

# STATUTES APPLICABLE TO THE WISCONSIN LAND INFORMATION PROGRAM

1989 WISCONSIN ACT 31 AS AMENDED BY 1989 ACT 339  
AND 1991 ACT 39

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**WISCONSIN LAND INFORMATION PROGRAM**  
**STATUTES APPLICABLE TO THE LAND INFORMATION PROGRAM**  
**STATUTES RELATED TO THE 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 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 supervisors at least one member of a city council or village 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.

(c) **Advisory members.** The state historic preservation officer, the secretary of revenue and the state geologist, or their designees, a representative of a regional planning commission who is selected by the board, a county employee 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.

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

**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.

(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 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 County Wide plan for land records modernization prepared under s. 59.88 (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 s. 59.88 (5) (a) shall be credited to the appropriation under s. 20.505 (4) (im).

(6) **Reports.** By March 31, 1990, and biennially thereafter the departments of administration, agriculture, trade and consumer protection, development, health and social services, industry, labor and human relations, natural resources, revenue and transportation, and the board of regents of the university of Wisconsin system, the public service commission and the board of curators of the historical society shall 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.

(7) **Aid to Counties.** (a) A county board that has established a land information office under s. 59.88 (3) may apply to the board on behalf of any local governmental unit, as defined in s. 59.88 (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 that are suitable for use by local governmental units for planning purposes.

(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 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.

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

20.505 (4) (ie) Land information board; general program operations. From the moneys received by the land information board under s. 59.88 (5) (a), the amounts in the schedule for general program operations of the board under s. 16.967.

20.505 (4) (im) *Land information board; aids to counties.* From the moneys received by the land information board under s. 59.88 (5) (a), all moneys not appropriated under par. (ie) for the purpose of providing aids to counties for land information projects under s. 16.967 (7).

## STATUTES RELATED TO COUNTIES

**59.51 Register of deeds; duties.** The register of deeds shall:

59.51 (21) Submit that portion of recordings 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).

**59.55 Tract index system; power to alter.**

(1) The county board by ordinance may require the register of deeds to keep a tract index in any one of the following forms, as specified by the county board:

(a) Suitable books, so ruled and arranged that opposite to the description of each quarter section, sectional lot, town, city or village lot or other subdivision of land in the county, which a convenient arrangement may require to be noted, there shall be a blank space of at least 40 square inches in which the register shall enter in ink the letter or numeral indicating each volume, and the class of records of that volume designating mortgages by the letter M, deeds by the letter D, and miscellaneous by the abbreviation Mis., and the register of attachments, sales and notices by the letter R, together with the page of that volume upon which any deed, mortgage or other instrument affecting the title to or mentioning a tract or any part thereof has been recorded or entered.

(b) An electronic data processing system or a system of machine-printed forms or cards.

(c) Any other system that will allow the register of deeds to keep a tract index which contains information substantially equivalent to the information required to be contained in the tract index system under par. (a).

(2) No index established under sub. (1) may be discontinued, unless the county establishing the index adopts, keeps and maintains a complete abstract of title to the real estate in the county as a part of the records of the office of the register of deeds of that county.

(2m) In any county having a population of 500,000 or more, the county board of supervisors may, by resolution, adopt a more complete system of tract indices than that above specified, or a system of chain of title indices, provided such system be clearly specified in such resolution; and may thereafter at any time before the completion of such system alter or change such system or add to the same by resolution clearly specifying such alterations, changes or additions. In the event of such adoption, said board of supervisors may contract, with any suitable person, to compile and complete such system of indices, and may make supplemental contracts for the compilation and completion of such alterations, changes or additions, and may levy such taxes as may be required to cover the cost of so doing; said register of deeds shall not be required to compile, install or complete such system of indices or such alterations, changes or additions, but shall after the same be so completed under such contract, or contracts of such board of supervisors, thereafter maintain and keep up the same; and, thereafter shall discontinue all other tract indices theretofore in use or maintained.

