpetuating private or public land boundaries
12 and land boundary corners; ~~the preparation of.~~

13 (d) Preparing maps showing the that depict any of the following:

14 1. The shape and area of tracts of land and their subdivisions into smaller
15 ~~tracts; the preparation of maps showing the~~ or the subdivision or consolidation of
16 tracts of land.

17 2. The layout and rights-of-way of roads, or streets and rights-of-way of same
18 ~~to give access to smaller tracts; and the preparation of.~~

19 (e) Preparing assessors’ or official plats, or maps, of land in this state.

20 **SECTION 19.** 443.01 (6s) (a) and (b) of the statutes are created to read:

21 443.01 (6s) (a) Measuring and analyzing a tract of land to determine its
22 boundaries or to describe the tract for the purpose of conveyance.

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

25 **SECTION 20.** 443.01 (6s) (d) 3. and 4. of the statutes are created to read:

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1 443.01 (6s) (d) 3. Air, water or property rights.

2 4. Public or private easements.

3 **SECTION 21.** 443.01 (6s) (f) to (h) of the statutes are created to read:

4 443.01 (6s) (f) Applying knowledge or experience about land surveying to the
5 development, use or management of geographic or land information systems that
6 collect, organize or disseminate data regarding land ownership or land resources.

7 (g) Performing cartographic, construction or geodetic surveying in connection
8 with any of the practices specified in pars. (a) to (f).

9 (h) Providing consultation services related to any of the practices specified in
10 this subsection.

11 **SECTION 22.** 443.01 (7m) of the statutes is created to read:

12 443.01 (7m) "Professional land surveyor" means a person who, by reason of his
13 or her knowledge of law, mathematics, physical sciences and measurement
14 techniques, acquired by education and practical experience, is issued a certificate of
15 registration or granted a permit to engage in the practice of professional land
16 surveying under this chapter.

17 **SECTION 23.** 443.02 (4) (a) of the statutes is renumbered 443.02 (4) and
18 amended to read:

19 443.02 (4) No person may engage or offer to engage in the practice of
20 professional land surveying in this state or use or advertise any title or description
21 tending to convey the impression that the person is a professional land surveyor
22 unless the person has been issued a certificate of registration or granted a permit to
23 practice under this chapter.

24 **SECTION 24.** 443.06 (title) of the statutes is amended to read:

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

3 **SECTION 25.** 443.06 (1) (a) of the statutes is amended to read:

4 443.06 (1) (a) Application for registration as a professional land surveyor or a
5 permit to practice shall be made to the section under oath, on forms prescribed by the
6 examining board and provided by the department, which shall require the applicant
7 to submit such information as the section deems necessary. The section may require
8 applicants to pass written or oral examinations or both. Applicants who do not have
9 an arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335, shall be
10 entitled to be registered or issued a permit to practice as professional land surveyors
11 when satisfactory evidence is submitted that the applicant has met one or more of
12 the requirements of sub. (2).

13 **SECTION 26.** 443.06 (1) (b) of the statutes is amended to read:

14 443.06 (1) (b) Each year, but not more than 4 years, of work or training
15 completed in a curriculum in land surveying approved by the professional land
16 surveyor section, or responsible charge of land surveying teaching may be considered
17 as equivalent to one year of qualifying experience in land surveying work, and each
18 year, but not more than 4 years completed in a curriculum other than land surveying
19 approved by the ~~land surveyor~~ section, may be considered as equivalent to one-half
20 year of qualifying experience.

21 **SECTION 27.** 443.06 (2) (intro.) of the statutes is amended to read:

22 443.06 (2) **REQUIREMENTS; CERTIFICATE OF REGISTRATION.** (intro.) The section
23 may grant a certificate of registration as a professional land surveyor to any person
24 who has submitted to it an application, the required fees and one or more of the
25 following:

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1 **SECTION 28.** 443.06 (2) (a) of the statutes is amended to read:

2 443.06 (2) (a) A record of completion of a course in land surveying of not less
3 than 2 years' duration approved by the professional land surveyor section together
4 with 2 years of practice in land surveying work of satisfactory character which
5 indicates that the applicant is competent to be placed in responsible charge of such
6 work, if the applicant has passed an oral and written or written examination
7 administered by the ~~land surveyor~~ section. This paragraph applies to actions of the
8 ~~land surveyor~~ section on applications for professional land surveyors' certificates
9 that are submitted to the ~~land surveyor~~ section before July 1, 2000.

10 **SECTION 29.** 443.06 (2) (am) of the statutes is amended to read:

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

21 **SECTION 30.** 443.06 (2) (b) of the statutes is amended to read:

22 443.06 (2) (b) A record of 6 years of practice in land surveying of satisfactory
23 character, which indicates that the applicant is competent to be placed in responsible
24 charge of such work, if the applicant has passed an oral and written or written
25 examination administered by the professional land surveyor section. This

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1 paragraph applies to actions of the ~~land surveyor~~ section on applications for
2 professional land surveyors' certificates that are submitted to the ~~land surveyor~~
3 section before July 1, 2000.

