

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: **06/23/99**

Received By: **traderc**

Wanted: **Soon**

Identical to LRB:

For: **Senate Democratic Caucus**

By/Representing: **Walter**

This file may be shown to any legislator: **NO**

Drafter: **traderc**

May Contact: **LFB**

Alt. Drafters:

Subject: **Agriculture - miscellaneous**

Extra Copies:

**Pre Topic:**

SDC:.....Walter - Caucus # 3502,

**Topic:**

Changes to CREP

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	traderc 06/27/99	wjackson 06/27/99		_____			
/1			kfollet 06/27/99	_____	lrb_docadmin 06/28/99		
/2	traderc 06/28/99	wjackson 06/28/99	martykr 06/28/99	_____	lrb_docadmin 06/28/99		
/3	traderc 06/28/99	wjackson 06/28/99	jfrantze 06/29/99	_____	lrb_docadmin 06/29/99		

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/?	traderc 06/27/99	wjackson 06/27/99		_____			
/1		12 @/28 WLJ	kfollet 06/27/99	_____	lrb_docadmin 06/28/99		
		13 @/28 WLJ	km 6/28				
FE Sent For:			db 6/29				<END>

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1/?	traderc	11 WLJ 6/27	Kjf 6/27	Kjf/ls 6/27			

FE Sent For:

<END>

SDC

yes

caucus number 3502

duplicate flag:  
duplicate with:

Other reference numbers:	Paper 266	LFB Sum #:
	FM 1188	
	bill number/amendment number:	
LRB draft #		LRB P-draft:

description: Add grassland component changes to CREP

other notes

drafting instructions: see attached memos

more instructions:

caucus number 4011

duplicate flag:  
duplicate with:

Other reference numbers:		LFB Sum #:
	bill number/amendment number:	
LRB draft #		LRB P-draft:

description: Rebuild Rib Mountain Chalet (\$500,000 from the Stewardship Fund)

other notes

drafting instructions: See above.

more instructions:

Agency: ~~Natural Resources - Stewardship~~

Number of Amendments: 10

+

Draft Request

CN 3502

Natural Resources/CREP-Conservation Reserve Enhancement Program/Paper #266

Working off Shibilski motion #1188 (attached) add grassland component changes (attached)

LRB Drafter: Rebecca Tradewell

TH

Todd-Shibilski

NATURAL RESOURCES -- STEWARDSHIP

State Conservation Reserve Enhancement Program  
[Paper #266]

8-8

Motion:

Move to adopt Alternatives 3 and 8b in Paper #266 to provide \$40 million in general obligation bonding to enable DATCP to participate in CREP and require that at least 50% of the acres enrolled in the program be under permanent easements. In addition, specify that after the first 50,000 acres of land have been enrolled in CREP, if less than 50% of the acreage is under permanent easement, DNR and DATCP are required to evaluate the effectiveness of CREP to determine if the program is meeting its water quality and wildlife habitat objectives. Specify that only the minimum federal eligibility standards, with respect to production and land ownership, need to be met in order for landowners to participate in CREP. Provide that CREP be structured in such a way that greater incentives be provided for permanent easements than temporary contracts. In addition, specify that DNR and DATCP jointly hold all easements under CREP and that the agencies may, with the agreement of the responsible parties, convey the easement to the county in which the easement is taken or to a qualified nonprofit organization.

[Change to Base: \$40,000,000 BR]  
[Change to Bill: \$40,000,000 BR] ?

insert  
using fair market value

Motion #1188

## CREP grasslands

## GRASSLAND COMPONENTS

At least 30,000 acres of Wisconsin's CREP program will be designated as grassland wildlife habitat areas. The grassland wildlife habitat areas shall be the areas identified by the Interagency Task Force\* and shall include the Blue Mounds area in Iowa, Dane and Green Counties, the Prairie Chicken Range in Portage, Clark, Taylor and Marathon counties, and the western prairie area in Polk and St. Croix Counties.