(3) If a system of tract indices or of a system of chain of title indices is adopted by the county board of supervisors by resolution, and if the resolution provides that the index shall include an abstract or notation of any proceeding or proceedings pending, of any instruments or documents filed or entered in the office of the clerk of any court of the county, the circuit court or the register of probate or of any inclusion of property in a tax certificate issued under s. 74.57, and calls for a daily report to be made to the register of deeds of the county by any officer in charge of such proceedings, instrument or documents, each office so called upon by the resolution to make a daily report, shall, upon the close of business on each day report, in writing, under his or her hand, to the register of deeds, any and all proceedings, instruments and documents and tax certificates called for by the resolution, and the register shall, when required to maintain and keep up the system of indices, note all the proceedings, instruments and documents and tax certificates upon the indices, in accordance with the resolution.

(4) Whenever in the judgement of the county board of any county any existing tract index or indices become unfit for use, because of mistake therein or of imperfection in or insufficiency of plan, or because of becoming worn, over crowded, or unserviceable or unreliable for any reason the county board may at any meeting thereof, by resolution, order a new and corrected set of tract indices arranged and compiled according to such plan as it may authorize, and in that behalf may purchase suitable books and receive bids and contract with any competent person to do said work, at a price not exceeding five cents per folio, which shall be paid out of the county treasury on acceptance of said work by the county board. The person contracting to do said work, and his assistants, shall have access to and be entitled to the use of the old tract indices and other records in the register's office and other county records; and when said work is completed and said new tract indices are approved and adopted by the county board, the old tract indices shall be preserved as provided in s. 59.71 (2). The resolutions of the county board ordering, approving, and adopting such new tract indices, duly certified by the county clerk, shall be recorded in each volume of such new tract indices; and thereupon the same shall become and be the only lawful tract indices in the register's office.



**59.57 Register of deeds; fees.** Every register of deeds shall receive the following fees:

59.57 (1) (a) 1. 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 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 (c) or 185.83 (1) (b).

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 (c) 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 (c) or 185.83 (1) (b).

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

(b) After June 30, 1990, and before July, 1991, and subject to s. 59.88 (5), for filing an instrument which is entitled to be filed in the office of the 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, 1996, and subject to s. 59.88 (5), for filing an instrument which is entitled to be filed in the office of the register of deeds and for which no other specific fee is specified, \$10 for the first page and \$2 for each additional page.

**59.63 Relocation and perpetuation of section corners and division lines.**

(1) If a majority of all the resident landowners in any section of land within this state desire to establish, relocate or perpetuate any section or other corner of any section, or in the same section a division line of the section, they may make a formal application in writing to the circuit judge for the county in which the land is situated. The circuit judge shall file the application in his or her court and shall within a reasonable time give at least 10 days' notice in writing to the owners of all adjoining lands, if those owners reside in the county where the land is situated and if not, by publication of a class 3 notice, under ch. 985, stating the day and hour when the circuit judge will consider and pass upon such application. The circuit judge shall hear all interested parties and approve or reject the application at that time. If the application is approved, the county clerk shall notify the county surveyor who shall within a reasonable time proceed to make the required survey and location. If a corner is to be perpetuated, the surveyor shall deposit in the proper place a stone or other equally durable material of the dimensions and in the manner and with the markings provided under s. 60.84 (3) (c), and shall also erect witness monuments as provided under s. 59.635. The surveyor shall be paid the cost of the perpetuation from the general fund of the county.

(2) All expense and cost of the publication of the notice and of said survey and perpetuation shall be apportioned by the county clerk among the several pieces or parcels of land in said section upon the basis of the area surveyed and by him included in the next tax roll and shall be collected in the same manner as other taxes are collected.

**59.635 Perpetuation of landmarks.**

(1) (a) No landmark, monument, corner post of the government survey or survey made by the county surveyor or survey of public record may be destroyed, removed, or covered by any material that will make the landmark, monument, or corner post inaccessible for use, without first having erected witness or reference monuments as provided in par. (b) for the purpose of identifying the location of the landmark and making a certified copy of the field notes of the survey setting forth all the particulars of the location of the

landmark with relation to the reference or witness monuments so that its location can be determined after its destruction or removal. The certified copy of the field notes shall be filed as provided under sub. (2) (b).

