

# WISCONSIN LAND INFORMATION PROGRAM

## Statutes Applicable to the Land Information Program

### STATUTES RELATED TO WISCONSIN LAND INFORMATION BOARD

#### 15.105 (16) Land Information Board.

(a) **Creation.** There is created a land information board attached to the department of administration under s. 15.03.

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

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

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

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

4. The state cartographer.

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

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

**NOTE: Sub. (16) is repealed effective September 1, 2003 by 1997 Wisconsin Act 27.**

#### 1997 Wisconsin Act 27 - Section 9101. Nonstatutory provisions; administration.

(11m) REPORT BY LAND INFORMATION BOARD AND WISCONSIN LAND COUNCIL.

No later than September 1, 2002, the land information board and Wisconsin land council shall report to the legislature in the manner provided under section 13.172 (2) of the statutes and to the governor concerning the issue of continuation of their functions, including the feasibility of combination of their functions.

### OPERATIVE STATUTES, DEFINITIONS, DUTIES, FUNDING AND AID TO COUNTIES

#### 16.966 Land Information Support.

(1) In this section, "state agency" has the meaning given for "agency" under s. 16.045 (1)(a).

**NOTE: Sub. (1) is repealed effective September 1, 2003 by 1997 Wisconsin Act 27.**

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

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

**NOTE: Sub. (4) is repealed effective September 1, 2003 by 1997 Wisconsin Act 27.**

### 16.967 Land Information Program.

(1) **Definitions.** In this section:

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

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

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

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

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

(3) **Board Duties.** The board shall direct and supervise the land information program and serve as the state clearinghouse for access to land information. In addition, the board shall:

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

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

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

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

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

(3)(b).

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

(5) **Fees.** All fees received under s. 59.72 (5) (a) shall be credited to the appropriation under s. 20.505 (1) (ij).

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

(7) **Aid to Counties.**

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

1. The design, development and implementation of a land information system that contains and integrates, at a minimum, property and ownership records with boundary information, including a parcel identifier referenced to the U.S. public land survey; tax and assessment information; soil surveys, if available; wetlands identified by the department of natural resources; a modern geodetic reference system; current zoning restrictions; and restrictive covenants.

2. The preparation of parcel property maps that refer boundaries to the public land survey system and are suitable for use by local governmental units for accurate land title boundary line or land survey line information.

3. The preparation of maps that include a statement documenting accuracy if the maps do not refer boundaries to the public land survey system and that are suitable for use by local governmental units for planning purposes.

4. Systems integration projects.

5. To support technological developments and improvements for the purpose of providing Internet-accessible housing assessment and sales data.

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

(8) **Advice; Cooperation.** In carrying out its duties under this section, the board may seek advice and assistance from the university of Wisconsin system, state agencies, local governmental units and other experts involved in collecting and managing land information. State agencies shall cooperate with the board in the coordination of land information collection.

(9) **Technical Assistance; Education.** The board may provide technical assistance to counties and conduct educational seminars, courses or conferences relating to land information. The board shall charge and collect fees sufficient to recover the costs of activities authorized under this subsection.

(10) **Memorandum of Understanding.** The board shall enter into a memorandum of understanding with the Wisconsin land council to ensure cooperation between the board and the council and to avoid duplication of activities.

**NOTE: This section is repealed effective September 1, 2003 by 1997 Wisconsin Act 27.**

**20.505 Administration, department of.** There is appropriated to the department of administration for the following programs:

(1) **Supervision and management; land information board.**

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

**NOTE: Par. (ie) is repealed effective September 1, 2003 by 1997 Wisconsin Act 27.**

(ig) *Land information board; technical assistance and education.* The amounts in the schedule for the land information board to provide technical assistance to counties and to conduct educational seminars, courses or conferences under a. 16.967 (9). The charges paid by the counties and participants in education seminars, courses, and conferences under s. 16.967 (9) shall be credited to this appropriation account.