- ✓ Specify that only the minimum federal eligibility standards, with respect to production and land ownership need to be met in order for a landowner to participate in CREP. - *Already in.*
- ✓ Specify that parcels in the identified grassland areas are not required to have riparian connection in order to participate in CREP.
- ✓ Specify that CREP be structured in a way to provide a bonus for adjacent property owners to enroll in permanent easements in the grassland project areas.
- ✓ Provide that participants in the grassland areas receive a bonus for choosing a CREP conservation practice that requires restoration of native tall grass prairie.
- ✓ Specify that all state funds must be utilized for commitments to provide water quality and wildlife benefits for a period to exceed the federal CRP contract length and at least as long as the duration of the bond.

Provide that willing Counties coordinate negotiation of CREP contracts and permanent easements and land management plans with the assistance of Interagency Task Force participants (*or alternatively - "with the assistance of DNR & DATCP"*). If counties not willing or able to coordinate contracts, easements and management plans, provide that DNR and DATCP coordinate negotiation of long term contracts, easements and management plans.

Provide that participating landowners have the ability to negotiate standard CREP easements with willing county LCDs, non profit conservation organizations or the state of Wisconsin. Any conservation easements that are negotiated with willing LCDs or non profit organizations shall be co-held by the state of Wisconsin.

*Also* → No land enrolled in CREP shall be used for *licensed game farm*

\* Interagency Task Force members that included Farm Services Agency (USDA), Natural Resources Conservation Service (USDA), Wisconsin DNR, Wisconsin DATCP, US Fish and Wildlife Service, Wisconsin DOA, UW extension, US Geological Survey, Wisconsin Land and Water Conservation Association, and Wisconsin Association of Land Conservation Employees, and the Oneida nation.

6/25 Per Todd in Shibilski's office - ~~the~~ contracts should  
be for at least 20 years.

RET



1999

Date (time) needed SOON

LRB b 1086 11

**CAUCUS BUDGET AMENDMENT  
[ONLY FOR CAUCUS]**

RU: NY:

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1  
TO 1999 ASSEMBLY BILL 133**

*DNote*

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :



1999

LRB 61086 1 1

File With Statute **20.005 (3)** Schedule \_\_\_\_\_ : \_\_\_\_\_ : \_\_\_\_\_

**\$\$\$ SCHEDULE**

#. Page 101, line 7: delete lines 7 and 8, and substitute:

In the component bar:

For the action phrase, execute: ..... create → action: → ch20

For the table layout, execute: ..... create → <Table> → \$sched

**SECTION #.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

	1999-00	2000-01
20. _____		
.....		
( ) .....		
.....		

**\$ SCHED**

"(b) Principal repayment and interest, conservation enhancement reserve ..... 6PR 5 ..... -0- ..... -0- .."

20. _____		
.....		
( ) .....		
.....		
( ) .....		
.....		

#. Page 283, line 7: delete lines 7 to 10, and substitute:

"<sup>(C) (B)</sup> Section 1837m, CR; 20.115(7)(b)  
=

20.115(7)(b) <sup>(B)</sup> <sup>(I)</sup> Principal repayment and interest,  
=

conservation reserve enhancements of a sum sufficient

to reimburse s. 20.866(1)(a) for the principal and interest

costs incurred in financing the conservation reserve

enhancement program under s. 20.866(2)(wf) and to

make the payments determined by the building

commission under s. 13.488(1)(m) that are attributable

to the proceeds of obligations incurred in financing

those projects".

¶ Page 399, line 18: after "(7)" insert "(6) and".

↓

#. Page 407, line 6: after that line insert:

"<sup>(C)</sup>~~Section 637~~<sup>(B)</sup><sub>E</sub> CR; 20.866 (2) (wf)

20.866 (2) (wf) <sup>(B)</sup> <sup>(E)</sup> Agriculture; conservation reserve enhancement

From the capital improvement fund, a sum sufficient  
for the department of agriculture, trade and consumer  
protection to fund the conservation reserve enhancement  
program under s. 93.70. The state may contract public  
debt in an amount not to exceed \$40,000,000  
for this purpose."