(b) Witness monuments shall be made of durable material of cement, natural stone, iron or other equally durable material, except wood. If iron pipe monuments are used, they shall be made of 2 inch or more galvanized iron pipe not less than 30 inches in length having an iron or brass cap fastened to the top and marked with a cross cut on the top of the cap where the point of measurement is taken. If witness monuments are made of cement, stone or similar material, they shall be not less than 30 inches in length nor less than 5 inches in diameter along the shortest diagonal marked on the top with a cross where the point of measurement is taken.

(2) (a) Whenever it becomes necessary to destroy, remove or cover up in such a way that will make it inaccessible for use, any landmark, monument of survey, or corner post within the meaning of this section, the person including employees of governmental agencies who intend to commit such act shall serve written notice at least 30 days prior to the act upon the county surveyor of the county within which the landmark is located. Notice shall also be served upon the city or village engineer if the landmark is located within the corporate limits of a municipality. The notice shall include a description of the landmark, monument of survey or corner post and the reason for removing or covering it. In this subsection, removal of a landmark includes the removal of railroad track by the owner of the track. In a county having a population of less than 500,000 where there is no county surveyor, notice shall be served upon the county clerk. In a county having a population of 500,000 or more where there is no county surveyor, notice shall be served upon the executive director of the regional planning commission which acts in the capacity of county surveyor for the county. Notwithstanding sub. (3), upon receipt of the notice the county clerk shall appoint a registered land surveyor to perform the duties of a county surveyor under par. (b).

(b) The county surveyor or executive director of the regional planning commission, upon receipt of notice under par. (a), shall within a period of not to exceed 30 working days, either personally or by a deputy, or by the city or village engineer make an inspection of the landmark, and, if he or she deems it necessary because of the public interests to erect witness monuments to the landmark, he or she shall erect 4 or more witness monuments or, if within a municipality, may make 2 or more offset marks at places near the landmark and where they will not be disturbed. The county surveyor shall make a survey and field notes giving a description of the landmark and the witness monuments or offset marks, stating the material and size of the witness monuments and locating the offset marks, the horizontal distance and courses in terms of the references set forth in s. 59.60 (1) (b) that the witness monuments bear from the landmark and, also, of each witness monument to all of the other witness monuments. The county surveyor may also make notes as to such other objects, natural or artificial, that will enable anyone to locate the position of the landmark. The county surveyor upon completing the survey shall make a certified copy of the field notes of the survey and record it as provided under s. 59.60. The city or village engineer upon completing the survey shall record the notes in his or her office, open to the inspection of the public, and shall file a true and correct copy with the county surveyor. In a county having a population of 500,000 or more, the certified copy of the field notes of the survey shall be filed in the office of the regional planning commission which acts in the capacity of county surveyor for the county.

(3) In those counties where there are no county surveyors a petition can be made to the county board by any resident of this state requesting the board to appoint a land surveyor to act in the capacity of the county surveyor. The county board, upon receipt of this petition, shall appoint a land surveyor to act in the capacity of the county surveyor. In counties having a population of 500,000 or more, the county board may appoint a governmental agency to act in the capacity of county surveyor.

(4) The cost of the work of perpetuating the evidence of any landmark under the scope of this section shall be borne by the county or counties proportionally, in which said landmark is located.

(5) (a) Except as provided in par. (b), any person who removes, destroys or makes inaccessible any landmark, monument of survey, corner post of government survey, survey made by the county surveyor or survey of public record without first complying with this section shall be fined not to exceed \$1,000 or imprisoned in the county jail for not more than one year.

(b) Any person who removed railroad track as provided in sub. (2) (a) without first complying with sub. (2) (a) shall be subject to a forfeiture not to exceed \$1,000.

(5m) Any person who destroys, removes or covers any landmark, monument or corner post rendering them inaccessible for use, without first complying with subs. (1) (a) and (2) (a) shall be liable in

damages to the county or counties in which said landmark is located, for the amount of any additional expense incurred by the county or counties because of such destruction, removal or covering.

(6) Every land surveyor and every officer of the department of natural resources and the district attorney shall enforce this section.

