STATE OF WISCONSIN
Department of Safety and Professional Services
1400 E Washington Ave.
Madison WI 53703

Mail to:
PO Box 8935
Madison WI 53708-8935

Email: dsps@wisconsin.gov
Web: http://dsps.wi.gov
Phone: 608-266-2112

Governor Scott Walker **Secretary Dave Ross**

LAND SURVEYORS SECTION MEETING
Room 121C, 1400 East Washington Avenue, Madison
Contact: Angela Hellenbrand (608) 261-5406
October 29, 2013

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.

AGENDA

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-4)

B. Approval of Minutes
1) March 19, 2013 **(5-10)**
2) March 27, 2013 **(11-12)**

C. Administrative Matters
1) Staff Updates

D. Administrative and Legislative Rule Matters – Discussion and Consideration
1) Review of Scope Statement for Chrs. A-E 7, 8 and 10 **(13-18)**
2) Suggested changes to Chrs. A-E 7, 8 and 10 **(19-22)**
3) Review and Consideration of Support or Action of LRB 2048 **(23-80)**

E. Items Added After Preparation of Agenda:

1) Introductions, Announcements and Recognition
2) Presentations of Petition(s) for Summary Suspension
3) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
4) Presentation of Final Decisions
5) Disciplinary Matters
6) Executive Director Matters
7) Education and Examination Matters
8) Credentialing Matters
9) Class 1 Hearing(s)
10) Practice Matters
11) Legislation/Administrative Rule Matters
12) Liaison Report(s)
13) Informational Item(s)
14) Speaking Engagement(s), Travel, or Public Relation Request(s)

F. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

G. Deliberation of Administrative Warnings

1) 13 LSR 001 (R.J.H.) **(81-82)**

H. Deliberation of Order Fixing Costs

1) Travis J. Kramer, Order Number 0002458 **(83-84)**

I. Application Review – Consideration and Discussion

J. Case Status Report **(85-86)**

K. Deliberation of Items Received After Printing of the Agenda

1) Disciplinary Matters
2) Education and Examination Matters
3) Credentialing Matters
4) Class 1 Hearings
5) Monitoring Matters
6) Professional Assistance Procedure (PAP) Matters
7) Petition(s) for Summary Suspensions
8) Petition(s) for Extension of Time
9) Proposed Stipulations, Final Decisions and Orders
10) Administrative Warnings
11) Proposed Decisions
12) Matters Relating to Costs
13) Motions
14) Petitions for Rehearing
15) Formal Complaints
16) Case Closings
17) Appearances from Requests Received or Renewed

L. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

M. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

ADJOURNMENT

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LAND SURVEYOR SECTION
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS
MEETING MINUTES
March 19, 2013

Present: Dan Fedderly, James Rusch, and Matt Janiak

Absent: Ruth G. Johnson

Staff: Tom Wightman, Executive Director; Dave Carlson, Communications Specialist; and other Department staff

Matt Janiak, Board Chair, called the meeting to order at 9:34 a.m. A quorum of three (3) members was confirmed.

ADOPTION OF AGENDA

Amendments

- Remove Item N.3 from agenda.

MOTION: Dan Fedderly moved, seconded by James Rusch to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Dan Fedderly moved, seconded by James Rusch, to approve the minutes of August 15, 2012 as published. Motion carried unanimously.

ELECTION OF OFFICERS FOR 2013

CHAIR

NOMINATION: James Rusch nominated Matt Janiak for the office of Board Chair. Tom Wightman called three times for other nominations for the office of Board Chair.

VICE CHAIR

NOMINATION: Dan Fedderly nominated James Rusch for the office of Board Vice Chair. Tom Wightman called three times for other nominations for the office of Board Vice Chair.

SECRETARY

NOMINATION: James Rusch nominated Dan Fedderly for the office of Board Secretary. Tom Wightman called three times for other nominations for the office of Board Secretary.

MOTION: Dan Fedderly moved, seconded by James Rusch, to approve the election of the slate of officers as nominated. Motion carried unanimously.

2013 ELECTION RESULTS	
Chair	Matt Janiak
Vice Chair	James Rusch
Secretary	Dan Fedderly

LIAISON APPOINTMENTS

Chair Matt Janiak made the following appointments of liaisons:

2013 LIAISON APPOINTMENTS	
Credentialing	Matt Janiak
Rules	Matt Janiak
Screening Panel	James Rusch, Ruth Johnson
Monitoring	Dan Fedderly
CE Liaison	Dan Fedderly, Matt Janiak

MOTION: Dan Fedderly moved, seconded by James Rusch, to delegate authority to the Board Liaison(s) to make determinations on all issues related to the liaison's duties, except controversial and disciplinary issues. Liaisons may defer a decision to the Board at the liaison's discretion Motion carried unanimously.

CLOSED SESSION

MOTION: James Rusch moved, seconded by Dan Fedderly, to convene to closed session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.; consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Roll Call Vote: Matt Janiak - yes; James Rusch -

yes; and Dan Fedderly -yes. Motion carried unanimously. Open session recessed at 11:20 a.m.

RECONVENE TO OPEN SESSION

MOTION: Dan Fedderly moved, seconded by James Rusch to reconvene in open session at 3:19 p.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

PROPOSED FINAL DECISION AND ORDER

MOTION: James Rusch moved, seconded by Dan Fedderly in the matter of Travis J. Kramer-11 LSR 003. DHA Case Number SPS 12-0050, to adopt the Findings of Fact, Conclusions of Law and vary the order as follows:

- To remove the suspension.
- Issue a reprimand.
- To limit the license as follows:
    - License is limited for one year from the date of the order.
    - Respondent will practice only under the direct supervision of a credentialed land surveyor pre-approved by the Section.
    - The supervisor will review and approve, or request modifications as appropriate, all surveys prepared by the respondent during the period of supervision along with all supporting documents prior to filing.
    - The supervisor will file quarterly reports with the Section detailing the results of his/her review.
    - It is the responsibility of the respondent to ensure that the reports are filed timely, and to pay all costs associated with the supervision within 30 days of submission of the bill from the supervisor.
    - At the end of one year of supervision from the date of this order, respondent may petition the board for reinstatement of full licensure. The Section may request a personal appearance by the respondent in support of his petition.
- To order full costs.

Motion carried unanimously.

MOTION: James Rusch moved, seconded by Dan Fedderly to designate Matt Janiak to review and approve the Final Decision and Order, with variance and authorize signature. Motion carried unanimously.

MOTION: James Rusch moved, seconded by Dan Fedderly that upon issuance of the Final Decision and Order, in the matter of Travis J. Kramer-11 LSR 003. DHA Case Number SPS 12-0050, that a copy of the Order will be sent to the District Attorney of Crawford County for appropriate action. Motion carried unanimously.

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

MOTION: James Rusch moved, seconded by Dan Fedderly, to remove from the agenda, the proposed Stipulation and Order, in the matter of Wayne Reuter-12 LSR 005, for lack of quorum to properly consider a suspension. Motion carried unanimously.

MONITORING

MOTION: Dan Fedderly moved, seconded by James Rusch to approve the petition of James Ritchie to remove limitations and grant him a full and unencumbered license. Motion carried unanimously.

APPLICATION REVIEWS

MOTION: James Rusch moved, seconded by Dan Fedderly, to approve the application of Daniel A Marks. Motion carried unanimously.

MOTION: James Rusch moved, seconded by Dan Fedderly, to approve the application of Eric Lynch. Motion carried unanimously.

MOTION: James Rusch moved, seconded by Dan Fedderly, to approve the application of Wesley L. Kraemer. Motion carried unanimously.

MOTION: James Rusch moved, seconded by Dan Fedderly, to approve the application of Christopher R. Weinreis. Motion carried unanimously.

MOTION: James Rusch moved, seconded by Dan Fedderly, to approve the application of Andrew Moore. Motion carried unanimously.

MOTION: James Rusch moved, seconded by Dan Fedderly, to approve the application of Chad Besaw. Motion carried unanimously.

MOTION: James Rusch moved, seconded by Dan Fedderly, to approve the application of Bradley P. Heuer. Motion carried unanimously.

MOTION: James Rusch moved, seconded by Dan Fedderly, to approve the application of Benjamin LaCount. Motion carried unanimously.

MOTION: James Rusch moved, seconded by Dan Fedderly, to approve the application of Michael J. Hoffman. Motion carried unanimously.

MOTION: James Rusch moved, seconded by Dan Fedderly, to approve the application of Bruce G. Bolivar. Motion carried unanimously.

MOTION: James Rusch moved, seconded by Dan Fedderly, to approve the application of Tomas A. Toro Santos. Motion carried unanimously.

MOTION: James Rusch moved, seconded by Dan Fedderly, to issue an intent to deny the application of Codey Cuplin, unless, within 45 days, applicant provides evidence of having conducted re-surveys in accordance with A-E 6.03 (1) (h). Motion carried unanimously.

MOTION: James Rusch moved, seconded by Dan Fedderly, to issue an intent to deny the application of Thomas J. Green unless, within 45 days, applicant provides evidence of experience in preparation of maps, in accordance with A-E 6.03 (1). Motion carried unanimously.

MOTION: James Rusch moved, seconded by Dan Fedderly, to deny the application of Eric S. Jackson. Reason for denial; the Section has determined that the applicant needs two additional years of land surveying experience in Wisconsin in accordance with A-E 6.03 (1). Motion carried unanimously.

MOTION: James Rusch moved, seconded by Dan Fedderly, to issue an intent to deny the application of Catlon J. Phelps**,** unless, within 45 days, applicant provides evidence of experience in preparation of maps in accordance with A-E 6.03 (1) Motion carried unanimously.

MOTION: James Rusch moved, seconded by Dan Fedderly, to deny the application of Carolyn J. Sampson. Reason for denial; the Section has determined that the applicant needs one additional year of land surveying experience in Wisconsin and Public Land Survey System in accordance with A-E 6.03 (1). Motion carried unanimously.

ADJOURNMENT

MOTION: Dan Fedderly moved, seconded by James Rusch to adjourn the meeting at 3:26 p.m. Motion carried unanimously.

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LAND SURVEYOR SECTION
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS
MEETING MINUTES
March 27, 2013

Present by teleconference: Dan Fedderly, James Rusch, and Matt Janiak, Ruth G. Johnson

Staff: Tom Wightman, Executive Director; Dave Carlson, Communications Specialist; and Pam Stach, Legal Counsel.

Matt Janiak, Board Chair, called the meeting to order at 11:01 a.m. A quorum of four (4) members was confirmed.

ADOPTION OF AGENDA

MOTION: Ruth G. Johnson moved, seconded by James Rusch to adopt the agenda. Motion carried unanimously.

CLOSED SESSION

MOTION: James Rusch moved, seconded by Ruth G. Johnson, to convene to closed session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.; consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Roll Call Vote: Matt Janiak - yes; James Rusch - yes; Dan Fedderly –yes; and Ruth G. Johnson-yes. Motion carried unanimously. Open session recessed at 11:04 a.m.

RECONVENE TO OPEN SESSION

MOTION: James Rusch moved, seconded by Johnson to reconvene in open session at 11:17 a.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

MOTION: Dan Fedderly moved, seconded by James Rusch, to affirm all motions made in closed session. Motion carried unanimously.

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

MOTION: Dan Fedderly moved, seconded by James Rusch, to adopt the Stipulation, Findings of Fact, Conclusions of Law and Final Order in the matter of Wayne Reuter-12 LSR 005. Motion carried unanimously.

ADJOURNMENT

MOTION: Ruth G. Johnson moved, seconded by James Rusch to adjourn the meeting at 11:19 a.m. Motion carried unanimously.

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State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request:	2) Date When Request Submitted: September 13, 2013
Shawn Leatherwood	Items will be considered late if submitted after 4:30 p.m. and less than: ▪ 10 work days before the meeting for Medical Board ▪ 08 work days before the meeting for all others

3) Name of Board, Committee, Council, Sections:
Land Surveyor Section of Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors

4) Meeting Date:	5) Attachments:	6) How should the item be titled on the agenda page?
October 29, 2013	☒ Yes ☐ No	Review and Discussion of A-E 7, 8, and 10

7) Place Item in:	8) Is an appearance before the Board being scheduled? If yes, who is appearing?	9) Name of Case Advisor(s), if required:
☒ Open Session ☐ Closed Session ☐ Both	☐ Yes by (name) ☒ No	N/A

10) Describe the issue and action that should be addressed:

The Board will review and approve the scope statement for implementation as well as discuss amendments to the rule.

11) Authorization

Shawn Leatherwood — September 13, 2013

Signature of person making this request — Date

Supervisor (if required) — Date

Bureau Director signature (indicates approval to add post agenda deadline item to agenda) — Date

Directions for including supporting documents:
1. This form should be attached to any documents submitted to the agenda.
2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Bureau Director.
3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.

STATEMENT OF SCOPE

Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Land Surveyors

Rule No.: A-E 7, 8, 10

Relating to: Practice, Conduct, Continuing Education (CE)

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

NA

2. Detailed description of the objective of the proposed rule:

The objective of this proposed rule-making is to clarify various provisions of ch. A-E 7, Wis. Admin. Code, which sets forth minimum standards for land surveyor practice, and to resolve inconsistencies between the rules in that chapter, other governing law, and current practices of the profession. This proposal may include amendments to Code chs. A-E 8 and 10 as necessary based on the changes to ch. A-E 7. In addition, changes to provisions of A-E 10 as it relates to continuing education requirements will also be considered.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Policies relevant to ch. A-E 7, Wis. Admin. Code: All registered land surveyors, like any other professional, should adhere to minimum standards of practice, where such standards have been promulgated by surveyor-practitioners knowledgeable in both the practice and its governing law. Minimum professional standards must be easily understood by practitioners. They must also be consistent with each other, the statutes, and other related law; and should reflect current practices of the profession. These policies remain in effect, and for the basis of the proposed rule amendments. No new alternative policies are involved, making an analysis of policy alternatives unnecessary.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Sections 15.08 (5) (b), 227.11 (2) (a), and 443.015 (2), Stats.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

80 hours

6. List with description of all entities that may be affected by the proposed rule:

Registered land surveyors and individuals and entities using their services.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

No federal laws regulate the practice of land surveying as it relates to the activities regulated by the rules proposed herein.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

None.

Contact Person: Kristine E. Anderson, (608) 261-2385, Kristine1.Anderson@Wisconsin.gov

Department Head or Authorized Signature

Date Submitted

Chapter A–E 7

MINIMUM STANDARDS FOR PROPERTY SURVEYS

A–E 7.01	Scope.	A–E 7.05	Maps.
A–E 7.02	Property survey, definition.	A–E 7.06	Measurements.
A–E 7.03	Boundary location.	A–E 7.07	Monuments.
A–E 7.04	Descriptions.	A–E 7.08	U.S. public land survey monument record.