LFB:.....Kava - State conservation reserve enhancement program  
FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION  
LFB AMENDMENT  
TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

#. Page 991, line 21: delete the material beginning with that line and ending with page 992, line 2, and substitute:

1 At the locations indicated, amend the bill as follows:

2 1. Page 374, line 20: after that line insert:

3 "SECTION 183t. 20.115 (7) (b) of the statutes is created to read:

4 20.115 (7) (b) *Conservation reserve enhancement program.* Biennially, the  
5 amounts in the schedule for the conservation reserve enhancement program under  
6 s. 93.70."

7 2. Page 938, line 21: after that line insert:

8 "SECTION 1933g. 93.70 of the statutes is created to read: <sup>(c) state participation.</sup>  
9 93.70 *Conservation reserve enhancement program.* <sup>Insert A</sup> The department <sup>subject to subs. (3) to (6)</sup>  
10 may expend funds from the appropriation account under s. 20.866(2)(wf) to improve  
11 participation by this state in the conservation reserve enhancement program as

water quality, erosion control and wildlife habitat through

1 approved by the secretary of the federal department of agriculture under 16 USC

2 3834 (f) (4). ~~The~~ department shall administer the program in

3 cooperation with the ~~department~~ <sup>(END)</sup> of natural resources.



② ①⑤  
② Forms of participation: (a) land enrolled in the  
conservation reserve enhancement program may either be  
subject to a permanent conservation easement or <sup>to</sup> a  
contract under which the owner of the land agrees  
to remove the land from agricultural production. The  
department shall provide greater <sup>financial</sup> incentives for  
landowners to grant permanent easements than  
to enter into contracts.



¶(b) ~~The department shall administer the~~  
~~least 50% of the land enrolled in the~~  
conservation reserve enhancement program so that  
at least 50% of <sup>the acreage of</sup> ~~the~~ land enrolled in the program  
is covered by conservation easements <sup>under par. (a)</sup> ~~as defined~~

~~in s. 200.40 (1)(a)~~ <sup>⊙</sup> If, after 50,000 acres of land  
have been enrolled in the program, less than <sup>two</sup> ~~50%~~ of  
the land acreage of land enrolled in the program  
is covered by conservation easements, the department  
and the department of natural resources shall  
review the effectiveness of the program to determine  
whether the program is meeting its water quality

and wildlife habitat objectives and shall report the results of  
the review to the legislature under s. 13.172(2) <sup>⊙</sup>  
c. On behalf of this state,

¶(1)(a) ~~The~~ department and the department of natural resources  
shall jointly hold conservation easements entered  
into for land enrolled in the conservation reserve  
enhancement program <sup>⊙</sup>

4 (d) The department may provide funding from the appropriation under s. 20.866(2) (wf) for a contract under par. (a) only if the contract has a term of 20 years or longer.



4(c) The department shall provide a financial bonus to landowners who enroll land that is designated for grassland habitat if the land is adjacent <sup>to</sup> land that is owned by another person and that is enrolled and designated for grassland habitat. The department shall also provide a financial bonus to a landowner who enrolls land that is designated for grassland habitat if the landowner agrees to implement a conservation practice that requires restoration of native prairie vegetation.