(7) Any registered land surveyor employed by the department of transportation or by a county highway department, may, incident to employment as such, assume and perform the duties and act in the capacity of the county surveyor under this section with respect to preservation and perpetuation of landmarks, witness monuments and corner posts upon and along state trunk, county trunk and town highways. Upon completing a survey and perpetuating landmarks and witness monuments under sub. (2) (b) a land surveyor employed by the state shall file the field notes and records in the district office or main office of the department of transportation, and a land surveyor employed by a county shall file the field notes and records in the office of the county highway commissioner, open to inspection by the public, and in either case a true and correct copy of the field notes and records shall be filed with the county surveyor. In a county having a population of 500,000 or more where there is no county surveyor, a copy of the field notes and records shall also be filed in the office of the regional planning commission which acts in the capacity of county surveyor for the county.

(8) The records of the corners of the public land survey may be established and perpetuated in the following manner: commencing on January 1, 1970, and in each calendar year thereafter, the county surveyor or a deputy may check and establish or reestablish and reference at least 5% of all corners originally established in the county by government surveyors, so that within 20 years or less all the original corners will be established or reestablished and thereafter perpetuated.

(10) The county surveyor may employ other land surveyors to assist in this work and may accept checks of references for these corners from any land surveyor.

(11) The cost of perpetuating these corners shall be paid out of the county road and bridge fund or other county fund under s. 83.11.

**59.88 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) "Land governmental unit" means a city, village, town 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 land information office be performed by an existing department, board, commission, agency, institution, authority or office. The county land information office shall:

(a) Coordinate land information projects within the county, between the county and local government units, between the state and local governmental units, 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 county-wide plan for land record 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 establish 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 \$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 county-wide 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 county-wide plan for land records modernization.

## STATUTES RELATED TO TOWNS

### 60.84 Monuments

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

(2) **BOND.** Before the town board executes a contract under sub. (1), the surveyor shall execute and file with the town board a surety bond or other financial security approved by the town board.

(3) **MONUMENTS.** (a) Monuments shall be set on section and quarter-section corners established by the United States survey. If there is a clerical errors or omission in the government fields notes or if the bearing trees, mounds or other location identifier specified in the notes is destroyed or lost, and if there is no other reliable evidence by which a section or quarter-section corner can be identified, the surveyor shall reestablish the corner under the rules adopted by the federal government in the survey of public lands. The surveyor shall set forth his or her actions under this paragraph in the certificate under sub. (4).

(b) All monuments set under this section are presumed to be set at the section and quarter-section corners, as originally established by the United States survey, at which they respectively purport to be set.

(c) To establish, relocate or perpetuate a corner, the surveyor shall set in the proper place a monument, as determined by the town board, consisting of:

1. A stone or other equally durable material, not less than 3 feet long and 6 inches square, with perpendicular, dressed sides and a square, flat top. As prescribed by the town board, the top shall be engraved with either:

- a. A cross formed by lines connecting the corners of the top; or
- b. If the monument is set at a section corner, the number of the section or, if set at a quarter-section corner, "1/4S"; or

2. A 3-inch diameter iron pipe, not less than 3 feet long, with pipe walls not less than one-quarter inch thick, galvanized or coal-charred to prevent rust. The pipe shall have a flat plate, screwed to the top, engraved as prescribed in subd. 1. The pipe shall have a suitable bottom plate or anchor.

## 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, 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, recall and display of 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.

## 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 center; 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 employees and fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4) 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 (4) 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 test based upon race, religion, national origin or sex shall ever be allowed or exercised in the appointment of the employees 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 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

## 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.

# ADMINISTRATIVE RULES APPLICABLE TO THE WISCONSIN LAND INFORMATION PROGRAM

## DEPARTMENT OF ADMINISTRATION CHAPTER 46 WISCONSIN ADMINISTRATIVE RULES

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**DEPARTMENT OF ADMINISTRATION**  
**WISCONSIN LAND INFORMATION PROGRAM**  
**GRANTS-IN-AID TO LOCAL GOVERNMENT**

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**Adm 46.01 Purpose and authority.** This chapter is promulgated under the authority of ss. 16.004(1) and 227.11, Stats., to implement ss. 16.967(7).

**Adm 46.02 Definitions.** In this Chapter:

(1) "Applicant" means a local governmental unit as defined in s. 59.88(1)(c) applying for a grant under this chapter.