**NOTE: Par. (ig) is repealed effective September 1, 2003 by 1997 Wisconsin Act 27.**

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

**NOTE: Par. (ij) is repealed effective September 1, 2003 by 1997 Wisconsin Act 27.**

STATUTES RELATED TO COUNTIES

**59.43 Register of deeds; duties.**

(1) The register of deeds shall:

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

**NOTE: Par. (u) is repealed effective September 1, 2003 by 1997 Wisconsin Act 27.**

**59.43 (2) Register of deeds; fees.** Every register of deeds shall receive the following fees:

(a) 1. In this subsection, "page" means one side of a single sheet of paper.

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

**NOTE: Subd. 1. is affected by 1997 Wisconsin Acts 27, 79 and 252 effective September 1, 2003 to read:**

**1. For recording any instrument entitled to be recorded in the office of the register of deeds, \$8 for the first page if the county maintains a land information office under s. 59.72 (3) and \$4 for the first page if the county does not maintain such an office, and \$2 for each additional page, except that no fee may be collected for recording a change of address that is exempt from a filing fee under s. 185.83 (1) (b).**

(e) Subject to s. 59.72 (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, \$11 for the first page and \$2 for each additional page.

**NOTE: Par. (e) is amended effective September 1, 2003 by 1997 Wisconsin Act 27 to read:**

**(e) 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 if the county maintains a land information office under s. 59.72 (3) and \$4 for the first page if the county does not maintain such an office, and \$2 for each additional page.**

**59.72 Land Information. (1) Definitions.** In this section:

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

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

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

(c) "Local governmental unit" means a municipality, regional planning commission, special purpose district or local governmental association, authority, board, commission, department, independent agency, institution or office.

(3) **Land Information Office.** The [county] board may establish a county land information office or may direct that the functions and duties of the office be performed by an existing department, board, commission, agency, institution, authority, or office. If the board establishes a county land information office, the office shall:

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

(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).

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

(4) **Aid to Counties.** A board that has established a land information officer under sub. (3) may apply to the land information board for a grant for a land information project under s. 16.967 (7).

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

(b) A county may retain \$5 of the \$7 submitted under par. (a) from the fee for recording the first page of each instrument that is recorded under s. 59.43 (2) (ag) 1. and (e) 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 \$4 of each \$5 fee retained under this paragraph to develop, implement, and maintain the countywide plan for land records modernization, and \$1 of each \$5 fee retained under this paragraph to develop and maintain a computerized indexing of the county's land information records relating to housing, including the housing element of the county's land use plan under s. 66.1001 (2) (b), in a manner that would allow for greater public access via the Internet.

**NOTE: This section is affected effective September 1, 2003 by 1997 Wisconsin Act 27 to read: 59.72 Land Information. (1) Definitions. In this section:**

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

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

(c) "Local governmental unit" means a municipality, regional planning commission, special purpose district or local governmental association, authority, board, commission, department, independent agency, institution or office.

(3) **Land Information Office.** The [county] board may establish a separate county land information office or may direct that an office be established within an existing department, board, commission, agency, institution, authority or office. The county land information office shall coordinate land information projects within the county, between the county and local government units, between the state and local governmental units and among local governmental units, the federal government and the private sector. If the board establishes a land information office, the board shall within 2 years after the land information office is established, develop a countywide plan for land records modernization.

(5) **Land Record Modernization Funding.** A county which establishes a land information office shall use \$4 of the \$8 per page received under s. 59. 43 (2) (ag) 1. and (e), to develop, implement and maintain a countywide plan for land records modernization.