# (5) <sup>(B) (C)</sup> Participation requirements. The department may not impose more restrictive requirements for participation in the conservation reserve enhancement program with respect to production and land ownership than are required by the secretary of <sup>the Federal department of</sup> agriculture under 16 USC 3834 (f)

(4) <sup>(a)</sup>

¶ (6) <sup>(B)</sup> State and local involvement <sup>(CS)</sup> A county may negotiate contracts or easements under sub (3)(a) with landowners with the assistance of the department and the department of natural resources. In counties that do not choose to participate, the department and the department of natural resources shall negotiate the contracts or easements. (C)

¶ (7) <sup>(B)</sup> Prohibition <sup>(CS)</sup> No person may use land enrolled in the conservation reserve enhancement program as a pheasant and quail farm licensed under s. 29.865, a game bird and animal farm licensed under s. 29.867, a fur animal farm licensed under s. 29.869 or a <sup>deer</sup> ~~deer~~ farm licensed under s. 29.870. (C)

Insert A

6/08/11

INSERT A

① Definition.

(1) In this section, "conservation easement" has the meaning given in s. 700.40(1)(a).

6/08/11 dn  
RET

DNote

¶ This is a first draft of the CREP proposal, corresponding to Caucus # 35020. Please review it carefully. I was particularly uncertain of the role, if any, <sup>intended</sup> to be played by nonprofit organizations.

¶ Please note that this draft deletes the GPR funding provided by Joint Finance.

RET



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb1086/1dn  
RCT:wlj:kjf

June 27, 1999

This is a first draft of the CREP proposal, corresponding to Caucus #3502. Please review it carefully. I was particularly uncertain of the role, if any, intended to be played by nonprofit organizations.

Please note that this draft deletes the GPR funding provided by Joint Finance.

Rebecca C. Tradewell  
Managing Attorney  
Phone: (608) 266-7290  
E-mail: [Becky.Tradewell@legis.state.wi.us](mailto:Becky.Tradewell@legis.state.wi.us)

6/28 Per Todd -

1. Make sure it's clear that easements are permanent
2. Allow nonprofits to negotiate easements + contracts



State of Wisconsin  
1999 - 2000 LEGISLATURE

SD on

LRBb1086/2  
RCT:wlj:kjf

fmr

SDC:.....Walter - Caucus # 3502, Changes to CREP

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 101, line 7: delete lines 7 and 8 and substitute:

3 “(b) Principal repayment and inter-

4 est, conservation enhancement

5 reserve . GPR S -0- -0-”.

6 2. Page 283, line 7: delete lines 7 to 10 and substitute:

7 “SECTION 183tm. 20.115 (7) (b) of the statutes is created to read:

8 20.115 (7) (b) *Principal repayment and interest, conservation reserve*

9 *enhancement.* A sum sufficient to reimburse s. 20.866 (1) (a) for the principal and

10 interest costs incurred in financing the conservation reserve enhancement program

1 under s. 20.866 (2) (wf) and to make the payments determined by the building  
2 commission under s. 13.488 (1) (m) that are attributable to the proceeds of  
3 obligations incurred in financing those projects.”.

4 **3.** Page 399, line 18: after “(7)” insert “(b) and”.

5 **4.** Page 407, line 6: after that line insert:

6 “SECTION 637e. 20.866 (2) (wf) of the statutes is created to read:

7 20.866 (2) (wf) *Agriculture; conservation reserve enhancement.* From the  
8 capital improvement fund, a sum sufficient for the department of agriculture, trade  
9 and consumer protection to fund the conservation reserve enhancement program  
10 under s. 93.70. The state may contract public debt in an amount not to exceed  
11 \$40,000,000 for this purpose.”.

12 **5.** Page 991, line 21: delete the material beginning with that line and ending  
13 with page 992, line 2, and substitute:

14 “SECTION 1933gm. 93.70 of the statutes is created to read:

CS  
sk

15 **93.70 Conservation reserve enhancement program. (1) DEFINITION.** In  
16 this section <sup>(a)</sup> “conservation easement” has the meaning given in s. 700.40 (1) (a).

16  
Insert  
2-16

17 **(2) STATE PARTICIPATION.** Subject to subs. (3) to (6), the department may expend  
18 funds from the appropriation account under s. 20.866 (2) (wf) to improve water  
19 quality, erosion control and wildlife habitat through participation by this state in the  
20 conservation reserve enhancement program as approved by the secretary of the  
21 federal department of agriculture under 16 USC 3834 (f) (4). The department shall  
22 administer the program in cooperation with the department of natural resources.