(2) "Board" has the meaning given in s. 16.967(1)(a).

(3) "Completed project" means a grant plan that proposes the completion of specific projects with tangible products.

(4) "County-wide plan for land records modernization" means the plan required for program participation under ss. 59.88(3)(b) and (5)(b) and submitted for approval by the board under s. 16.967(e).

(5) "Department" means the department of administration.

(6) "Eligible applicant" means a local governmental unit as defined in s. 59.88(1)(c) located wholly or partially within a county that has established a land information office under s. 59.88(3) and has in effect a county-wide plan for land records modernization that has been approved by the board under s. 16.967(3)(e).

(7) "First time grant application" means a grant request by an eligible applicant where there has not been a previous grant award under the land information program to the county or any eligible applicant within the county.

(8) "Foundational element" means any one or all of following:

(a) Geographic frameworks, including base and imaging mapping, geodetic reference frameworks, public land survey monumentation, and geographic control data;

(b) Parcels, including parcel mapping, parcel identification, and parcel administration;

(c) Wetlands mapping;

(d) Soils mapping; or

(e) Zoning mapping.

(9) "Integration" means the coordination of land records modernization to ensure that land information can be shared, distributed and used within and between governments at all levels, the private sector and citizens.



(10) "Land information" as defined in s. 16.967(1)(b) means the characteristics that in some way describe the physical, legal, economic, or environmental attributes of the land, water, groundwater, subsurface resources, or air.

(11) "Land information systems" as defined in s. 16.967(1)(c) means the mechanism by which land information and land records are organized in an orderly fashion.

(12) "Land records" as defined in s. 16.967(1)(d) means the medium in which land information is stored.

(13) "Land records modernization" means the undertaking and process by which land information can ultimately be shared through the implementation of automated land information systems.

(14) "Likelihood of success" means the following:

- (a) The economic viability of a grant project;
- (b) That the project can be completed on time and within budget;
- (c) The extent of financial participation by the grant applicant;
- (d) The track record of grant applicant; and
- (e) The extent that preliminary work on the grant project has been completed.

**Adm 46.03 Eligible projects and activities.** A county may apply to the board for a grant under s. 16.967 (7) (a) for any of the following projects:

- (1) The design, development and implementation of an integrated land information system. A specific grant project may undertake one or more of the activities defined in s. 16.967(7)(a)(1) as part of an overall strategy to implement an automated land information system;
- (2) The preparation of parcel maps for accurate land title boundary line or survey line information referenced to the public land survey system; or
- (3) The preparation of planning maps that document accuracy.

**Adm 46.04 Grant application.** All applications shall be submitted on the authority of the county board on its own behalf or on behalf of a local governmental unit located wholly or partially within the county. All applications shall be fully completed and submitted on forms provided by the department before the filing deadline. Applications shall be executed under the authority of both the county and the eligible applicant.

**Adm 46.05 Grant application evaluation.** Each individual grant request shall be analyzed on the basis of the Evaluation Criteria set forth in Adm 46.06. Grant requests shall be reviewed and scored by an evaluation committee comprised of board members and other authorized evaluators selected by the board. The identity of the evaluation committee members shall be kept confidential. The scored applications shall be submitted for consideration by the board. All grant awards shall be made on the basis of a majority vote of the board.

**Adm 46.06 Evaluation criteria.** All grant applications shall be ranked and scored on the applicant's adherence to the statutes and responsiveness to the following evaluation criteria, that are ranked in priority of importance:

- (1) Integration and cooperation.
- (2) Foundational element focus. Projects based on a foundational elements focus must meet or exceed all relevant statutory requirements and standards established by the board under ss. 16.967(3)(c) and (e).
- (3) Consistency with the county-wide plan for land records modernization.
- (4) First-time grant applications.
- (5) Likelihood of success.
- (6) Completed projects.

**Adm 46.07 Awards.** Grant awards are subject to and contingent upon the execution of a grant agreement. Failure of a selected grantee to execute a grant agreement shall result in withdrawal of the offer of award. The board and the department may negotiate the amount of an award, specific budget items, project goals, and other terms and conditions prior to making an award. Terms of a grant award shall be administered through the grant agreement.

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