A–E 7.01 Scope. The minimum standards of this chapter apply to every property survey performed in this state except:

(1) If other standards for property surveys are prescribed by statute, administrative rule, or ordinance, and the standards are more restrictive than those in this chapter, the more restrictive standards govern; and,

(2) The land surveyor and his or her client or employer may agree in a signed statement to exclude any land surveying work from the requirements of this chapter except the preparation of a U.S. public land survey monument record and a map of work performed. The map prepared by the land surveyor for the client or employer shall include:

(a) A note which states that an agreement to exclude work from the requirements of this chapter has been made and the names of the parties making the agreement.

(b) The accuracy of linear measurements between points, if the minimum accuracy established by s. A–E 7.06 (2) has been waived.

(c) The difference between the sum of the individual measured angles and the theoretical sum, and the difference between the sum of the total measured angles and the theoretical sum, if the minimum accuracy established by s. A–E 7.06 (3) has been waived.

(d) The latitude and departure closure ratio of any closed traverse, if the minimum accuracy established by s. A–E 7.06 (4) has been waived.

(e) Dimensional accuracy of bearings, angles and distances as shown on the map, if the minimum accuracy established by s. A–E 7.06 (5) has been waived.

History: Cr. Register, February, 1987, No. 374, eff. 3–1–87; am. (2), Register, May, 1989, No. 401, eff. 6–1–89; am. (2), cr. (2) (a) to (e), Register, December, 1993, No. 456, eff. 1–1–94.

A–E 7.02 Property survey, definition. In this chapter, "property survey" means any land surveying which includes as one of its principal purposes describing, monumenting, locating the boundary lines of or mapping one or more parcels of land. The term includes the restoration, perpetuation or reestablishment of a U.S. public survey corner.

History: Cr. Register, February, 1987, No. 374, eff. 3–1–87.

A–E 7.03 Boundary location. Every property survey shall be made in accordance with the records of the register of deeds as nearly as is practicable. The surveyor shall acquire data necessary to retrace record title boundaries such as deeds, maps, certificates of title and center line and other boundary line locations. The surveyor shall analyze the data and make a careful determination of the position of the boundaries of the parcel being surveyed. The surveyor shall make a field survey, traversing and connecting monuments necessary for location of the parcel and coordinate the facts of the survey with the analysis. The surveyor shall set monuments marking the corners of the parcel unless monuments already exist at the corners.

History: Cr. Register, February, 1987, No. 374, eff. 3–1–87.

A–E 7.04 Descriptions. Descriptions defining land boundaries written for conveyance or other purposes shall be complete, providing unequivocal identification of lines or boundaries. The description shall contain necessary ties to adjoiners together with data and dimensions sufficient to enable the description to be mapped and retraced and shall describe the land surveyed by government lot, recorded private claim, quarter–quarter section, section, township, range and county and by metes and bounds commencing with some corner marked and established by the U.S. public land survey; or, if the land is located in a recorded subdivision, a recorded addition to the subdivision, or recorded certified survey map, then by the number or other description of the lot, block or sub–division of the land which has been previously tied to a corner marked and established by the U.S. public land survey.

History: Cr. Register, February, 1987, No. 374, eff. 3–1–87; am. Register, May, 1989, No. 401, eff. 6–1–89.

A–E 7.05 Maps. A map shall be drawn for every property survey showing information developed by the survey. The map shall:

(1) Be drawn to a convenient scale.

(2) Be referenced as provided in s. 59.73 (1), Stats.

(3) Show the exact length and bearing of the boundaries of the parcels surveyed. Where the boundary lines show bearings, lengths or locations which vary from those recorded in deeds, abutting plats, or other instruments there shall be the following note placed along such lines, "recorded as (show recorded bearing, length or location)".

(4) Describe all monuments used for determining the location of the parcel and show by bearing and distance their relationship to the surveyed parcel and indicate whether such monuments were found or placed.

(5) Identify the person for whom the survey was made, the date of the survey, and describe the parcel as provided in s. A–E 7.04.

(6) Bear the stamp or seal and signature of the land surveyor under whose direction and control the survey was made with a statement certifying that the survey is correct to the best of the surveyor's knowledge and belief.

(7) Be filed as required by s. 59.45 (1), Stats.

History: Cr. Register, February, 1987, No. 374, eff. 3–1–87; am. (4) and (5), cr. (7), Register, May, 1989, No. 401, eff. 6–1–89; correction in (6) made under s. 13.93 (2m) (b) 5., Stats., Register, March, 1993, No. 447; am. (1) to (5) and (7), Register, January, 1999, No. 517, eff. 2–1–99.

A–E 7.06 Measurements. (1) Measurements shall be made with instruments and methods capable of attaining the required accuracy for the particular problem involved.

(2) The minimum accuracy of linear measurements between points shall be 1 part in 3,000 on all property lines of boundary or interior survey.

(3) In a closed traverse the sum of the measured angles shall agree with the theoretical sum by a difference not greater than 30 seconds per angle, or the sum of the total angles may not differ

from the theoretical sum by more than 120 seconds, whichever is smaller.

(4) Any closed traverse depicted on a property survey map shall have a latitude and departure closure ratio of less than 1 in 3,000.

(5) Bearings or angles on any property survey map shall be shown to the nearest 30 seconds. Distances shall be shown to the nearest 1/100th foot.

History: Cr. Register, February, 1987, No. 374, eff. 3–1–87; am. (5), Register, May, 1989, No. 401, eff. 6–1–89.

A–E 7.07 Monuments. The type and position of monuments to be set on any survey shall be determined by the nature of the survey, the permanency required, the nature of the terrain, the cadastral features involved, and the availability of material.

History: Cr. Register, February, 1987, No. 374, eff. 3–1–87.

A–E 7.08 U.S. public land survey monument record. **(1)** WHEN MONUMENT RECORD REQUIRED. A U.S. public land survey monument record shall be prepared and filed with the county surveyor's office as part of any land survey which includes or requires the perpetuation, restoration, reestablishment or use of a U.S. public land survey corner, and,

(a) There is no U.S. public land survey monument record for the corner on file in the office of the county surveyor or the register of deeds for the county in which the corner is located; or,

(b) The land surveyor who performs the survey accepts a location for the U.S. public land survey corner which differs from that shown on a U.S. public land survey monument record filed in the office of the county surveyor or register of deeds for the county in which the corner is located; or,

(c) The witness ties or U.S. public land survey monument referenced in an existing U.S. public land survey monument record have been destroyed or disturbed.

(2) FORM REQUIRED. A U.S. public land survey monument record shall be prepared on the board–approved form or on a form substantially the same as the board–approved form which includes all the elements required by this section. A form used for this purpose shall be entitled, "U.S. Public Land Survey Monument Record".

Note: A copy of the board–approved form is available from the Department of Safety and Professional Services, Bureau of Business and Design Professions, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

(3) MONUMENT RECORD REQUIREMENTS. A U.S. public land survey monument record shall show the location of the corner and shall include all of the following elements:

(a) The identity of the corner, as referenced to the U.S. public land survey system.

(b) A description of any record evidence, monument evidence, occupational evidence, testimonial evidence or any other material evidence considered by the surveyor, and whether the monument was found or placed.

(c) Reference ties to at least 4 witness monuments. Witness monuments shall be concrete, natural stone, iron, bearing trees or other equally durable material, except wood other than bearing trees.

(d) A plan view drawing depicting the relevant monuments and reference ties which is sufficient in detail to enable accurate relocation of the corner monument if the corner monument is disturbed.

(e) A description of any material discrepancy between the location of the corner as restored or reestablished and the location of that corner as previously restored or reestablished.

(f) Whether the corner was restored through acceptance of an obliterated evidence location or a found perpetuated location.

(g) Whether the corner was reestablished through lost–corner–proportionate methods.

(h) The directions and distances to other public land survey corners which were used as evidence or used for proportioning in determining the corner location.

(i) The stamp and signature or seal and signature of the land surveyor under whose direction and control the corner location was determined and a statement certifying that the U.S. public land survey monument record is correct and complete to the best of his or her knowledge and belief.

History: Cr. Register, February, 1987, No. 374, eff. 3–1–87; am. (1) and (3) (c), Register, May, 1989, No. 401, eff. 6–1–89; am. (3) (a) to (h), Register, January, 1999, No. 517, eff. 2–1–99; reprinted to restore dropped copy in (1) (intro.) Register November 2007 No. 623.

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State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request:	2) Date When Request Submitted: October 3, 2013
Shawn Leatherwood	Items will be considered late if submitted after 4:30 p.m. and less than: ▪ 10 work days before the meeting for Medical Board ▪ 08 work days before the meeting for all others

3) Name of Board, Committee, Council, Sections:
Land Surveyor Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors

4) Meeting Date:	5) Attachments:	6) How should the item be titled on the agenda page?
October 29, 2013	☒ Yes ☐ No	Review and Discussion of A-E 7, 8, and 10

7) Place Item in:	8) Is an appearance before the Board being scheduled? If yes, who is appearing?	9) Name of Case Advisor(s), if required:
☒ Open Session ☐ Closed Session ☐ Both	☐ Yes by (name) ☒ No	N/A

10) Describe the issue and action that should be addressed:

The Board will discuss amendments to the rule.

11) Authorization

Shawn Leatherwood — October 3, 2013

Signature of person making this request — Date

Supervisor (if required) — Date

Bureau Director signature (indicates approval to add post agenda deadline item to agenda) — Date

Directions for including supporting documents:
1. This form should be attached to any documents submitted to the agenda.
2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Bureau Director.
3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.

Recommended changes by Matthew J. Janiak, September 30, 2013.

Chapter A−E 7
MINIMUM STANDARDS FOR PROPERTY SURVEYS

A−E 7.01 Scope. The minimum standards of this chapter apply to every property survey performed in this state except:
(1) If other standards for property surveys are prescribed by statute, administrative rule, or ordinance, and the standards are more restrictive than those in this chapter, the more restrictive standards govern; and,
(2) The land surveyor and his or her client or employer may agree in a signed statement to exclude ~~any~~ land surveying work from the requirements of this chapter except A−E 7.03 Boundary location; the preparation of a U.S. public land survey monument record and A−E 7.05 a map of work performed. The map prepared by the land surveyor for the client or employer shall include:
(a) A ~~note~~ statement placed on the face of the map which states that an agreement to exclude the specifically stated work from the requirements of this chapter has been made and the names of the parties making the agreement and all parties will acknowledge and execute the statement.
(b) The accuracy of linear measurements between points, if the minimum accuracy established by s. A−E 7.06 (2) has been waived.
(c) The difference between the sum of the individual measured angles and the theoretical sum, and the difference between the sum of the total measured angles and the theoretical sum, if the minimum accuracy established by s. A−E 7.06 (3) has been waived.
(d) The latitude and departure closure ratio of any closed traverse, if the minimum accuracy established by s. A−E 7.06 (4) has been waived.
(e) Dimensional accuracy of bearings, angles and distances as shown on the map, if the minimum accuracy established by s. A−E 7.06 (5) has been waived.

A−E 7.02 Property survey, definition. In this chapter, "property survey" means any land surveying which includes as one of its principal purposes is preparing a map describing, monumenting, locating the boundary line or lines of or mapping one or more parcels of land. The term includes the restoration, perpetuation or ~~reestablishment~~ amendment of a U.S. public survey corner.

A−E 7.03 Boundary location. Every property survey shall be made in accordance with the records of the register of deeds as nearly as is practicable. The surveyor shall acquire data necessary to retrace record title boundaries such as deeds, maps, certificates of title and highway or road center line or right-of-way lines and other boundary line locations. The surveyor shall analyze the data and make a careful determination of the position of the boundaries of the parcel being surveyed. The surveyor shall make a field survey, traversing and connecting monuments necessary for location of the parcel and coordinate the facts of the survey with the analysis. The surveyor shall set monuments marking the corners of the parcel unless monuments already exist at the corners.

A−E 7.04 Descriptions. Descriptions created by a land surveyor, a written property description created of a surveyed parcel or tract of land must provide information too properly and distinctly set it apart form all other property. D~~d~~efining land boundaries written for conveyance or other purposes shall be complete, providing unequivocal identification of lines or boundaries. The description shall contain necessary ~~ties~~ references to adjoiners together with data and dimensions sufficient to enable the description to be mapped and retraced and shall describe the land surveyed by government lot, recorded private claim, quarter−quarter section, section, township, range and county and by metes and bounds commencing with a monument at a section corner or quarter section corner of the quarter sections that it is in and not the center of center of section or commencing with a monument at the end of a boundary line of a recorded private claim or federal reservation in which the land is located in~~some corner marked and established by the U.S. public land survey~~; or, if the land is located in a recorded subdivision, a recorded addition thereto, the land shall be described by the number of other description of the lot or block or the subdivision thereof, or certified survey map be referenced as provided in s. 236.34 (3), Stats. ~~to the subdivision, or recorded certified survey map, then by the number or other description of the lot, block or sub−division of the land~~ which has been previously tied to a corner marked and established by the U.S. public land survey.

A−E 7.05 Maps. A map shall be drawn for every property survey showing information developed by the survey. The map shall:
(1) Be drawn on a durable media with a minimum size of 8 ½ x 14. to a convenient ~~scale.~~scale which shall be clearly stated and graphically illustrated by a bar scale on every sheet of the map.
(2) Be referenced as provided in s. 59.73 (1), Stats. along with a north arrow and such reference be to a monumented line.
(3) Show the ~~exact~~ length and bearing of the boundaries of the parcels surveyed. Where the boundary lines show bearings, lengths or locations which vary from those recorded in deeds, abutting plats, or other instruments there shall

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be the following note placed along such lines, "recorded as (show recorded bearing, length or location)", curve data shall be stated in terms of radius, central angle, and length of curve.

(4) Describe all monuments or witness corners, intended to represent or reference corners of the survey, shall be shown and described as to size, shape and material, and their positions noted in relation to the survey corners and used for determining the location of the parcel and show by bearing and distance their relationship to the surveyed parcel and indicate whether such monuments were found or placed. with a legend for all symbols and abbreviations used on the plat.

(a) Show visible physical evidence of possession (encroachments) or occupation either way from the exterior lines of the survey shall be shown and dimensioned and show visible evidence of structures, improvements, rights of way, and easements.

(b) If surveyed parcel is bounded by water or inaccessible areas, that part shall be enclosed by a meander line showing complete data along all lines extending beyond the enclosure. The true boundary shall be clearly indicated on the map.