23 **(3) FORMS OF PARTICIPATION. (a)** Land enrolled in the conservation reserve  
24 enhancement program may either be subject to a permanent conservation easement

1 or to a contract under which the owner of the land agrees to remove the land from  
2 agricultural production. The department shall provide greater financial incentives  
3 for landowners to grant permanent easements than to enter into contracts.

4 (b) The department shall administer the conservation reserve enhancement  
5 program so that at least 50% of the acreage of land enrolled in the program is covered  
6 by <sup>permanent</sup> conservation easements under par. (a). If, after 50,000 acres of land have been  
7 enrolled in the program, less than 50% of the acreage of land enrolled in the program  
8 is covered by <sup>permanent</sup> conservation easements, the department and the department of natural  
9 resources shall review the effectiveness of the program to determine whether the  
10 program is meeting its water quality and wildlife habitat objectives and shall report  
11 the results of the review to the legislature under s. 13.172 (2).

12 (c) On behalf of this state, the department and the department of natural  
13 resources shall jointly hold conservation easements entered into for land enrolled in  
14 the conservation reserve enhancement program.

15 (d) The department may provide funding from the appropriation under s.  
16 20.866 (2) (wf) for a contract under par. (a) only if the contract has a term of 20 years  
17 or longer.

18 (4) GRASSLAND COMPONENT. (a) If the plan approved by the secretary of the  
19 federal department of agriculture authorizes this state to enroll 100,000 or more  
20 acres in the conservation resource enhancement program, the department shall  
21 administer the program so that at least 30,000 acres are designated for grassland  
22 wildlife habitat. If the secretary of the federal department of agriculture authorizes  
23 this state to enroll fewer than 100,000 acres, the department shall administer the  
24 program so that at least 30% of the acreage of land enrolled in the program is  
25 designated for grassland wildlife habitat. The department shall designate for

1 grassland wildlife habitat areas that include the Blue Mounds area in Iowa, Dane  
2 and Green counties, the prairie chicken range in Portage, Clark, Taylor and  
3 Marathon counties and the western prairie area in Polk and St. Croix counties.

4 (b) The department may not require that land designated for grassland wildlife  
5 habitat be riparian land.

6 (c) The department shall provide a financial bonus to landowners who enroll  
7 land that is designated for grassland habitat if the land is adjacent to land that is  
8 owned by another person and that is enrolled and designated for grassland habitat.  
9 The department shall also provide a financial bonus to a landowner who enrolls land  
10 that is designated for grassland habitat if the landowner agrees to implement a  
11 conservation practice that requires restoration of native prairie vegetation.

12 (5) PARTICIPATION REQUIREMENTS. The department may not impose more  
13 restrictive requirements for participation in the conservation reserve enhancement  
14 program with respect to production and land ownership than are required by the  
15 secretary of the federal department of agriculture under 16 USC 3834 (f) (4).

16 (6) STATE <sup>(CS) and nonprofit organization</sup> AND LOCAL INVOLVEMENT. A county may negotiate contracts or  
17 easements under sub. (3) (a) with landowners with the assistance of the department  
18 and the department of natural resources. In counties that do not choose to  
19 participate, the department and the department of natural resources shall negotiate  
20 the contracts or easements.

21 (7) PROHIBITION. No person may use land enrolled in the conservation reserve  
22 enhancement program as a pheasant and quail farm licensed under s. 29.865, a game  
23 bird and animal farm licensed under s. 29.867, a fur animal farm licensed under s.  
24 29.869 or a deer farm licensed under s. 29.871."

25 (END)

A nonprofit conservation organization may negotiate contracts or easements  
under sub. (3)(a) with landowners with the assistance of the department and  
the department of natural resources.

Insert 2-16

¶ (b) "Nonprofit conservation organization" has the meaning  
= given in s. 23.0955(1).!