4 **SECTION 31.** 443.06 (2) (bm) of the statutes is amended to read:

5 443.06 (2) (bm) Evidence satisfactory to the professional land surveyor section
6 that he or she has received an associate degree in a course in land surveying or a
7 related field that has a duration of not less than 2 years and is approved by the ~~land~~
8 ~~surveyor~~ section, and that he or she has engaged in at least 4 years of land surveying
9 practice of satisfactory character that indicates that the applicant is competent to
10 engage in the practice of professional land surveying, if the applicant has passed an
11 oral and written or written examination administered by the ~~land surveyor~~ section.
12 This paragraph applies to actions of the ~~land surveyor~~ section on applications for
13 professional land surveyors' certificates that are submitted to the ~~land surveyor~~
14 section after June 30, 2000.

15 **SECTION 32.** 443.06 (2) (c) of the statutes is amended to read:

16 443.06 (2) (c) A record of 20 years of practice in land surveying of satisfactory
17 character, which indicates that the applicant is competent to be placed in responsible
18 charge of such work, if the applicant is not less than 45 years of age and has passed
19 an oral and written or written examination administered by the professional land
20 surveyor section. This paragraph applies to actions of the ~~land surveyor~~ section on
21 applications for professional land surveyors' certificates that are submitted to the
22 ~~land surveyor~~ section before January 1, 1995.

23 **SECTION 33.** 443.06 (2) (cm) of the statutes is amended to read:

24 443.06 (2) (cm) Evidence satisfactory to the professional land surveyor section
25 that he or she has engaged in at least 10 years of land surveying practice of

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

7 **SECTION 34.** 443.06 (2) (d) of the statutes is amended to read:

8 443.06 (2) (d) An unexpired certificate of registration as a land surveyor or
9 professional land surveyor issued to the applicant by the proper authority in any
10 state or territory or possession of the United States or in any other country whose
11 requirements meet or exceed the requirement for registration in this subsection, if
12 the applicant has passed an oral and written or written examination administered
13 by the professional land surveyor section.

14 **SECTION 35.** 443.06 (2) (e) of the statutes is amended to read:

15 443.06 (2) (e) A record of satisfactory completion of an apprenticeship training
16 course in land surveying prescribed by the department of industry, labor and job
17 development, of satisfactory character which indicates that the applicant is
18 competent to be placed in responsible charge of such work, if the applicant has passed
19 an oral and written or written examination administered by the professional land
20 surveyor section. This paragraph applies to actions of the ~~land surveyor~~ section on
21 applications for professional land surveyors' certificates that are submitted to the
22 ~~land surveyor~~ section before July 1, 2000.

23 **SECTION 36.** 443.06 (2) (em) of the statutes is amended to read:

24 443.06 (2) (em) Evidence satisfactory to the professional land surveyor section
25 that he or she has completed an apprenticeship training course in land surveying

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1 prescribed by the department of industry, labor and job development, and has
2 engaged in a period of additional land surveying practice of satisfactory character
3 that indicates that the applicant is competent to engage in the practice of
4 professional land surveying and that, when added to the period of the
5 apprenticeship, totals at least 8 years of land surveying practice, if the applicant has
6 passed an oral and written or written examination administered by the land
7 surveyor section. This paragraph applies to actions of the ~~land surveyor~~ section on
8 applications for professional land surveyors' certificates that are submitted to the
9 ~~land surveyor~~ section after June 30, 2000.

10 **SECTION 37.** 443.06 (3) of the statutes is amended to read:

11 443.06 (3) PERMIT TO PRACTICE. The examining board may grant a permit to
12 engage in the practice of professional land surveying during the time an application
13 is pending to a person who is not registered in this state, if the person has submitted
14 an application for registration as a professional land surveyor and paid the required
15 fee and holds an unexpired certificate which in the opinion of the examining board
16 meets the requirements of sub. (2). The permit shall be revocable by the section at
17 its pleasure.

18 **SECTION 38.** 443.10 (2) (b) of the statutes is amended to read:

19 443.10 (2) (b) The fees for examinations and licenses or certificates of
20 registration granted or renewed under this chapter are specified in ss. 440.05 and
21 440.08.

22 **SECTION 39.** 443.10 (5) of the statutes is amended to read:

23 443.10 (5) FEES; RENEWALS. The professional land surveyor's surveyor section
24 shall grant a certificate of registration as a professional land surveyor to any

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1 applicant who has met the applicable requirements of this chapter. The renewal date
2 and renewal fee for the certificate are specified under s. 440.08 (2) (a).

3 **SECTION 40.** 443.12 (title) of the statutes is amended to read:

4 **443.12** (title) **Disciplinary proceedings against professional land**
5 **surveyors.**

6 **SECTION 41.** 443.12 (1) of the statutes is amended to read:

7 443.12 (1) The section may reprimand or limit, suspend or revoke the
8 certificate of registration of any professional land surveyor for the practice of any
9 fraud or deceit in obtaining the certificate, or any gross negligence, incompetence or
10 misconduct in the practice of professional land surveying.