(5) Identify the business's name and address and the person or entity for whom the survey was made, ~~the date of the survey~~ completion date of field work, and describe the parcel as provided in s. A−E 7.04. Identify the land surveyed by recorded private claim, government lot, quarter-quarter section, section, township, range, and county on the face of the map in the form of a caption. Descriptions of boundaries by metes and bounds and any mapped boundaries or areas that are depicted on the map as closed figures hall mathematically close.

(6) Bear the stamp or seal, name and business address and signature of the land surveyor under whose direction and control the survey was made with a statement certifying that the survey complies with this chapter and is correct to the best of the surveyor's knowledge and belief.

(7) Be filed as required by s. 59.45 (1), Stats. on suitable media or electronically if acceptable by the county.

(8) All boundary lines surveyed shall be clearly differentiated from other lines on the map.

(9) If coordinate values are shown on the face of the map they shall comply with and be subject to the provision of s. 236.18, Stats.

A−E 7.06 Measurements. (1) Measurements shall be made with instruments and methods capable of attaining the required accuracy for the particular problem involved.

(2) The minimum accuracy of linear measurements between points shall be greater than 1 part in 3000 on all property lines of boundary or interior survey.

(3) In a closed traverse the sum of the measured angles shall agree with the theoretical sum by a difference not greater than 30 seconds per angle, or the sum of the total angles may not differ from the theoretical sum by more than 120 seconds, whichever is smaller.

~~**(4)** Any closed traverse depicted on a property survey map shall have a latitude and departure closure ratio of less than 1 in 3,000.~~

(4)~~(5)~~ Bearings or angles on any property survey map shall be shown to the nearest 30 seconds or better. Distances shall be shown to the nearest 1/100th foot.

A−E 7.07 Monuments. The type and position of monuments to be set on any survey shall be per s. 236.15(1)(b), Stats. unless determined by the nature of the survey, the permanency required, the nature of the terrain, the cadastral features involved, and the availability of material and coordinates values are not acceptable in lieu of monuments..

A−E 7.08 U.S. public land survey monument record.

(1) WHEN MONUMENT RECORD REQUIRED. A U.S. public land survey monument record shall be prepared and filed with the county surveyor's office as part of any land survey which includes or requires the perpetuation, restoration, ~~reestablishment~~ amendment or use of a U.S. public land survey corner, and,

(a) There is no U.S. public land survey monument record for the corner on file in the office of the county surveyor or the register of deeds for the county in which the corner is located; or,

(b) The land surveyor who performs the survey accepts a location for the U.S. public land survey corner which differs from that shown on a U.S. public land survey monument record filed in the office of the county surveyor or register of deeds for the county in which the corner is located; or,

(c) The witness ties or U.S. public land survey monument referenced in an existing U.S. public land survey monument record have been destroyed or disturbed.

(2) FORM REQUIRED. A U.S. public land survey monument record shall be prepared on the board−approved form or on a form substantially the same as the board−approved form which includes all the elements required by this section. A form used for this purpose shall be entitled, "U.S. Public Land Survey Monument Record".

(3) MONUMENT RECORD REQUIREMENTS. A U.S. public land survey monument record shall show the location of the corner and shall include all of the following elements:

(a) The identity of the corner, as referenced to the U.S. public land survey system.

(b) A description of any record evidence, monument evidence, occupational evidence, testimonial evidence or any other material evidence considered by the surveyor, and whether the monument

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was found or placed.
(c) Reference ties to at least 4 witness monuments. Witness monuments shall be concrete, natural stone, iron, bearing trees or other equally durable material, except wood other than bearing trees.
(d) A plan view drawing depicting the relevant monuments and reference ties which is sufficient in detail to enable accurate relocation of the corner monument if the corner monument is disturbed.
(e) A description of any material discrepancy between the location of the corner monument as restored ~~or reestablished~~ and the monument location of that corner as previously ~~restored or re~~established.
(f) Whether the corner was restored through acceptance of an obliterated evidence location or a found perpetuated location.
(g) Whether the corner was determined ~~reestablished~~ through lost−corner−proportionate methods.
(h) The directions and distances to other public land survey corners which were used as evidence or used for proportioning in determining the corner location.
(i) The stamp and signature or seal and signature of the land surveyor under whose direction and control the corner location was determined and a statement certifying that the U.S. public land survey monument record is correct and complete to the best of his or her knowledge and belief.

A-E 10.07 Waiver of continuing education.
(1) A renewal applicant seeking renewal of registration without having fully complied with the continuing education requirements shall file a renewal application along with the required fee, and a statement setting forth the facts concerning non-compliance and requesting a waiver of the requirements. The request for waiver shall be made prior to the renewal date. Extreme hardship shall be determined on an individual basis by the land surveyor section. If the land surveyor section finds from the affidavit or any other evidence submitted that extreme hardship has been shown, the land surveyor section shall waive enforcement of the continuing education requirements for the applicable renewal period.
(2) In this section, extreme hardship means an inability to devote sufficient hours to fulfilling the continuing education requirements during the applicable renewal period because of one of the following:
(a) Full-time service in the uniformed services of the United States of America for a period of one year during the biennium.
(b) An incapacitating illness documented by a statement from a licensed physician.
(c) A physical inability to travel to the sites of approved programs documented by a licensed physician.
(d) A retirement from the occupation of land surveying whereby ~~the renewal applicant no longer receives remuneration from providing~~ no land surveying services of any kind are provided.
(e) Any other extenuating circumstances.
(3) A renewal applicant who prior to the expiration date of the license submits a request for a waiver, shall be deemed to be in good standing until the final decision on the application by the land surveyor section.

State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: **Joshua Archiquette, Bureau Assistant**	2) Date When Request Submitted: **10/24/2013** Items will be considered late if submitted after 4:30 p.m. and less than 8 work days before the meeting.

3) Name of Board, Committee, Council, Sections:

Land Surveyors Section

4) Meeting Date:	5) Attachments:	6) How should the item be titled on the agenda page?
29 Oct 2013	☒ Yes ☐ No	**Leg/Admin Rule Matters** Review and Consideration of Support or Action of LRB 2048

7) Place Item in:	8) Is an appearance before the Board being scheduled?	9) Name of Case Advisor(s), if required:
☒ Open Session ☐ Closed Session ☐ Both	☐ Yes (Fill out Board Appearance Request) ☐ No	

10) Describe the issue and action that should be addressed:

The Board will review and consider support or sction on LRB 2048

11) Authorization

Signature of person making this request Date

Supervisor (if required) Date

Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date

Directions for including supporting documents:
1. This form should be attached to any documents submitted to the agenda.
2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.
3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.

Revised 10/12

LRB–2048/1
MPG/MGG/PJK:sac:rs

2013 BILL

AN ACT ***to repeal*** 236.12 (4), 236.12 (5), 236.20 (1) (b), 443.01 (4), 443.06 (2) (a), 443.06 (2) (b), 443.06 (2) (c), 443.06 (2) (e), 443.06 (2) (em), 443.06 (3), 443.14 (8) (b) and 443.14 (8) (c); ***to renumber and amend*** 60.84 (1), 236.11 (2), 236.12 (8), 236.15 (1) (intro.), 236.15 (1) (a), 236.21 (1) (b) and 236.32 (except 236.32 (title)); ***to consolidate, renumber and amend*** 236.12 (2) (intro.) and (a) and 236.12 (3) and (6); ***to amend*** 15.405 (2) (intro.), (a) and (b), 20.165 (2) (j), 26.09 (3) (b) 1., 30.11 (3), 30.13 (3) (a), 59.20 (2) (c), 59.43 (8), 59.45 (1) (a) 2., 59.45 (1) (b), 59.45 (3), 59.46, 59.72 (3m) (a) 4m., 59.73 (2), 59.74 (2) (b) 1., 59.74 (2) (c), 59.74 (2) (g), 59.74 (2) (h), 59.74 (2) (j), 59.75, 60.84 (2), 60.84 (3) (a), 60.84 (3) (c) (intro.) and 1., 60.84 (4), 66.0309 (11), 70.27 (2), 70.27 (5), 70.27 (6), 70.27 (7) (intro.), 70.27 (7) (d), 84.095 (5), 157.07 (1), 157.07 (2), 157.07 (3), 236.02 (2m), 236.03 (2), 236.12 (2) (b), 236.13 (2) (a), 236.13 (2m), 236.15 (1) (b), 236.15 (1) (d), 236.15 (2), 236.16 (3) (title), 236.16 (3) (a), 236.16 (3) (b), 236.16 (4), 236.20 (1) (a), 236.20 (2) (g), 236.20 (2) (k), 236.20 (3) (b), 236.20 (4) (b), 236.20 (5) (c),

236.21 (1) (intro.), 236.21 (1) (a), 236.21 (1) (d), 236.25 (2) (a), 236.25 (2) (c), 236.25 (2) (d), 236.34 (1) (a), 236.34 (1) (b), 236.34 (1) (c), 236.34 (1) (d) (intro.), 236.34 (1) (d) 1., 236.34 (1) (d) 2., 236.34 (1) (d) 4., 236.34 (1) (e), 236.34 (2) (b) 1., 293.37 (2) (a), 295.48 (1) (intro.), 440.03 (13) (b) 34., 440.08 (2) (a) 39., chapter 443 (title), 443.01 (3), 443.01 (3r) (c), 443.02 (4), 443.06 (title), 443.06 (1) (title), 443.06 (1) (a), 443.06 (1) (b), 443.06 (2) (intro.), 443.06 (2) (am), 443.06 (2) (bm), 443.06 (2) (cm), 443.06 (2) (d), 443.10 (title), 443.10 (2) (b), 443.10 (5), 443.12 (title), 443.12 (1), 443.12 (2), 443.12 (3), 443.12 (4), 443.14 (8) (a), 443.14 (8) (d), 443.14 (11), 443.18 (2) (b), 470.025 (7), 703.02 (6m), 703.11 (2) (intro.), 703.11 (2) (b), 703.11 (4), 703.115 (1) (b), 703.13 (6) (e), 703.13 (7) (c), 703.13 (8) (c), 707.215 (2) (intro.), 707.215 (3), 707.215 (5) (intro.), 709.02 (1), 709.07 and 893.37; ***to create*** 59.001 (3r), 60.84 (1g), 60.84 (3) (c) 3., 157.061 (13m), 236.02 (9b), 236.025, 236.11 (2) (b), 236.12 (2) (ac), 236.20 (6), 236.32 (2m), 236.34 (4), 443.01 (1m), 443.01 (3b), 443.01 (6s), 443.01 (7m), 443.134, 443.135, 703.02 (13r) and 710.09 of the statutes; and ***to affect*** 2009 Wisconsin Act 376, section 13 (1); **relating to:** professional land surveyors; the practice of professional land surveying; surveying land abutting navigable waters; various changes regarding platting, surveying, and certified survey maps; and granting rule–making authority.

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 Section (section) of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors (board) has issued a certificate of registration or a 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. Any service comprising the establishment or reestablishment of the boundaries of one or more tracts of land or the boundaries of any of the following interests in real property: a) the alignment and rights–of–way of roads or streets; b) air or subsurface property rights; or c) public or private easements.

2. Designing or coordinating designs for the purpose of platting or subdividing land into smaller tracts.

3. Placing, replacing, restoring, or perpetuating monuments in or on the ground to evidence the location of a point that is necessary to establish boundaries of one or more tracts of land or the subdivision or consolidation of one or more tracts of land or that is necessary to describe the boundaries of any interest in real property identified in item 1.

4. Preparing maps that depict any interest in real property identified in item 1. for the purpose of establishing the boundaries of any such interest in real property.

5. Preparing any of the following: a) an official map established or amended by a city, established or amended by a village, or adopted by a town; b) an assessor's plat; c) a map or plat of cemetery lands; d) a subdivision plat, certified survey map, or correction instrument; e) a condominium plat or correction instrument; or f) a project and time–share plat.

6. Performing construction or geodetic surveying in connection with any of the practices specified in items 1. to 5.

The bill also replaces the certificate of registration requirement under current law with a license requirement. Under the bill, with certain exceptions, a person may not engage in the practice of professional land surveying or represent that he or she is a professional land surveyor unless the person is issued a license 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 Engineers, Designers, and Professional Land Surveyors. The bill also replaces various references under current law to "registered land surveyor," "land surveyor," and "surveyor" with "professional land surveyor."

Under current law, a person who has completed an apprenticeship training course in land surveying, engaged in land surveying for eight years, and passed oral and written examinations may be registered as a land surveyor. This bill eliminates that pathway to licensure.

Current law authorizes the section to grant a permit to practice land surveying to a person while the application for a certificate of registration is pending if the person has paid a fee and holds an unexpired certification that satisfies one of the requirements for registration in this state. Such a permit may be revoked by the section at any time. The bill eliminates that authorization to grant a permit.

Current law offers several exemptions from registration as a land surveyor. Current law exempts officers and employees of the federal government and employees of this state from any licensure requirement while the individuals are engaged in land surveying for the federal or state government, respectively. This bill eliminates those exemptions. Current law also exempts employees of public utilities who are engaged in land surveying. This bill retains that exemption until June 30, 2019.

Current law permits a town board to contract with the county surveyor or any registered land surveyor to survey all or some of the sections of the town and to erect monuments. The surveyor retained by the town must prepare a certificate that provides a record of any survey created and that documents actions taken by the county surveyor. The certificate must include the bearings of and distance between monuments and must be recorded in the office of the county register of deeds. This bill requires, instead, that a surveyor retained by the town prepare a U.S. Public Land Survey monument record (monument record) that documents the actions taken by the surveyor, including every monument erected on section and quarter section corners. The monument record must be either recorded with the register of deeds or filed in the office of the county surveyor in the county in which the land is located. Current law permits the town board to determine the nature of the monument, but the monument must be either a stone or other durable material of certain dimensions or a three–inch diameter iron pipe of certain dimensions. This bill permits the town board and the surveyor to agree upon an equivalent monument.

Under current law, a cemetery authority must have lands that will be used for burial surveyed and platted into cemetery lots, drives, and walks. The plat or map must show the location of the land being subdivided with reference to a corner or corners established by the U.S. Public Land Survey by bearings and distances. This bill requires, instead, that the location of the lands be indicated on the plat or map by bearing and distance from the boundary line of a government lot, quarter section, recorded private claim, or federal reservation in which the subdivision is located and the monumentation at the ends of the boundary line must be described and the bearing and distance shown.