6/28 Per Todd -

Give landowners a bonus for allowing public access

RT





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1086/3  
RCT:wlj:km

SO ON

RMR

SDC:.....Walter - Caucus # 3502, Changes to CREP

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 101, line 7: delete lines 7 and 8 and substitute:

3 “(b) Principal repayment and inter-

4 est, conservation enhancement

5 reserve GPR S -0- -0-”.

6 2. Page 283, line 7: delete lines 7 to 10 and substitute:

7 “SECTION 183tm. 20.115 (7) (b) of the statutes is created to read:

8 20.115 (7) (b) *Principal repayment and interest, conservation reserve*

9 *enhancement.* A sum sufficient to reimburse s. 20.866 (1) (a) for the principal and

10 interest costs incurred in financing the conservation reserve enhancement program

1 under s. 20.866 (2) (wf) and to make the payments determined by the building  
2 commission under s. 13.488 (1) (m) that are attributable to the proceeds of  
3 obligations incurred in financing those projects.”.

4 **3.** Page 399, line 18: after “(7)” insert “(b) and”.

5 **4.** Page 407, line 6: after that line insert:

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7 20.866 (2) (wf) *Agriculture; conservation reserve enhancement.* From the  
8 capital improvement fund, a sum sufficient for the department of agriculture, trade  
9 and consumer protection to fund the conservation reserve enhancement program  
10 under s. 93.70. The state may contract public debt in an amount not to exceed  
11 \$40,000,000 for this purpose.”.

12 **5.** Page 991, line 21: delete the material beginning with that line and ending  
13 with page 992, line 2, and substitute:

14 “SECTION 1933gm. 93.70 of the statutes is created to read:

15 **93.70 Conservation reserve enhancement program. (1) DEFINITIONS.** In  
16 this section:

17 (a) “Conservation easement” has the meaning given in s. 700.40 (1) (a).

18 (b) “Nonprofit conservation organization” has the meaning given in s. 23.0955  
19 (1).

20 **(2) STATE PARTICIPATION.** Subject to subs. (3) to (6), the department may expend  
21 funds from the appropriation account under s. 20.866 (2) (wf) to improve water  
22 quality, erosion control and wildlife habitat through participation by this state in the  
23 conservation reserve enhancement program as approved by the secretary of the

1 federal department of agriculture under 16 USC 3834 (f) (4). The department shall  
2 administer the program in cooperation with the department of natural resources.

3 (3) FORMS OF PARTICIPATION. (a) Land enrolled in the conservation reserve  
4 enhancement program may either be subject to a permanent conservation easement  
5 or to a contract under which the owner of the land agrees to remove the land from  
6 agricultural production. The department shall provide greater financial incentives

7 for landowners to grant permanent easements than to enter into contracts. *The department  
shall provide a financial bonus for landowners who allow public access to enrolled*

8 (b) The department shall administer the conservation reserve enhancement *land*  
9 program so that at least 50% of the acreage of land enrolled in the program is covered  
10 by permanent conservation easements under par. (a). If, after 50,000 acres of land  
11 have been enrolled in the program, less than 50% of the acreage of land enrolled in  
12 the program is covered by permanent conservation easements, the department and  
13 the department of natural resources shall review the effectiveness of the program to  
14 determine whether the program is meeting its water quality and wildlife habitat  
15 objectives and shall report the results of the review to the legislature under s. 13.172  
16 (2).

17 (c) On behalf of this state, the department and the department of natural  
18 resources shall jointly hold conservation easements entered into for land enrolled in  
19 the conservation reserve enhancement program.

20 (d) The department may provide funding from the appropriation under s.  
21 20.866 (2) (wf) for a contract under par. (a) only if the contract has a term of 20 years  
22 or longer.