11 **SECTION 42.** 443.12 (3) of the statutes is amended to read:

12 443.12 (3) If after a hearing 3 members vote in favor of reprimand or limiting,
13 suspending or revoking the certificate of registration of a professional land surveyor,
14 the section shall notify the surveyor to that effect. The surveyor shall return the
15 certificate to the examining board immediately on receipt of notice of a revocation.
16 The action of the section may be reviewed under ch. 227.

17 **SECTION 43.** 443.14 (8) (a) of the statutes is amended to read:

18 443.14 (8) (a) An employe of a professional land surveyor registered in this
19 state or authorized to practice under a permit, while working under the supervision
20 of the employer. Such exempt employe shall not be in responsible charge of the
21 practice of professional land surveying.

22 **SECTION 44.** 443.14 (8) (b) of the statutes is amended to read:

23 443.14 (8) (b) Officers and employes of the federal government while engaged
24 in the practice of professional land surveying for the federal government.

25 **SECTION 45.** 443.14 (8) (c) of the statutes is amended to read:

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1 443.14 (8) (c) Employees of this state while engaged in the practice of
2 professional land surveying for the state.

3 **SECTION 46.** 443.14 (8) (d) of the statutes is amended to read:

4 443.14 (8) (d) Employees of public utilities regulated by the public service
5 commission ~~in~~ while engaged in the practice of professional land surveying for such
6 utilities.

7 **SECTION 47.** 443.14 (9) of the statutes is amended to read:

8 443.14 (9) A license certificate of registration or permit shall not be required
9 for an owner to survey his or her own land for purposes other than for sale.

10 **SECTION 48.** 443.14 (11) of the statutes is amended to read:

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

14 **SECTION 49.** 443.18 (2) (b) of the statutes is amended to read:

15 443.18 (2) (b) *Injunction.* If it appears upon complaint or is known to the
16 section that any person who is not authorized is ~~practicing~~ engaged or offering to
17 engage in the practice of professional land surveying in this state, the section, the
18 department of justice or the district attorney of the proper county may, in addition
19 to other remedies, bring an action in the name and on behalf of the state to enjoin
20 the person from ~~practicing~~ engaging or offering to engage in the practice of
21 professional land surveying.

22 **SECTION 50.** 703.11 (2) (b) of the statutes is amended to read:

23 703.11 (2) (b) A survey of the property described in the declaration complying
24 with minimum standards for property surveys adopted by the examining board of
25 architects, landscape architects, professional geologists, professional engineers,

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1 designers and professional land surveyors and showing the location of any unit or
2 building located or to be located on the property.

3 **SECTION 51.** 703.11 (4) of the statutes is amended to read:

4 703.11 (4) SURVEYOR'S CERTIFICATE. A condominium plat is sufficient for the
5 purposes of this chapter if there is attached to or included in it a certificate of a
6 licensed professional land surveyor authorized to practice that profession in this
7 state that the plat is a correct representation of the condominium described and the
8 identification and location of each unit and the common elements can be determined
9 from the plat.

10 **SECTION 52.** 703.13 (6) (e) of the statutes is amended to read:

11 703.13 (6) (e) Plats and plans showing the altered boundaries and the
12 dimensions thereof between adjoining units, and their identifying numbers or
13 letters, shall be prepared. The plats and plans shall be certified as to their accuracy
14 in compliance with this subsection by a civil engineer, architect or licensed
15 professional land surveyor authorized to practice his or her profession in the state.

16 **SECTION 53.** 703.13 (7) (c) of the statutes is amended to read:

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

23 **SECTION 54.** 707.215 (5) (intro.) of the statutes is amended to read:

24 707.215 (5) SURVEYOR'S CERTIFICATE. (intro.) A plat is sufficient for the purposes
25 of this chapter if attached to or included in the plat is a certificate of a professional

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1 land surveyor ~~licensed~~ authorized to practice in this state, and the certificate
2 provides all of the following:

3 **SECTION 55. Nonstatutory provisions.**

4 (1) Notwithstanding section 443.02 (4) of the statutes, as affected by this act,
5 on the effective date of this subsection, a person who has been granted a certificate
6 of registration as a land surveyor under section 443.06 (2) of the statutes or a permit
7 to practice land surveying under section 443.06 (3) of the statutes is considered to be
8 granted a certificate of registration as a professional land surveyor under section
9 443.06 (2) of the statutes, as affected by this act, or a permit to engage in the practice
10 of professional land surveying under section 443.06 (3) of the statutes, as affected by
11 this act, and the professional land surveyor section of the examining board of
12 architects, landscape architects, professional geologists, professional engineers,
13 designers and professional land surveyors shall issue to the person, as appropriate,
14 a certificate of registration as a professional land surveyor under section 443.06 (2)
15 of the statutes, as affected by this act, or a permit to practice professional land
16 surveying under section 443.06 (3) of the statutes, as affected by this act.

17 **SECTION 56. Effective date.**

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

20

(END)