Under current law, a registered land surveyor who prepares a lake or stream shore plat must show certain dimensions as measured from the ordinary high water mark (OHWM) of the lake or stream. The bill authorizes a professional land surveyor to incorporate an OHWM that has been determined by the Department of Natural Resources (DNR) or that has otherwise been determined by law or to approximate the OHWM. The bill requires that statements be included on the face of certain plats or maps that explain that the land below the OHWM of a navigable water is subject to the public trust doctrine for navigable waters and that exposed land between the OHWM and the water's edge is to be used exclusively by the owner of the adjacent waterfront property, unless otherwise provided by law or by the owner's title.

The bill makes a number of changes to the laws relating to subdivision plats, certified survey maps, and the recording of certain plats, including the following:

1. Under current law, a subdivision plat may not be recorded unless it is approved by, depending on the location of the subdivision that is the subject of the

plat, the governing body of a town, city, or village and, in some circumstances, a county planning agency (approving authorities). The plat must also be reviewed (to determine whether there is an objection) by a county planning agency, county park commission, or county park manager for any conflict with parks, parkways, or other planned public developments; the Department of Administration (DOA); if the subdivision abuts or adjoins a state highway, the Department of Transportation (DOT); and, if the subdivision is not served by a public sewer and provision for that service has not been made, the Department of Safety and Professional Services (DSPS) (objecting agencies). Current law specifies the number of copies of the plat that must be submitted, to whom they must be submitted, and the time limits within which the approving authorities and objecting agencies must act and provides two different procedures that may be used by a subdivider. The bill simplifies the approval process by limiting it to a single procedure, which is, for the most part, one of the two procedures under current law.

Under the bill, the subdivider or subdivider's agent must submit an electronic copy of the preliminary or final plat, or a copy that is capable of legible reproduction, to the approving authority or authorities and to DOA. DOA must examine the plat for compliance with certain statutory requirements and, within two days, transmit an electronic copy or two legible hard copies of the plat to DOT or DSPS or both, based on the criteria under current law. Also within two days after receiving the copy of the plat, DOA must transmit copies of the plat to the county planning agency, county park commission, or county park manager for making the determinations required under current law. Each objecting agency has 20 days after receiving a copy of the plat to notify the subdivider and all other objecting agencies of any objection to the plat, or to certify on the face of a copy of the plat that it has no objection and to return that copy to DOA. DOA then must certify on the face of the plat that each objecting agency has certified that it has no objection or that its objection has been satisfied. If an objecting agency other than DOA fails to act within 20 days after receiving a copy of the plat, or if DOA fails to act within 30 days after receiving a copy of the plat, it is deemed that there are no objections to the plat and, upon demand, DOA must so certify on the face of the plat.

As under current law, the approving authority or authorities have 60 days after receiving the plat to approve or reject it, but no approving authority may inscribe its final approval on the plat before DOA has certified that there are no objections to the plat.

2. Current law provides that public access to a navigable lake or stream that is established when a subdivision is platted may be vacated only by court action. The bill specifies that such public access may, in addition, be discontinued through a process that exists under current law in which a city, village, town, or county may, by resolution, discontinue a public way upon the written petition of the requisite number of landowners abutting the public way. Current law also provides that DNR must approve of any such discontinuation by a town or county if the public way provides public access to a navigable lake or stream.

3. Current law specifies where monuments must be placed when a subdivision is surveyed and provides that, if a monument would have to be placed in a street

when the external boundaries of a subdivision are surveyed, the monument may be placed in the side line of the street. The bill expands this provision to surveys of all parts of a subdivision, not just the external boundaries.

4. Current law provides that a subdivider's project may be constructed in phases and that the amount of any security required by the municipality in which the project is located must be limited to the phase of the project currently being constructed. The bill makes this provision retroactive to all subdivision plats, regardless of when submitted for approval.

5. Under current law, a subdivision plat must have a binding margin that is one and one–half inches on the left side and a one–inch margin on all other sides; all lands dedicated to public use, except roads and streets, must be clearly marked on the plat as dedicated to the public; and the location of the subdivision must be indicated by bearing and distance from a boundary line of a quarter section, recorded private claim, or federal reservation. The bill changes the plat margin requirements to one inch on all sides, requires roads and streets that are dedicated to public use also to be marked as dedicated to the public, and adds that the location of the subdivision may be indicated by bearing and distance from a boundary line of a government lot monumented in the original survey or resurvey of Wisconsin.

6. The bill clarifies that if land shown in a subdivision plat or certified survey map that is to be recorded is shown in a previously recorded plat or certified survey map, it may be described in the new plat or certified survey map by the subdivision name or previous certified survey map number rather than requiring a metes–and–bounds description of the land.

7. Under current law, a certified survey map may not be recorded unless it is offered for record within 6 months after the last approval and within 24 months after the first approval. The bill increases this timeline to within 12 months after the last approval and within 36 months after the first approval.

8. The bill explicitly allows certified survey maps to be used to grant easements to the public or any person, society, or corporation.

9. Current law provides a procedure for vacation of a subdivision plat by a circuit court. The bill establishes a similar procedure for vacation of a certified survey map by a circuit court.

10. The bill provides that the following documents may be produced for recording on any media that is acceptable to the register of deeds: a subdivision plat, a certified survey map, an assessor's plat, a cemetery plat, a condominium plat, and a time–share plat.

11. Current law provides a penalty of not more than $250 or imprisonment for not more than one year in the county jail for various violations related to the placement of monuments by a surveyor. The bill provides that each monument to which a violation applies is a separate violation and therefore subject to a separate penalty.

The bill codifies the holding of the Wisconsin Supreme Court in *FAS, LLC v. Town of Bass Lake*, 2007 WI 73, 301 Wis. 2d 321, 733 N.W.2d 287, by specifying that, unless a local ordinance provides otherwise, a navigable stream running through a

parcel of property does not, in and of itself, divide the parcel into two lots if the same person holds title to the property on both sides of the stream.

For further information see the ***state and local*** 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:

SECTION 1. 15.405 (2) (intro.), (a) and (b) of the statutes are amended to read:

15.405 **(2)** EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS, AND PROFESSIONAL LAND SURVEYORS. (intro.) There is created an examining board of architects, landscape architects, professional engineers, designers, and professional land surveyors in the department of safety and professional services. Any professional member appointed to the examining board shall be registered or licensed to practice architecture, landscape architecture, professional engineering, the design of engineering systems, or professional land surveying under ch. 443. The examining board shall consist of the following members appointed for 4–year terms: 3 architects, 3 landscape architects, 3 professional engineers, 3 designers, 3 professional land surveyors, and 10 public members.

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

(b) All matters pertaining to passing upon the qualifications of applicants for and the granting or revocation of registration or licensure, and all other matters of

interest to either the architect, landscape architect, engineer, designer, or professional land surveyor section shall be acted upon solely by the interested section.

SECTION 2. 20.165 (2) (j) of the statutes, as affected by 2013 Wisconsin Act 20, is amended to read:

20.165 **(2)** (j) *Safety and building operations.* The amounts in the schedule for the purposes of chs. 101 and 145 and ss. 167.35, 236.12 (2) ~~(a)~~ (ap), 236.13 (1) (d) and (2m), and 236.335, for the purpose of transferring the amounts in the schedule under par. (kg) to the appropriation account under par. (kg), and for the purpose of transferring the amounts in the schedule under par. (km) to the appropriation account under par. (km). All moneys received under ch. 145, ss. 101.178, 101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82 (4), 101.955 (2), 101.973 (7), 167.35 (2) (f), and 236.12 (7) and all moneys transferred under 2005 Wisconsin Act 45, section 76 (6), shall be credited to this appropriation account.

SECTION 3. 26.09 (3) (b) 1. of the statutes is amended to read:

26.09 **(3)** (b) 1. A court shall award damages that equal the stumpage value of the raw forest products harvested if the person harvesting the raw forest products or the person giving consent for the harvesting reasonably relied upon a recorded survey that was done by a person who is ~~registered~~ licensed under ch. 443 as a professional land surveyor ~~or who is issued a permit to practice land surveying under s. 443.06~~ even if the recorded survey is determined, after the harvesting, to be in error.

SECTION 4. 30.11 (3) of the statutes is amended to read:

30.11 **(3)** HOW ESTABLISHED. Whenever any municipality proposes to establish a bulkhead line or to reestablish an existing bulkhead line, the municipality shall

indicate both the existing shore and the proposed bulkhead line upon a map and shall file with the department for its approval 6 copies of the map and 6 copies of the ordinance establishing the bulkhead line. The map shall use a scale of not less than 100 feet to an inch or any other scale required by the department. The map and a metes and bounds description of the bulkhead line shall be prepared by a professional land surveyor ~~registered in this state~~ licensed under ch. 443. The department may require the installation of permanent reference markers to the bulkhead line. Upon approval by the department, the municipality shall deliver the map, description, and ordinance to the office of the register of deeds of the county in which the bulkhead line lies, to be recorded by the register of deeds.

SECTION 5. 30.13 (3) (a) of the statutes is amended to read:

30.13 **(3)** (a) Any municipality authorized by s. 30.11 to establish a bulkhead line may also establish a pierhead line in the same manner as it is authorized to establish a bulkhead line, except that a metes and bounds legal description is not required nor is the map required to be prepared by a ~~registered~~ professional land surveyor licensed under ch. 443 and except that if the municipality has created a board of harbor commissioners the municipality must obtain the approval of the board concerning the establishment of the pierhead line in addition to obtaining the approval of the department.

SECTION 6. 59.001 (3r) of the statutes is created to read:

59.001 **(3r)** "Professional land surveyor" means a professional land surveyor licensed under ch. 443.

SECTION 7. 59.20 (2) (c) of the statutes is amended to read:

59.20 **(2)** (c) In counties that elect a surveyor, the surveyor shall be a ~~registered~~ professional land surveyor. In lieu of electing a surveyor in any county having a

population of less than 500,000, the board may, by resolution, designate that the duties under ss. 59.45 (1) and 59.74 (2) be performed by any ~~registered~~ professional land surveyor employed by the county. Any surveyor employed by a county having a population of 500,000 or more shall be a professional land surveyor.

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

59.43 **(8)** REQUIRED SIGNATURE AND SEAL ON SURVEY DOCUMENT FOR FILING OR RECORDING. It is unlawful for the register of deeds of any county or any proper public authority to file or record a map, plat, survey, or other document within the definition of the practice of professional land surveying under s. 443.01 (6s), which does not have impressed thereon, and affixed thereto, the personal signature and seal of a ~~registered~~ professional land surveyor under whose responsible charge the map, plat, survey, or other document was prepared. This subsection does not apply to any deed, contract, or other recordable document prepared by an attorney~~, or to a transportation project plat that conforms to s. 84.095 and that is prepared by a state agency~~.

SECTION 9. 59.45 (1) (a) 2. of the statutes is amended to read:

59.45 **(1)** (a) 2. Make, personally or by a deputy, a record, in books or on drawings and plats that are kept for that purpose, of all corners that are set and the manner of fixing the corners ~~and of all bearings and the distances of all courses run~~, of each survey made personally, by deputies or by other professional land surveyors and arrange or index the record so it is an ~~easy to use~~ easy–to–use reference and file and preserve in the office the original field notes and calculation thereof. Within 60 days after completing any survey, the county surveyor shall make a true and correct copy of the foregoing record, in record books or on reproducible papers to be furnished by the county and kept in files in the office of the county surveyor to be provided by

the county. In a county with a population of 500,000 or more where there is no county surveyor, a copy of the record shall also be filed in the office of the regional planning commission which acts in the capacity of county surveyor for the county.

SECTION 10. 59.45 (1) (b) of the statutes is amended to read:

59.45 **(1)** (b) Surveys for individuals or corporations may be performed by any professional land surveyor who is employed by the parties requiring the services, providing that within 60 days after completing any survey the professional land surveyor files a true and correct copy of the survey in the office of the county surveyor. In counties with a population of 500,000 or more the copy shall be filed in the office of the register of deeds and in the office of the regional planning commission which acts in the capacity of county surveyor for the county.

SECTION 11. 59.45 (3) of the statutes is amended to read:

59.45 **(3)** SURVEYOR; FEES. In addition to the regular fees of professional land surveyors that are received from the parties employing the county surveyor, the county surveyor may receive a salary from the county.

SECTION 12. 59.46 of the statutes is amended to read:

59.46 Penalty for nonfeasance. Any county surveyor, any city, village, or town engineer, or any professional land surveyor who fails or refuses to perform any duty required of that person by law shall forfeit not less than $25 nor more than $50 for each such failure or refusal.

SECTION 13. 59.72 (3m) (a) 4m. of the statutes is amended to read:

59.72 **(3m)** (a) 4m. The county surveyor or a ~~registered~~ professional land surveyor employed within the county.

SECTION 14. 59.73 (2) of the statutes is amended to read:

59.73 **(2)** SUBDIVIDING SECTIONS. Whenever a county surveyor or professional land surveyor is required to subdivide a section or smaller subdivision of land established by the United States survey, the county surveyor or professional land surveyor shall proceed according to the statutes of the United States and the rules and regulations made by the secretary of the interior in conformity to the federal statutes. While so engaged a professional land surveyor and the professional land surveyor's assistants shall not be liable as a trespasser and shall be liable only for any actual damage done to land or property.

SECTION 15. 59.74 (2) (b) 1. of the statutes is amended to read:

59.74 **(2)** (b) 1. 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 subsection, 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 municipality's 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 paragraph, 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 clerk. In a county with 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 par. (c), upon receipt of the notice

the clerk shall appoint a ~~registered~~ professional land surveyor to perform the duties of a county surveyor under subd. 2.

SECTION 16. 59.74 (2) (c) of the statutes is amended to read:

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

SECTION 17. 59.74 (2) (g) of the statutes is amended to read:

59.74 **(2)** (g) Every professional land surveyor and every officer of the department of natural resources and the district attorney shall enforce this subsection.

SECTION 18. 59.74 (2) (h) of the statutes is amended to read:

59.74 **(2)** (h) Any ~~registered~~ professional 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 subsection 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 par. (b) 2., a professional 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 professional 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 with 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.

SECTION 19. 59.74 (2) (j) of the statutes is amended to read:

59.74 **(2)** (j) The county surveyor may employ other professional land surveyors to assist in this work and may accept reference checks for these corners from any professional land surveyor.

SECTION 20. 59.75 of the statutes is amended to read:

59.75 Certificates and records as evidence. The certificate and also the official record of the county surveyor when produced by the legal custodian thereof, or any of the county surveyor's deputies, when duly signed by the county surveyor in his or her official capacity, shall be admitted as evidence in any court within the state, but the same may be explained or rebutted by other evidence. If any county surveyor or any of his or her deputies are interested in any tract of land a survey of which becomes necessary, such survey may be executed by any professional land surveyor appointed by the board.