## STATUTES RELATED TO THE DEPARTMENT OF NATURAL RESOURCES

23.27 (3) (a) **(Natural Heritage Inventory Program) Duties.** The department, with the advice of the council (Natural Area Preservation Council), shall conduct a natural heritage inventory program. The department shall cooperate with the land information board under s. 16.967 in conducting this program. This program shall establish a system for determining the existence and location of natural areas, the

degree of endangerment of natural areas, an evaluation of the importance of natural areas, information related to the associated natural values of natural areas and other information and data related to natural areas. This program shall establish a system for determining the existence and location of native plant and animal communities and endangered, threatened and critical species, the degree of endangerment of these communities and species, the existence and location of habitat areas associated with these communities and species and other information and data related to these communities and species. This program shall establish and coordinate standards for the collection, storage, and management of information and data related to the natural heritage inventory.

**NOTE: Par. (a) is amended eff. 9-1-03 by 1997 Wis. Act 27 to read:**

**(a) Duties. The department, with the advice of the council, shall conduct a natural heritage inventory program. This program shall establish a system for determining the existence and location of natural areas, the degree of endangerment of natural areas, an evaluation of the importance of natural areas, information related to the associated natural values of natural areas and other information and data related to natural areas. This program shall establish a system for determining the existence and location of native plant and animal communities and endangered, threatened and critical species, the degree of endangerment of these communities and species, the existence and location of habitat areas associated with these communities and species and other information and data related to these communities and species. This program shall establish and coordinate standards for the collection, storage and management of information and data related to the natural heritage inventory.**

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

**NOTE: Par. (d) is repealed eff. 9-1-03 by 1997 Wis. Act 27.**

#### **STATUTES RELATED TO THE UNIVERSITY OF WISCONSIN SYSTEM AND THE STATE CARTOGRAPHER**

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

**NOTE: Par. (e) is repealed and recreated eff. 9-1-03 by 1997 Wis. Act 237 to read:**

**(e) The board shall appoint a president of the system; a chancellor for each institution; a dean for each college campus; the state geologist; the director of the laboratory of hygiene; the director of the psychiatric institute; the state cartographer; and the requisite number of officers, other than the vice presidents, associate vice presidents and assistant vice presidents of the system; faculty; academic staff and other employes and fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4g), (4m) and (5) and 230.12 (3) (e), the duties and the term of office for each. The board shall fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4g), (4m) and (5)**

**and 230.12 (3) (e), and the duties for each chancellor, vice president, associate vice president and assistant vice president of the system. No sectarian or partisan tests or any tests based upon race, religion, national origin or sex shall ever be allowed or exercised in the appointment of the employes of the system.**

**36.25 Special Programs (University of Wisconsin System)**

**36.25 (12m) State Cartographer.** (intro.) In coordination and consultation with the land information board, the state cartographer shall:

(a) Establish and maintain a union catalog of current and historical reference and thematic maps of all scales available in municipal, county, state and federal agencies relating to this state.

(b) Promote liaison among the municipal, county, state and federal mapping agencies and surveyors to facilitate coordination and to exchange information on mapping and cartographic activities.

(c) Keep abreast of the progress made by mapping agencies and their mapping developments.

(d) Collect, maintain and disseminate information regarding innovation in cartographic techniques and mapping procedures, map and air photo indexes and control data, map accuracy standards, legal aspects of map publication and such other matters as will facilitate an effective cartographic program for the state.

(e) Publish and distribute such special maps and map information as will promote the mapping of the state and preparation and use of maps by individuals, only to the extent, however, that such publication and distribution is not appropriately within the activities of any other state or commercial agency.

(f) Assist the department of natural resources in its work as the state representative of the U.S. geographic board and its other functions under s. 23.25.

**NOTE: Sub. (12m)(intro.) is amended eff. 9-1-03 by 1997 Wis. Act 27 to read:**

**(12m) State cartographer. (intro.) The state cartographer shall:**

**STATUTES RELATED TO THE DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION**

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

**NOTE: Par. (a) is amended eff. 9-1-03 by 1997 Wis. Act 27 to read:**

**(a) Data. The department shall develop a systematic method of collecting and organizing data related to soil erosion.**