SECTION 21. 60.84 (1) of the statutes is renumbered 60.84 (1r) and amended to read:

60.84 **(1r)** SURVEY, CONTRACT FOR. The town board may contract with the county surveyor or any ~~registered~~ professional 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.

SECTION 22. 60.84 (1g) of the statutes is created to read:

60.84 **(1g)** DEFINITION. In this section, "professional land surveyor" means a professional land surveyor licensed under ch. 443.

SECTION 23. 60.84 (2) of the statutes is amended to read:

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

SECTION 24. 60.84 (3) (a) of the statutes is amended to read:

60.84 **(3)** (a) Monuments shall be set on section and quarter–section corners established by the United States survey. If there is a clerical error or omission in the government field 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 county surveyor or professional land surveyor shall reestablish the corner under the rules adopted by the federal government in the survey of public lands. The county surveyor or professional land surveyor shall set forth his or her actions under this paragraph in the ~~certificate~~ U.S. public land survey monument record under sub. (4).

SECTION 25. 60.84 (3) (c) (intro.) and 1. of the statutes are amended to read:

60.84 **(3)** (c) (intro.) To establish, relocate, or perpetuate a corner, the county surveyor or professional land surveyor shall set in the proper place a monument, as determined by the town board, consisting of any of the following:

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 of the following:

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~~.

SECTION 26. 60.84 (3) (c) 3. of the statutes is created to read:

60.84 **(3)** (c) 3. An equivalent monument agreed upon by all parties of the contract.

SECTION 27. 60.84 (4) of the statutes is amended to read:

60.84 **(4)** ~~CERTIFICATE~~ U.S. PUBLIC LAND SURVEY MONUMENT RECORD. The county surveyor or professional land surveyor shall prepare a ~~certificate~~ U.S. public land survey monument record setting forth a complete and accurate record of any ~~survey~~ monument erected on section and quarter section corners under this section, including the ~~exact~~ bearings and distances of each monument from each other monument nearest it on any line in the town. The ~~certificate~~ U.S. public land survey monument record and a map of any additional monuments set shall be recorded in the office of the register of deeds or filed in the office of the county surveyor of the county in which the surveyed land is located and of the adjoining county if a monument is located on the county line.

SECTION 28. 66.0309 (11) of the statutes is amended to read:

66.0309 **(11)** MATTERS REFERRED TO REGIONAL PLANNING COMMISSION. The officer or public body of a local governmental unit within the region having final authority may refer to the regional planning commission, for its consideration and report, the location or acquisition of land for any of the items or facilities ~~which~~ that are included in the adopted regional master plan. Within 20 days after the matter is referred to the regional planning commission or a longer period as may be stipulated by the referring officer or public body, the commission shall report its recommendations to the referring officer or public body. The report and recommendations of the

commission shall be advisory only. A state agency may authorize the regional planning commission with the consent of the commission to act for the agency in approving, examining, or reviewing plats~~,~~ under s. 236.12 (2) ~~(a)~~ (ap). A regional planning commission authorized by a local unit on November 1, 1980, to act for the local unit in approving plats may continue to so act until the commission withdraws its consent or the local unit its approval. A local unit may authorize a regional planning commission, with the consent of the commission, to conduct an advisory review of plats.

SECTION 29. 70.27 (2) of the statutes is amended to read:

70.27 **(2)** CERTIFICATION, APPROVAL, RECORDING. Such plat, when completed and certified as provided by this section, and when approved by the governing body, shall be acknowledged by the clerk thereof and recorded in the office of the register of deeds. No plat may be recorded in the office of the register of deeds unless it is produced on media that is acceptable to the register of deeds.

SECTION 30. 70.27 (5) of the statutes is amended to read:

70.27 **(5)** SURVEYS, RECONCILIATIONS. The surveyor making the plat shall be a professional land surveyor licensed under ch. 443 and shall survey and lay out the boundaries of each parcel, street, alley, lane, roadway, or dedication to public or private use, according to the records of the register of deeds, and whatever evidence that may be available to show the intent of the buyer and seller, in the chronological order of their conveyance or dedication, and set temporary monuments to show the results of such survey which shall be made permanent upon recording of the plat as provided for in this section. The map shall be at a scale of not more than 100 feet per inch, unless waived in writing by the department of administration under s. 236.20 (2) (L). The owners of record of lands in the plat shall be notified by certified letter

mailed to their last–known address, in order that they shall have opportunity to examine the map, view the temporary monuments, and make known any disagreement with the boundaries as shown by the temporary monuments. It is the duty of the professional land surveyor making the plat to reconcile any discrepancies that may be revealed, so that the plat as certified to the governing body is in conformity with the records of the register of deeds as nearly as is practicable. When boundary lines between adjacent parcels, as evidenced on the ground, are mutually agreed to in writing by the owners of record, such lines shall be the true boundaries for all purposes thereafter, even though they may vary from the metes and bounds descriptions previously of record. Such written agreements shall be recorded in the office of the register of deeds. On every assessor's plat, as certified to the governing body, shall appear the volume, page, and document number of the metes and bounds description of each parcel, as recorded in the office of the register of deeds, which shall be identified with the number by which such parcel is designated on the plat, except that lots which have been conveyed or otherwise acquired but upon which no deed is recorded in the office of register of deeds may be shown on an assessor's plat and when so shown shall contain a full metes and bounds description.

SECTION 31. 70.27 (6) of the statutes is amended to read:

70.27 **(6)** MONUMENTS, PLAT REQUIREMENTS. The provisions of s. 236.15 as to monuments, and the provisions of s. 236.20 as to form and procedure, insofar as they are applicable to the purposes of assessors' plats, shall apply. Any stake or monument found and accepted as correct by a professional land surveyor laying out an assessor's plat shall be indicated as "stake found" or "monument found" when mapping the plat and such stake or monument shall not be removed or replaced even though it is inconsistent with the standards of s. 236.15.

SECTION 32. 70.27 (7) (intro.) of the statutes is amended to read:

70.27 **(7)** CERTIFICATE. (intro.) When completed, the assessor's plat shall be filed with the clerk of the governing body that ordered the plat. On its title page shall appear the sworn certificate of the professional land surveyor who made the plat, which shall state and contain:

SECTION 33. 70.27 (7) (d) of the statutes is amended to read:

70.27 **(7)** (d) A statement that the professional land surveyor has fully complied with the provisions of this section in filing the same.

SECTION 34. 84.095 (5) of the statutes is amended to read:

84.095 **(5)** ~~SURVEYOR'S~~ PROFESSIONAL LAND SURVEYOR'S CERTIFICATE. A plat prepared for filing or recording under this section shall include a certificate of a professional land surveyor ~~registered~~ licensed under s. 443.06 that the plat is a correct representation of the project described and that the identification and location of each parcel can be determined from the plat. This subsection does not apply to plats prepared by the department.

SECTION 35. 157.061 (13m) of the statutes is created to read:

157.061 **(13m)** "Professional land surveyor" means a professional land surveyor licensed under ch. 443.

SECTION 36. 157.07 (1) of the statutes is amended to read:

157.07 **(1)** A cemetery authority shall cause to be surveyed and platted by a professional land surveyor ~~registered in this state~~ those portions of the lands that are from time to time required for burial, into cemetery lots, drives, and walks, and record a plat or map of the land in the office of the register of deeds. The plat or map may not be recorded unless laid out and platted to the satisfaction of the county board

of the county, and the town board of the town in which the land is situated, or, if the land is situated within a 1st class city, then only by the common council of that city.

SECTION 37. 157.07 (2) of the statutes is amended to read:

157.07 **(2)** The ~~plat or map~~ location of the lands shall ~~show the exact location of the tract being subdivided with reference to a corner or corners established in the United States public land survey by bearings and distances~~ be indicated on the plat or map by bearing and distance from a boundary line of a government lot, quarter section, recorded private claim, or federal reservation in which the subdivision is located. The monumentation at the ends of the boundary line shall be described and the bearing and distance between them shown, and the plat or map shall show a small scale drawing of the section or government subdivision of the section in which the cemetery plat is situated, with the cemetery plat indicated. The plat or map shall include the certificate of the professional land surveyor containing the name of the cemetery authority, the date of the survey, the professional land surveyor's stamp or seal and signature, and the professional land surveyor's statement that the survey is true and correct to the professional land surveyor's best knowledge and belief.

SECTION 38. 157.07 (3) of the statutes is amended to read:

157.07 **(3)** The plat or map shall be made on a durable white media that is 22 inches wide by 30 inches long, or on any other media that is acceptable to the register of deeds, with a permanent nonfading black image. Seals or signatures that are reproduced on images that comply with this subsection have the force and effect of original seals and signatures. When more than one sheet is used for any one plat or map, they shall be numbered consecutively and each sheet shall contain a notation showing the whole number of sheets in the plat, and its relation to the other sheets. The sheets may be provided by the county through the register of deeds on terms

determined by the county board. The professional land surveyor shall leave a binding margin of ~~1.5 inches on the left side of the 30–inch length and a one–inch margin~~ one inch on all ~~other~~ sides.

SECTION 39. 236.02 (2m) of the statutes is amended to read:

236.02 **(2m)** "Correction instrument" means an instrument drafted by a ~~licensed~~ professional land surveyor that complies with the requirements of s. 236.295 and that, upon recording, corrects a subdivision plat or a certified survey map.

SECTION 40. 236.02 (9b) of the statutes is created to read:

236.02 **(9b)** "Professional land surveyor" means a professional land surveyor licensed under ch. 443.

SECTION 41. 236.025 of the statutes is created to read:

236.025 Ordinary high water marks. (1) For purposes of ss. 236.15 (1) (ag) and (d) and 236.20 (2) (g), a professional land surveyor may do any of the following:

(a) Incorporate into a map, plat, or survey an ordinary high water mark that has been determined by the department of natural resources or otherwise determined pursuant to law.

(b) Approximate the ordinary high water mark and incorporate that mark into a map, plat, or survey.

(2) For purposes of sub. (1) (b), the location of the approximate ordinary high water mark shall be the point on the bank of a navigable perennial stream or on the shore of a lake up to which the presence and action of surface water is so continuous as to leave a distinctive mark by erosion, destruction, prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

(3) For purposes of this section, a map, plat, or survey that shows an approximate ordinary high water mark shall state on its face that the mark is shown for reference only.

SECTION 42. 236.03 (2) of the statutes is amended to read:

236.03 **(2)** This chapter does not apply to cemetery plats made under s. 157.07 and assessors' plats made under s. 70.27, but such assessors' plats shall, except in counties having a population of 500,000 or more, comply with ss. 236.15 (1) ~~(a)~~ (ac) to (g) and 236.20 (1) and (2) (a) to (e), unless waived under s. 236.20 (2) (L).

SECTION 43. 236.11 (2) of the statutes is renumbered 236.11 (2) (a) and amended to read:

236.11 **(2)** (a) The subdivider or subdivider's agent shall submit to the body or bodies having authority to approve plats an electronic copy of the final plat or a copy of the final plat that is capable of legible reproduction. The approving authority or authorities shall approve or reject the final plat within 60 days of its submission, unless the time is extended by agreement with the subdivider or subdivider's agent. When the approving authority is a municipality and determines to approve the plat, it shall give at least 10 days' prior written notice of its intention to the clerk of any municipality whose boundaries are within 1,000 feet of any portion of such proposed plat but failure to give such notice shall not invalidate any such plat. If a plat is rejected, the reasons therefor shall be stated in the minutes of the meeting and a copy thereof or a written statement of the reasons shall be supplied to the subdivider or subdivider's agent. If the approving authority fails to act within 60 days and the time has not been extended by agreement and if no unsatisfied objections have been filed within that period, the plat shall be deemed approved, and, upon demand, a

certificate to that effect shall be made on the face of the plat by the clerk of the authority ~~which~~ that has failed to act.

SECTION 44. 236.11 (2) (b) of the statutes is created to read:

236.11 **(2)** (b) The approval of the approving authority or authorities may be based on the copy submitted under par. (a) but the approval must be inscribed on the recordable plat document. Before inscribing its approval, the approving authority shall require the subdivider or subdivider's agent to certify the respects in which the recordable plat document differs from the copy, if any. An approving authority must approve all modifications in the final plat before it gives final approval to the plat. No approving authority may inscribe its final approval on a plat before the affixing of the certificate by the department under s. 236.12 (3).

SECTION 45. 236.12 (2) (intro.) and (a) of the statutes are consolidated, renumbered 236.12 (2) (ap) and amended to read:

236.12 **(2)** (ap) Within 2 days after a preliminary or final plat is submitted ~~for approval, legible copies, together with a list of the authorities to which the plat must be submitted for approval under s. 236.10 or objection under this subsection, furnished by the subdivider at the subdivider's expense, shall be sent, by the clerk or secretary of the approving authority to which the plat is submitted, to the following agencies which have authority~~ under par. (ac), the department shall transmit an electronic copy of the plat, or, if the department prefers, 2 legible hard copies of the plat, to each state agency authorized to object to the plat: ~~(a) Two copies for each of the state agencies required to review the plat to the department which shall examine the plat for compliance with ss. 236.15, 236.16, 236.20 and 236.21 (1) and (2)~~ under this paragraph. If the subdivision abuts or adjoins a state trunk highway or connecting highway, the department shall transmit ~~2~~ a copy or copies of

the plat to the department of transportation so that the agency may determine whether it has any objection to the plat on the basis of its rules as provided in s. 236.13. If the subdivision is not served by a public sewer and provision for that service has not been made, the department shall transmit ~~2~~ a copy or copies of the plat to the department of safety and professional services so that ~~that~~ the agency may determine whether it has any objection to the plat on the basis of its rules as provided in s. 236.13. In lieu of this procedure the agencies may designate local officials to act as their agents in examining the plats for compliance with the statutes or their rules by filing a written delegation of authority with the approving body.

SECTION 46. 236.12 (2) (ac) of the statutes is created to read:

236.12 **(2)** (ac) The subdivider or subdivider's agent shall submit an electronic copy of the preliminary or final plat, or a copy of the preliminary or final plat that is capable of clearly legible reproduction, to the department, which shall examine the plat for compliance with ss. 236.15, 236.16, 236.20, and 236.21 (1) and (2).

SECTION 47. 236.12 (2) (b) of the statutes is amended to read:

236.12 **(2)** (b) ~~Four copies~~ Within 2 days after a preliminary or final plat is submitted under par. (ac), the department shall transmit an electronic copy of the plat, or, if the department prefers, 4 legible hard copies of the plat, to the county planning agency, if the agency employs on a full–time basis a professional engineer, a planner, or other person charged with the duty of administering planning legislation and adopts a policy requiring submission so that the body may determine if it has any objection to the plat on the basis of a conflict with park, parkway, expressway, major highways, airports, drainage channels, schools, or other planned public developments. If no county planning agency exists, then 2 copies to the county park commission except that in a county with a county executive or county

administrator, 2 copies to the county park manager, if the subdivision abuts a county park or parkway so that the body may determine if it has any objection to the plat on the basis of a conflict with the park or parkway development.

SECTION 48. 236.12 (3) and (6) of the statutes are consolidated, renumbered 236.12 (3) and amended to read:

236.12 **(3)** Within 20 days ~~of~~ after the date of receiving the copies of the plat any agency having authority to object under sub. (2) shall notify the subdivider or subdivider's agent and all ~~approving or objecting authorities~~ other agencies having the authority to object of any objection based upon failure of the plat to comply with the statutes or rules ~~which~~ that its examination under sub. (2) is authorized to cover, or, if there is no objection, it shall so certify on the face of a copy of the plat and return that copy to the ~~approving authority from which it was received. The plat shall not be approved or deemed approved until any objections have been satisfied. If the objecting agency fails to act within the 20–day limit it shall be deemed to have no objection to the plat. No approving authority may inscribe its approval on a plat prior to the affixing of the certificates under either sub. (4) or (6). **(6)** In lieu of the procedure under subs. (2) to (5), the subdivider or the subdivider's agent may submit the original plat to the department which shall forward 2 copies to each of the agencies authorized by sub. (2) to 9 department shall have the required number of copies made at the subdivider's expense. Within 20 days of the date of receiving the copies of the plat any agency having authority to object under sub. (2) shall notify the subdivider, and all agencies having the authority to object, of any objection based upon failure of the plat to comply with the statutes or rules which its examination under sub. (2) is authorized to cover, or, if there is no objection, it shall so certify on the face of a copy of the plat and return that copy to the~~ department. After each

agency and the department have certified that they have no objection or that their objections have been satisfied, the department shall so certify on the face of the plat. If an agency fails to act within 20 days from the date ~~of the receipt of~~ on which it received the copy or copies of the plat, and the department fails to act within 30 days ~~of receipt of the original~~ from the date on which it received the copy of the plat, it shall be deemed that there are no objections to the plat and, upon demand, ~~it~~ the department shall ~~be~~ so ~~certified~~ certify on the face of the plat ~~by the department~~.

SECTION 49. 236.12 (4) of the statutes is repealed.

SECTION 50. 236.12 (5) of the statutes is repealed.

SECTION 51. 236.12 (8) of the statutes is renumbered 236.12 (4m) and amended to read:

236.12 **(4m)** In order to facilitate approval of the final plat ~~where~~ whenever more than one approval is required, the subdivider ~~may~~ or subdivider's agent shall file ~~a true copy of the plat~~ with ~~the~~ each approving authority ~~or authorities with which the original of the final plat has not been filed. The approval of such authorities may be based on such copy but shall be inscribed on the original of the final plat. Before inscribing its approval, the approving authority shall require the surveyor or the owner to certify the respects in which the original of the final plat differs from the copy. All modifications in the final plat shall be approved before final approval is given~~ a true copy of the plat that the subdivider or subdivider's agent submitted to the department.

SECTION 52. 236.13 (2) (a) of the statutes is amended to read:

236.13 **(2)** (a) As a further condition of approval, the governing body of the town or municipality within which the subdivision lies may require that the subdivider make and install any public improvements reasonably necessary or that the

subdivider execute a surety bond or provide other security to ensure that he or she will make those improvements within a reasonable time. The subdivider may construct the project in such phases as the governing body approves, which approval may not be unreasonably withheld. If the subdivider's project will be constructed in phases, the amount of any surety bond or other security required by the governing body shall be limited to the phase of the project that is currently being constructed. The governing body may not require that the subdivider provide any security for improvements sooner than is reasonably necessary before the commencement of the installation of the improvements. This paragraph applies to all preliminary and final plats, regardless of whether submitted for approval before, on, or after the effective date of this paragraph .... [LRB inserts date].

SECTION 53. 236.13 (2m) of the statutes is amended to read:

236.13 **(2m)** As a further condition of approval when lands included in the plat lie within 500 feet of the ordinary high–water mark of any lake, any navigable perennial stream, ~~lake~~ or any other body of navigable water or if land in the proposed plat involves lake or navigable perennial stream shorelands referred to in s. 236.16, the department of natural resources, to prevent pollution of navigable waters, or the department of safety and professional services, to protect the public health and safety, may require assurance of adequate drainage areas for private on–site wastewater treatment systems and building setback restrictions, or provisions by the owner for public sewage disposal facilities for waters of the state, as defined in s. 281.01 (18), industrial wastes, as defined in s. 281.01 (5), and other wastes, as defined in s. 281.01 (7). The public sewage disposal facilities may consist of one or more systems as the department of natural resources or the department of safety and

professional services determines on the basis of need for prevention of pollution of the waters of the state or protection of public health and safety.

SECTION 54. 236.15 (1) (intro.) of the statutes is renumbered 236.15 (1) (ac) and amended to read:

236.15 **(1)** (ac) All of the monuments required in pars. ~~(a)~~ (ag) to (h) shall be placed flush with the ground ~~where~~ if practicable. Whenever placement of a monument under this subsection is required at a corner or point that falls within a street or proposed future street, the monument shall be placed in the side line of the street if practicable.

SECTION 55. 236.15 (1) (a) of the statutes is renumbered 236.15 (1) (ag) and amended to read:

236.15 **(1)** (ag) The external boundaries of a subdivision shall be monumented in the field by monuments of concrete containing a ferrous rod one–fourth inch in diameter or greater imbedded its full length, not less than 18 inches in length, not less than 4 inches square or 5 inches in diameter, and marked on the top with a cross, brass plug, iron rod, or other durable material securely embedded; or by iron rods or pipes at least 18 inches long and 2 inches in diameter weighing not less than 3.65 pounds per lineal foot. Solid round or square iron bars of equal or greater length or weight per foot may be used in lieu of pipes wherever pipes are specified in this section. These monuments shall be placed at all corners, at each end of all curves, at the point where a curve changes its radius, at all angle points in any line and at all angle points along the meander line, said points to be not less than 20 feet back from the determined or approximated ordinary high water mark ~~of the lake or from the bank of the stream, except that when such corners or points fall within a street, or proposed future street, the monuments shall be placed in the side line of the street~~.

SECTION 56. 236.15 (1) (b) of the statutes is amended to read:

236.15 **(1)** (b) All internal boundaries and those corners and points not required to be marked by par. ~~(a)~~ (ag) shall be monumented in the field by like monuments as defined in par. ~~(a)~~ (ag). These monuments shall be placed at all block corners, at each end of all curves, at the point where a curve changes its radius, and at all angle points in any line.

SECTION 57. 236.15 (1) (d) of the statutes is amended to read:

236.15 **(1)** (d) The lines of lots, outlots, parks and public access and land dedicated to the public that extend to lakes or to navigable perennial streams shall be monumented in the field by iron pipes at least 18 inches long and one inch in diameter weighing not less than 1.13 pounds per lineal foot, or by round or square iron bars at least 18 inches long and weighing not less than 1.13 pounds per lineal foot. These monuments shall be placed at the point of intersection of the lake or navigable perennial stream lot line with a meander line established not less than 20 feet back from the determined or approximated ordinary high water mark ~~of the lake or from the bank of the stream~~.

SECTION 58. 236.15 (2) of the statutes is amended to read:

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

SECTION 59. 236.16 (3) (title) of the statutes is amended to read:

236.16 **(3)** (title) LAKE AND NAVIGABLE PERENNIAL STREAM SHORE PLATS; PUBLIC ACCESS.

SECTION 60. 236.16 (3) (a) of the statutes is amended to read:

236.16 **(3)** (a) All subdivisions abutting on a ~~navigable~~ lake or a navigable perennial stream shall provide public access at least 60 feet wide providing access to the ~~low watermark~~ water's edge so that there will be public access, which is connected to existing public roads, at not more than one–half mile intervals as measured along the lake or the navigable perennial stream shore except where greater intervals and wider access is agreed upon by the department of natural resources and the department, and excluding shore areas where public parks or open–space streets or roads on either side of ~~a~~ the navigable perennial stream are provided.

SECTION 61. 236.16 (3) (b) of the statutes is amended to read:

236.16 **(3)** (b) No public access established under this chapter may be vacated except by circuit court action as provided in s. 236.43, except that such public access may be discontinued under s. 66.1003, subject to s. 66.1006.

SECTION 62. 236.16 (4) of the statutes is amended to read:

236.16 **(4)** LAKE AND NAVIGABLE PERENNIAL STREAM SHORE PLATS; LAND BETWEEN MEANDER LINE AND WATER'S EDGE. The lands lying between the meander line, established in accordance with s. 236.20 (2) (g), and the water's edge, and any otherwise unplattable lands which lie between a proposed subdivision and the water's edge shall be included as part of lots, outlots or public dedications in any plat abutting a lake or a navigable perennial stream. This subsection applies not only to lands proposed to be subdivided but also to all lands under option to the subdivider or in which the subdivider holds any interest and which are contiguous to the lands proposed to be subdivided and which abut a lake or a navigable perennial stream.

SECTION 63. 236.20 (1) (a) of the statutes is amended to read:

236.20 **(1)** (a) The plat shall have ~~a binding margin 1 1/2 inches wide on the left side, and~~ a one–inch margin on all ~~other~~ sides. A graphic scale of not more than 100 feet to one inch shall be shown on each sheet showing layout features. When more than one sheet is used for any plat, each sheet shall be numbered consecutively and shall contain a notation giving the total number of sheets in the plat and showing the relation of that sheet to the other sheets and each sheet shall bear the subdivision and county name.

SECTION 64. 236.20 (1) (b) of the statutes is repealed.

SECTION 65. 236.20 (2) (g) of the statutes is amended to read:

236.20 **(2)** (g) All ~~lake or stream~~ shore meander lines for all lakes or navigable perennial streams that are established by the professional land surveyor in accordance with s. 236.15 (1) (d), the distances and bearings thereof, and the distance between the point of intersection of such meander lines with lot lines and the determined or approximated ordinary high water mark.

SECTION 66. 236.20 (2) (k) of the statutes is amended to read:

236.20 **(2)** (k) When a street is on a circular curve, the main chords of the right–of–way lines shall be drawn as dotted or dashed lines in their proper places. All curved lines shall show, either on the lines or in an adjoining table, the radius of the circle, the central angle subtended, the chord bearing, the chord length, and the arc length for each segment. The tangent bearing shall be shown for each end of the main chord for all nontangent circular lines. When a circular curve of 30–foot radius or less is used to round off the intersection between 2 straight lines, it shall be tangent to both straight lines. It is sufficient to show on the plat the radius of the curve and the tangent distances from the points of curvature to the point of intersection of the straight lines.

SECTION 67. 236.20 (3) (b) of the statutes is amended to read:

236.20 **(3)** (b) The location of the subdivision shall be indicated by bearing and distance from a boundary line of a government lot monumented in the original survey or resurvey of Wisconsin, quarter section, recorded private claim, or federal reservation in which the subdivision is located. The monumentation at the ends of the boundary line shall be described and the bearing and distance between them shown.

SECTION 68. 236.20 (4) (b) of the statutes is amended to read:

236.20 **(4)** (b) All lands dedicated to public use ~~except roads and streets~~ shall be clearly marked "Dedicated to the Public".

SECTION 69. 236.20 (5) (c) of the statutes is amended to read:

236.20 **(5)** (c) The water elevations of adjoining lakes or navigable perennial streams at the date of the survey and the approximate high ~~and low~~ water elevations of those lakes or streams. All elevations shall be referred to some permanent established datum plane.

SECTION 70. 236.20 (6) of the statutes is created to read:

236.20 **(6)** PUBLIC TRUST INFORMATION. A final plat of a subdivision, or a certified survey map of land, to which s. 236.16 (4) applies shall show on its face the following statement:

"Any land below the ordinary high water mark of a lake or a navigable perennial stream is subject to the public trust in navigable waters that is established under article IX, section 1, of the state constitution. However, the owner of the real property that abuts such land has exclusive use of that land when it is exposed, except as otherwise provided by law or by the owner's title."

SECTION 71. 236.21 (1) (intro.) of the statutes is amended to read:

236.21 **(1)** ~~SURVEYOR'S~~ PROFESSIONAL LAND SURVEYOR'S CERTIFICATE OF COMPLIANCE WITH STATUTE. (intro.) The certificate of the professional land surveyor who surveyed, divided, and mapped the land giving all of the following information, which shall have the same force and effect as an affidavit:

SECTION 72. 236.21 (1) (a) of the statutes is amended to read:

236.21 **(1)** (a) By whose direction the professional land surveyor made the survey, subdivision, and plat of the land described on the plat.

SECTION 73. 236.21 (1) (b) of the statutes is renumbered 236.21 (1) (b) 1. and amended to read:

236.21 **(1)** (b) 1. ~~A~~ Except as provided in subd. 2., a clear and concise description of the land surveyed, divided, and mapped by government lot, recorded private claim, quarter–quarter section, section, township, range, and county and by metes and bounds commencing with a monument at a section or quarter section corner of the quarter section that is not the center of the section, or commencing with a monument at the end of a boundary line of a recorded private claim or federal reservation in which the subdivision is located.

2. If the land is ~~located~~ shown in a recorded subdivision ~~or~~ plat, recorded addition ~~thereto, the land shall be described by the number or other description of the lot, block or subdivision thereof,~~ to a recorded subdivision plat, or recorded certified survey map that has previously been tied to ~~a corner marked and established by the U.S. public land survey~~ the monumented line of a quarter section, government lot, recorded private claim, or federal reservation in which the land is located, the land shall be described by the subdivision name or certified survey map number and the description of the lot and block thereof.

SECTION 74. 236.21 (1) (d) of the statutes is amended to read:

236.21 **(1)** (d) A statement that the professional land surveyor has fully complied with the provisions of this chapter in surveying, dividing, and mapping the land.

SECTION 75. 236.25 (2) (a) of the statutes is amended to read:

236.25 **(2)** (a) It is a permanent nonfading black image on durable white media that is 22 inches wide by 30 inches long or on other media that is acceptable to the register of deeds, complies with the requirements of s. 59.43 (2m) (b) 4., and bears a department certification of no objection. Seals or signatures reproduced on images complying with this paragraph shall be given the force and effect of original signatures and seals;

SECTION 76. 236.25 (2) (c) of the statutes is amended to read:

236.25 **(2)** (c) The plat shows on its face all the certificates and affidavits required by ss. ~~236.21 and~~ 236.12 ~~(4)~~ (3) and 236.21;

SECTION 77. 236.25 (2) (d) of the statutes is amended to read:

236.25 **(2)** (d) The plat shows on its face the approval of all bodies required by s. 236.10 to approve or the certificate of the clerk that the plat is deemed approved under s. 236.11 (2) (a).

SECTION 78. 236.32 (except 236.32 (title)) of the statutes is renumbered 236.32 (1m), and 236.32 (1m) (intro.), (a) and (c), as renumbered, are amended to read:

236.32 **(1m)** (intro.) Any of the following may be fined not more than $250 or imprisoned not more than one year in county jail for any of the following violations:

(a) Any owner, professional land surveyor, or subdivider who fails to place monuments as prescribed in this chapter when subdividing land.

(c) ~~Fails~~ Any person who fails to replace properly any monuments ~~which~~ that have been removed or disturbed when ordered to do so by the governing body of the municipality or county in which the subdivision is located.

SECTION 79. 236.32 (2m) of the statutes is created to read:

236.32 **(2m)** Each monument to which a violation under sub. (1m) applies constitutes a separate violation.

SECTION 80. 236.34 (1) (a) of the statutes is amended to read:

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

SECTION 81. 236.34 (1) (b) of the statutes is amended to read:

236.34 **(1)** (b) All corners shall be monumented in accordance with s. 236.15 (1) (ac), (c), (d), and (g).

SECTION 82. 236.34 (1) (c) of the statutes is amended to read:

236.34 **(1)** (c) The map shall be prepared in accordance with ~~s.~~ ss. 236.16 (4) and 236.20 (2) (a), (b), (c), (e), (f), (g), (h), (i), (j), (k), and (L) and (3) (b), (d), and (e) at a graphic scale of not more than 500 feet to an inch, which shall be shown on each sheet showing layout features. The map shall be prepared with a binding margin 1.5 inches wide and a 0.5 inch margin on all other sides on durable white media that is 8 1/2 inches wide by 14 inches long, or on other media that is acceptable to the register of deeds, with a permanent nonfading black image. When more than one sheet is used for any map, each sheet shall be numbered consecutively and shall contain a notation giving the total number of sheets in the map and showing the relationship of that sheet to the other sheets. "CERTIFIED SURVEY MAP" shall be printed on the map in prominent letters with the location of the land by government lot,

recorded private claim, quarter–quarter section, section, township, range and county noted. Seals or signatures reproduced on images complying with this paragraph shall be given the force and effect of original signatures and seals.

SECTION 83. 236.34 (1) (d) (intro.) of the statutes is amended to read:

236.34 **(1)** (d) (intro.) The map shall include a certificate of the professional land surveyor who surveyed, divided, and mapped the land which has the same force and effect as an affidavit and which gives all of the following information:

SECTION 84. 236.34 (1) (d) 1. of the statutes is amended to read:

236.34 **(1)** (d) 1. By whose direction the professional land surveyor made the survey, division, and map of the land described on the certified survey map.

SECTION 85. 236.34 (1) (d) 2. of the statutes is amended to read:

236.34 **(1)** (d) 2. A clear and concise description of the land surveyed, divided, and mapped by government lot, recorded private claim, quarter–quarter section, section, township, range and county; and by metes and bounds commencing with a monument at a section or quarter section corner of the quarter section that is not the center of a section, or commencing with a monument at the end of a boundary line of a recorded private claim or federal reservation in which the land is located~~; or if~~. If, however, the land is ~~located~~ shown in a recorded subdivision ~~or~~ plat, recorded addition to a recorded subdivision~~, then by the number or other description of the lot, block or subdivision, which~~ plat, or recorded certified survey map that has previously been tied to ~~a corner marked and established by the U.S. public land survey~~ the monumented line of a quarter section, government lot, recorded private claim, or federal reservation in which the land is located, the land shall be described by the subdivision name or certified survey map number and the description of the lot and block thereof.

SECTION 86. 236.34 (1) (d) 4. of the statutes is amended to read:

236.34 **(1)** (d) 4. A statement that the professional land surveyor has fully complied with the provisions of this section in surveying, dividing, and mapping the land.

SECTION 87. 236.34 (1) (e) of the statutes is amended to read:

236.34 **(1)** (e) A certified survey map may be used for dedication of streets and other public areas, and for granting easements to the public or any person, society, or corporation marked or noted on the map, when owners' certificates and mortgagees' certificates which are in substantially the same form as required by s. 236.21 (2) (a) have been executed and the city council or village or town board involved have approved such dedication or grant. Approval and recording of such certified surveys shall have the force and effect provided by s. 236.29.

SECTION 88. 236.34 (2) (b) 1. of the statutes is amended to read:

236.34 **(2)** (b) 1. The certified survey map is offered for record within ~~6~~ 12 months after the date of the last approval of the map and within ~~24~~ 36 months after the date of the first approval of the map.

SECTION 89. 236.34 (4) of the statutes is created to read:

236.34 **(4)** VACATION. A certified survey map may be vacated by the circuit court of the county in which the parcels of land are located in the same manner and with like effect as provided in ss. 236.40 to 236.44, except that application for vacation of the certified survey map may be made by any of the following:

(a) The owner of any lot or outlot in the land that is the subject of the certified survey map.

(b) The county board if the county has acquired an interest by tax deed in any lot or outlot in the land that is the subject of the certified survey map.

SECTION 90. 293.37 (2) (a) of the statutes is amended to read:

293.37 **(2)** (a) A mining plan, including a description and a detailed map of the proposed mining site drawn to a scale approved by the department. Aerial photographs may be accepted if the photographs show the details to the satisfaction of the department. The map, plan, or photograph shall be prepared and certified by a competent engineer, licensed professional surveyor, or other person approved by the department, and shall show the boundaries of the area of land which will be affected~~,~~; the drainage area above and below the area~~,~~; the location and names of all streams, roads, railroads, pipelines, and utility lines on or within 1,000 feet of the site~~,~~; the name of the owner or owners of the site~~,~~; the name of the city, village, or town in which the site is located; and the name of any other city, village, or town if within 3 miles of the site. The map or photograph shall be accompanied by descriptive data as required by the department, including but not limited to the soil conservation service soil capabilities classifications of the affected area, the anticipated geometry of the excavation, the estimated total production of tailings produced, the nature and depth of the overburden, the elevation of the water table, and such other information about the geology of the deposit as the department, after consultation with the geological and natural history survey, finds is necessary to evaluate the applicant's mining plan and reclamation plan.

SECTION 91. 295.48 (1) (intro.) of the statutes, as created by 2013 Wisconsin Act 1, is amended to read:

295.48 **(1)** GENERAL. (intro.) An applicant for a mining permit shall submit as part of the application a mining plan that includes a description of the proposed mining site and either a detailed map drawn to a scale approved by the department or aerial photographs, if the photographs show the details to the satisfaction of the

department, prepared and certified by a competent engineer, licensed professional surveyor, or other person approved by the department that show all of the following:

SECTION 92. 440.03 (13) (b) 34. of the statutes is amended to read:

440.03 **(13)** (b) 34. Land surveyor, professional.

SECTION 93. 440.08 (2) (a) 39. of the statutes is amended to read:

440.08 **(2)** (a) 39. Land surveyor, professional: February 1 of each even–numbered year.

SECTION 94. Chapter 443 (title) of the statutes is amended to read:

CHAPTER 443

EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS, AND PROFESSIONAL LAND SURVEYORS

SECTION 95. 443.01 (1m) of the statutes is created to read:

443.01 **(1m)** "Construction surveying" means surveying or mapping that is performed in support of infrastructure design, in support of improvements related to private and public boundary lines, or in support of construction layout or historic preservation, and establishing any postconstruction documentation related to that surveying or mapping.

SECTION 96. 443.01 (3) of the statutes is amended to read:

443.01 **(3)** "Examining board" means the examining board of architects, landscape architects, professional engineers, designers, and professional land surveyors.

SECTION 97. 443.01 (3b) of the statutes is created to read:

443.01 **(3b)** "Geodetic surveying" means surveying to determine the size and shape of the earth or the precise positions of points on the surface of the earth.

SECTION 98. 443.01 (3r) (c) of the statutes is amended to read:

443.01 **(3r)** (c) Professional services performed by a ~~registered~~ professional land surveyor ~~or by a person who has in effect a permit under s. 443.06 (3)~~.

SECTION 99. 443.01 (4) of the statutes is repealed.

SECTION 100. 443.01 (6s) of the statutes is created to read:

443.01 **(6s)** "Practice of professional land surveying" means any of the following:

(a) Any service comprising the establishment or reestablishment of the boundaries of one or more tracts of land or the boundaries of any of the following interests in real property:

1. The alignment and rights–of–way of roads or streets.

2. Air or subsurface property rights.

3. Public or private easements.

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

(c) Placing, replacing, restoring, or perpetuating monuments in or on the ground to evidence the location of a point that is necessary to establish boundaries of one or more tracts of land or the subdivision or consolidation of one or more tracts of land or to describe the boundaries of any interest in real property identified in par. (a).

(d) Preparing maps that depict any interest in real property identified in par. (a) for the purpose of establishing the boundaries of any such interest in real property.

(e) Preparing any of the following:

1. An official map established or amended under s. 62.23 (6), established or amended under the authority of s. 61.35, or adopted under s. 60.61.

2. An assessor's plat under s. 70.27.

3. A map or plat of cemetery lands under s. 157.07.

4. A subdivision plat, certified survey map, or correction instrument under ch. 236.

5. A condominium plat or correction instrument under ch. 703.

6. A project and time–share property plat under s. 707.215.

(f) Performing construction surveying or geodetic surveying in connection with any of the practices specified in pars. (a) to (e).

SECTION 101. 443.01 (7m) of the statutes is created to read:

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

SECTION 102. 443.02 (4) of the statutes is amended to read:

443.02 **(4)** No person may <u>engage in or offer to engage in the</u> practice <u>of professional</u> land surveying in this state or use or advertise any title or description tending to convey the impression that the person is a <u>professional</u> land surveyor unless the person has been ~~issued a certificate of registration or~~ granted a ~~permit to practice~~ <u>license</u> under this chapter <u>to engage in the practice of professional land surveying</u>.

SECTION 103. 443.06 (title) of the statutes is amended to read:

443.06 (title) **~~Registration~~ Licensure requirements for professional land surveyors.**

SECTION 104. 443.06 (1) (title) of the statutes is amended to read:

443.06 **(1)** (title) ~~REGISTRATION~~ LICENSURE, APPLICATION, QUALIFYING EXPERIENCE.

SECTION 105. 443.06 (1) (a) of the statutes is amended to read:

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

SECTION 106. 443.06 (1) (b) of the statutes is amended to read:

443.06 **(1)** (b) Each year, but not more than 4 years, of work or training completed in a curriculum in the practice of professional land surveying approved by the professional land surveyor section, or of responsible charge of ~~land surveying~~ teaching the practice of professional land surveying may be considered as equivalent to one year of qualifying experience in ~~land surveying work~~ the practice of professional land surveying, and each year, but not more than 4 years, completed in a curriculum other than the practice of professional land surveying approved by the

professional land surveyor section, may be considered as equivalent to one–half year of qualifying experience.

SECTION 107. 443.06 (2) (intro.) of the statutes is amended to read:

443.06 **(2)** REQUIREMENTS; ~~CERTIFICATE OF REGISTRATION~~ LICENSE. (intro.) The professional land surveyor section may grant a ~~certificate of registration as a~~ license to engage in the practice of professional land ~~surveyor~~ surveying to any person who has submitted to it an application, the required fees, and one or more of the following:

SECTION 108. 443.06 (2) (a) of the statutes is repealed.

SECTION 109. 443.06 (2) (am) of the statutes is amended to read:

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

SECTION 110. 443.06 (2) (b) of the statutes is repealed.

SECTION 111. 443.06 (2) (bm) of the statutes is amended to read:

443.06 **(2)** (bm) Evidence satisfactory to the professional land surveyor section that he or she has received an associate degree in a course in the practice of professional land surveying or a related field that has a duration of not less than 2

years and is approved by the professional land surveyor section, and that he or she has engaged in the practice of professional land surveying for at least 4 years ~~of land surveying~~ and has demonstrated practice of satisfactory character that indicates that the applicant is competent to engage in the practice of professional land surveying, if the applicant has passed an oral and written or written examination administered by the professional land surveyor section. ~~This paragraph applies to actions of the land surveyor section on applications for land surveyors' certificates that are submitted to the land surveyor section after June 30, 2000.~~

SECTION 112. 443.06 (2) (c) of the statutes is repealed.

SECTION 113. 443.06 (2) (cm) of the statutes is amended to read:

443.06 **(2)** (cm) Evidence satisfactory to the professional land surveyor section that he or she has engaged in the practice of professional land surveying for at least 10 years ~~of land surveying~~ and has demonstrated practice of satisfactory character that indicates that the applicant is competent to engage in the practice of professional land surveying, if the applicant has passed an oral and written or written examination administered by the professional land surveyor section. This paragraph applies to ~~actions of the land surveyor section on~~ applications for licenses to engage in the practice of professional land ~~surveyors' certificates~~ surveying that are submitted to the professional land surveyor section after June 30, 2000 and before July 1, 2019.

SECTION 114. 443.06 (2) (d) of the statutes is amended to read:

443.06 **(2)** (d) An unexpired certificate of registration, certificate of certification, or license as a land surveyor or to engage in the practice of professional land surveying issued to the applicant by the proper authority in any state or territory or possession of the United States or in any other country whose

requirements meet or exceed the requirement for ~~registration~~ licensure in this subsection, if the applicant has passed an oral and written or written examination administered by the professional land surveyor section.

SECTION 115. 443.06 (2) (e) of the statutes is repealed.

SECTION 116. 443.06 (2) (em) of the statutes is repealed.

SECTION 117. 443.06 (3) of the statutes is repealed.

SECTION 118. 443.10 (title) of the statutes is amended to read:

443.10 (title) **Applications, certificates, licenses, rules, and roster.**

SECTION 119. 443.10 (2) (b) of the statutes is amended to read:

443.10 **(2)** (b) The fees for examinations and ~~licenses~~ credentials, as defined in s. 440.01 (2) (a), granted under this chapter are specified in s. 440.05, and the fee for renewal of such ~~licenses~~ credentials is determined by the department under s. 440.03 (9) (a).

SECTION 120. 443.10 (5) of the statutes is amended to read:

443.10 **(5)** FEES; RENEWALS. The professional land ~~surveyor's~~ surveyor section shall grant a ~~certificate of registration as a~~ license to engage in the practice of professional land ~~surveyor~~ surveying to any applicant who has met the applicable requirements of this chapter. The renewal date for the ~~certificate~~ license is specified under s. 440.08 (2) (a), and the renewal fee for the ~~certificate~~ license is determined by the department under s. 440.03 (9) (a).

SECTION 121. 443.12 (title) of the statutes is amended to read:

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

SECTION 122. 443.12 (1) of the statutes is amended to read:

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

SECTION 123. 443.12 (2) of the statutes is amended to read:

443.12 **(2)** Charges of fraud, deceit, gross negligence, incompetence, or misconduct may be made against any professional land surveyor by the professional land surveyor section or any person. Such charges may be made on information and belief, but shall be in writing, stating the specific acts, be signed by the complainant and be submitted to the examining board. All charges shall be heard according to the rules promulgated under s. 440.03 (1).

SECTION 124. 443.12 (3) of the statutes is amended to read:

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

SECTION 125. 443.12 (4) of the statutes is amended to read:

443.12 **(4)** The professional land surveyor section, for reasons it deems sufficient, may reinstate a ~~certificate of registration~~ license to engage in the practice of professional land surveying that has been revoked, if 3 members vote in favor of such reinstatement. This subsection does not apply to a ~~certificate of registration~~ license that is revoked under s. 440.12.

SECTION 126. 443.134 of the statutes is created to read:

443.134 Exception for photogrammetry. Nothing in this chapter may be construed to prohibit a person who has not been granted a license to engage in the practice of professional land surveying under this chapter from utilizing photogrammetry or remote sensing techniques or performing topographic surveying, construction surveying, or geodetic surveying for purposes other than a boundary establishment or reestablishment specified in s. 443.01 (6s).

SECTION 127. 443.135 of the statutes is created to read:

443.135 Other exceptions. Nothing in this chapter may be construed to prohibit a person who has not been granted a license or permit to engage in the practice of professional land surveying under this chapter from doing any of the following:

(1) Performing services related to timber management or sales if any map that is prepared as a part of those services contains the following statement: "This map is not a survey of the actual boundary of any property this map depicts."

(2) Preparing a map that depicts temporary trails, easements, or other uses of lands if the map contains the following statement: "This map is not a survey of the actual boundary of any property this map depicts."

SECTION 128. 443.14 (8) (a) of the statutes is amended to read:

443.14 **(8)** (a) An employee of a professional land surveyor ~~registered in this state or authorized to practice under a permit~~, while ~~working~~ doing surveying work under the supervision of the employer~~. Such exempt~~, if the employee ~~shall~~ is not ~~be~~ in responsible charge of the practice of professional land surveying.

SECTION 129. 443.14 (8) (b) of the statutes is repealed.

SECTION 130. 443.14 (8) (c) of the statutes is repealed.

SECTION 131. 443.14 (8) (d) of the statutes is amended to read:

443.14 **(8)** (d) Employees of public utilities regulated by the public service commission while engaged in the practice of professional land surveying for such utilities. This paragraph does not apply after June 30, 2019.

SECTION 132. 443.14 (11) of the statutes is amended to read:

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

SECTION 133. 443.18 (2) (b) of the statutes is amended to read:

443.18 **(2)** (b) If it appears upon complaint to the examining board by any person, or is known to the ~~land surveyor section of the~~ examining board that any person who ~~is not authorized is practicing or offering~~ does not have a license to engage in the practice of professional land surveying in this state, or who is not exempt from the licensure requirements under this chapter, is engaging in or offering to engage in the practice of professional land surveying in this state, the professional land surveyor section, the examining board, the department, the department of justice, or the district attorney of the proper county may investigate and may, in addition to any other remedies, bring action in the name and on behalf of the state to enjoin the person from ~~practicing~~ engaging in or offering to engage in the practice of professional land surveying.

SECTION 134. 470.025 (7) of the statutes is amended to read:

470.025 **(7)** A professional land surveyor ~~registered~~ licensed under ch. 443 who is engaged in the planning, design, installation, or regulation of land and water conservation activities under ch. 92 or s. 281.65.

SECTION 135. 703.02 (6m) of the statutes is amended to read:

703.02 **(6m)** "Correction instrument" means an instrument drafted by a ~~licensed~~ professional land surveyor that complies with the requirements of s. 59.43 (2m) and that, upon recording, corrects an error in a condominium plat. "Correction instrument" does not include an instrument of conveyance.

SECTION 136. 703.02 (13r) of the statutes is created to read:

703.02 **(13r)** "Professional land surveyor" means a professional land surveyor licensed under ch. 443.

SECTION 137. 703.11 (2) (intro.) of the statutes is amended to read:

703.11 **(2)** REQUIRED PARTICULARS. (intro.) A condominium plat may consist of one or more sheets, shall be produced on media that is acceptable to the register of deeds, and shall contain at least the following particulars:

SECTION 138. 703.11 (2) (b) of the statutes is amended to read:

703.11 **(2)** (b) A survey of the property described in the declaration complying with minimum standards for property surveys adopted by the examining board of architects, landscape architects, professional engineers, designers and professional land surveyors and showing the location of any unit or building located or to be located on the property.

SECTION 139. 703.11 (4) of the statutes is amended to read:

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

SECTION 140. 703.115 (1) (b) of the statutes is amended to read:

703.115 **(1)** (b) Provides that a condominium instrument may be rejected only if it fails to comply with the applicable requirements of ss. 703.095, 703.11 (2) (a), (c) and (d) and (3), 703.275 (5) and 703.28 (1m) or if the professional land surveyor's certificate under s. 703.11 (4) is not attached to or included in the condominium plat.

SECTION 141. 703.13 (6) (e) of the statutes is amended to read:

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

SECTION 142. 703.13 (7) (c) of the statutes is amended to read:

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

SECTION 143. 703.13 (8) (c) of the statutes is amended to read:

703.13 **(8)** (c) Plats and plans showing the boundaries and dimensions of the new unit together with the new identifying number or letter shall be prepared. The plats and plans shall be certified as to their accuracy and compliance with this subsection by a civil engineer, architect, or ~~licensed~~ professional land surveyor ~~authorized to practice in this state~~.

SECTION 144. 707.215 (2) (intro.) of the statutes is amended to read:

707.215 **(2)** REQUIRED CONTENTS. (intro.) A plat filed for recording under sub. (1) may consist of one or more sheets, shall be produced on media that is acceptable to the register of deeds, and shall contain at least all of the following:

SECTION 145. 707.215 (3) of the statutes is amended to read:

707.215 **(3)** FORM OF MAPS AND PLANS. All survey maps and floor plans submitted for recording shall be legibly prepared with a binding margin of ~~1.5 inches on the left side and a one–inch margin~~ one inch on all ~~other~~ sides on durable white media that is 14 inches in length and 22 inches in width, or on other media that is acceptable to the register of deeds, with a permanent nonfading black image. The maps and plans shall be drawn to a convenient scale.

SECTION 146. 707.215 (5) (intro.) of the statutes is amended to read:

707.215 **(5)** ~~SURVEYOR'S~~ PROFESSIONAL LAND SURVEYOR'S CERTIFICATE. (intro.) A plat is sufficient for the purposes of this chapter if attached to or included in the plat is a certificate of a professional land surveyor licensed ~~to practice in this state~~ under ch. 443, and the certificate provides all of the following:

SECTION 147. 709.02 (1) of the statutes is amended to read:

709.02 **(1)** In regard to transfers described in s. 709.01, the owner of the property shall furnish, not later than 10 days after acceptance of a contract of sale or option contract, to the prospective buyer of the property a completed copy of the report under s. 709.03 or 709.033, whichever is applicable, subject to s. 709.035, except that the owner may substitute for any entry information supplied by a licensed engineer, professional land surveyor, as defined in s. 443.01 (7m), or structural pest control operator, by an individual who is a qualified 3rd party, or by a contractor about matters within the scope of the contractor's occupation, if the information is in writing and is furnished on time and if the entry to which it relates

is identified, and except that the owner may substitute for any entry information supplied by a public agency. Information that substitutes for an entry on the report under s. 709.03 or 709.033 and that is supplied by a person specified in this section may be submitted and certified on a supplemental report prepared by the person, as long as the information otherwise satisfies the requirements under this section. A prospective buyer who does not receive a report within the 10 days may, within 2 business days after the end of that 10–day period, rescind the contract of sale or option contract by delivering a written notice of recision to the owner or to the owner's agent.

SECTION 148. 709.07 of the statutes is amended to read:

709.07 Liability precluded. An owner is not liable for an error or omission in a report under s. 709.03 or 709.033 if the owner had no knowledge of that error or omission, if the error or omission was based on information provided by a public agency, by a licensed engineer, professional land surveyor, as defined in s. 443.01 (7m), structural pest control operator, or qualified 3rd party, or by a contractor about matters within the scope of the contractor's occupation.

SECTION 149. 710.09 of the statutes is created to read:

710.09 Navigable stream does not divide parcel. Unless otherwise provided by local ordinance, a navigable stream running through a parcel of land does not, in and of itself, divide the parcel into 2 parcels if the parcel, on both sides of the stream, is owned by the same owner.

SECTION 150. 893.37 of the statutes is amended to read:

893.37 Survey. No action may be brought against an engineer or any professional land surveyor, as defined in s. 443.01 (7m), to recover damages for negligence, errors, or omission in the making of any survey nor for contribution or

indemnity related to such negligence, errors, or omissions more than 6 years after the completion of a survey.

SECTION 151. 2009 Wisconsin Act 376, section 13 (1) is amended to read:

[2009 Wisconsin Act 376] Section 13 (1) The treatment of section 236.13 (1) (b) ~~and (2) (a)~~ of the statutes first applies to preliminary plats or, in cases in which no preliminary plats are submitted, final plats that are submitted for approval on the effective date of this subsection.

SECTION 152. Nonstatutory provisions.

(1) Notwithstanding section 443.02 (4) of the statutes, as affected by this act, on the effective date of this subsection, a person who has been granted a certificate of registration as a land surveyor under section 443.06 (2), 2011 stats., is considered to be granted a license to engage in the practice of professional land surveying under section 443.06 (2) of the statutes, as affected by this act, and the professional land surveyor section of the examining board of architects, landscape architects, professional engineers, designers, and professional land surveyors shall issue to the person a license to engage in the practice of professional land surveying under section 443.06 (2) of the statutes, as affected by this act.

SECTION 153. Initial applicability.

(1) PROFESSIONAL LAND SURVEYORS.

(a) The treatment of section 26.09 (3) (b) 1. of the statutes first applies to surveys recorded on the effective date of this paragraph.

(b) The treatment of section 70.27 (5), (6), and (7) (intro.) and (d) of the statutes first applies to assessor's plats made on the effective date of this paragraph.

(c) The treatment of section 157.07 (1) of the statutes first applies to lands surveyed and platted on the effective date of this paragraph.

(d) The treatment of section 157.07 (2) and (3) of the statutes first applies to cemetery plats and maps created on the effective date of this paragraph.

(e) The treatment of section 236.21 (1) (intro.), (a), and (d) of the statutes first applies to plats certified by a professional land surveyor, as defined in section 236.02 (9b) of the statutes, as created by this act, on the effective date of this paragraph.

(f) The treatment of section 236.02 (2m) of the statutes first applies to correction instruments that are drafted on the effective date of this paragraph.

(g) The treatment of sections 236.15 (2) and 236.34 (1) (a) of the statutes first applies to surveys that are performed on the effective date of this paragraph.

(h) The renumbering and amendment of section 236.32 of the statutes and the creation of section 236.32 (2m) of the statutes first apply to the placement, removal, or disturbance of monuments, or the failure to replace monuments, on the effective date of this paragraph.

(i) The treatment of section 236.34 (1) (d) (intro.), 1., and 4. of the statutes first applies to certified survey maps offered for record on the effective date of this paragraph.

(j) The treatment of section 703.02 (6m) of the statutes first applies to correction instruments drafted on the effective date of this paragraph.

(k) The treatment of section 703.11 (4) of the statutes first applies to condominium plats certified on the effective date of this paragraph.

(L) The treatment of section 703.13 (6) (e), (7) (c), and (8) (c) of the statutes first applies to condominium plats and plans certified on the effective date of this paragraph.

(l) The treatment of section 707.215 (5) (intro.) of the statutes first applies to certifications made on the effective date of this paragraph.

(m) The treatment of sections 709.02 (1) and 709.07 of the statutes first applies to original reports furnished on the effective date of this paragraph.

(n) The treatment of section 893.37 of the statutes first applies to acts or omissions occurring on the effective date of this paragraph.

(2) PLATS AND CERTIFIED SURVEY MAPS.

(a) The treatment of sections 236.12 (2) (intro.), (a), (ac), and (b), (3), (4), (5), (6), and (8), 236.13 (2m), and 236.20 (1) (b) of the statutes, the renumbering and amendment of section 236.11 (2) of the statutes, and the creation of section 236.11 (2) (b) of the statutes first apply to preliminary plats or, in cases in which no preliminary plats are submitted, to final plats, that are submitted for approval on the effective date of this paragraph.

(b) The treatment of sections 236.025, 236.15 (1) (intro.), (a), and (d), and 236.34 (1) (b) of the statutes first applies to surveys performed on the effective date of this paragraph.

(c) The treatment of section 236.20 (1) (a), (2) (g) and (k), (3) (b), (4) (b), (5) (c), and (6) of the statutes first applies to final plats, and to certified survey maps if applicable, that are submitted for approval on the effective date of this paragraph.

(d) The treatment of sections 236.21 (1) (b) and 236.25 (2) (c) and (d) of the statutes first applies to final plats that are offered for record on the effective date of this paragraph.

(e) The treatment of section 236.34 (1) (d) 2. and (2) (b) 1. of the statutes first applies to certified survey maps that are offered for record on the effective date of this paragraph.

(f) The treatment of section 236.34 (1) (e) of the statutes first applies to certified survey maps that are submitted for approval on the effective date of this paragraph.

(3) RECORDING MEDIA.

(a) The treatment of section 70.27 (2) of the statutes first applies to assessor's plats that are offered for record on the effective date of this paragraph.

(b) The treatment of section 236.25 (2) (a) of the statutes first applies to final plats that are offered for record on the effective date of this paragraph.

(c) The treatment of section 236.34 (1) (c) of the statutes first applies to certified survey maps that are offered for record on the effective date of this paragraph.

(d) The treatment of section 703.11 (2) (intro.) of the statutes first applies to condominium plats that are offered for record on the effective date of this paragraph.

(e) The treatment of section 707.215 (2) (intro.) and (3) of the statutes first applies to time–share property plats or time–share property survey maps and floor plans, as applicable, that are offered for record on the effective date of this paragraph.

SECTION 154. Effective date.

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

(END)

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