23 (4) GRASSLAND COMPONENT. (a) If the plan approved by the secretary of the  
24 federal department of agriculture authorizes this state to enroll 100,000 or more  
25 acres in the conservation resource enhancement program, the department shall

1 administer the program so that at least 30,000 acres are designated for grassland  
2 wildlife habitat. If the secretary of the federal department of agriculture authorizes  
3 this state to enroll fewer than 100,000 acres, the department shall administer the  
4 program so that at least 30% of the acreage of land enrolled in the program is  
5 designated for grassland wildlife habitat. The department shall designate for  
6 grassland wildlife habitat areas that include the Blue Mounds area in Iowa, Dane  
7 and Green counties, the prairie chicken range in Portage, Clark, Taylor and  
8 Marathon counties and the western prairie area in Polk and St. Croix counties.

9 (b) The department may not require that land designated for grassland wildlife  
10 habitat be riparian land.

11 (c) The department shall provide a financial bonus to landowners who enroll  
12 land that is designated for grassland habitat if the land is adjacent to land that is  
13 owned by another person and that is enrolled and designated for grassland habitat.  
14 The department shall also provide a financial bonus to a landowner who enrolls land  
15 that is designated for grassland habitat if the landowner agrees to implement a  
16 conservation practice that requires restoration of native prairie vegetation.

17 (5) PARTICIPATION REQUIREMENTS. The department may not impose more  
18 restrictive requirements for participation in the conservation reserve enhancement  
19 program with respect to production and land ownership than are required by the  
20 secretary of the federal department of agriculture under 16 USC 3834 (f) (4).

21 (6) STATE, LOCAL AND NONPROFIT ORGANIZATION INVOLVEMENT. A nonprofit  
22 conservation organization may negotiate contracts or easements under sub. (3) (a)  
23 with landowners with the assistance of the department and the department of  
24 natural resources. A county may negotiate contracts or easements under sub. (3) (a)  
25 with landowners with the assistance of the department and the department of

1 natural resources. In counties that do not choose to participate, the department and  
2 the department of natural resources shall negotiate the contracts or easements.

3 (7) PROHIBITION. No person may use land enrolled in the conservation reserve  
4 enhancement program as a pheasant and quail farm licensed under s. 29.865, a game  
5 bird and animal farm licensed under s. 29.867, a fur animal farm licensed under s.  
6 29.869 or a deer farm licensed under s. 29.871.”

7 (END)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1086/3  
RCT:wlj:jf

SDC:.....Walter - Caucus # 3502, Changes to CREP

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 101, line 7: delete lines 7 and 8 and substitute:

3 “(b) Principal repayment and inter-

4 est, conservation enhancement

5 reserve GPR S -0- -0-”.

6 **2.** Page 283, line 7: delete lines 7 to 10 and substitute:

7 “SECTION 183tm. 20.115 (7) (b) of the statutes is created to read:

8 20.115 (7) (b) *Principal repayment and interest, conservation reserve*

9 *enhancement.* A sum sufficient to reimburse s. 20.866 (1) (a) for the principal and

10 interest costs incurred in financing the conservation reserve enhancement program

1 under s. 20.866 (2) (wf) and to make the payments determined by the building  
2 commission under s. 13.488 (1) (m) that are attributable to the proceeds of  
3 obligations incurred in financing those projects.”.

4 **3.** Page 399, line 18: after “(7)” insert “(b) and”.

5 **4.** Page 407, line 6: after that line insert:

6 “SECTION 637e. 20.866 (2) (wf) of the statutes is created to read:

7 20.866 (2) (wf) *Agriculture; conservation reserve enhancement.* From the  
8 capital improvement fund, a sum sufficient for the department of agriculture, trade  
9 and consumer protection to fund the conservation reserve enhancement program  
10 under s. 93.70. The state may contract public debt in an amount not to exceed  
11 \$40,000,000 for this purpose.”.

12 **5.** Page 991, line 21: delete the material beginning with that line and ending  
13 with page 992, line 2, and substitute:

14 “SECTION 1933gm. 93.70 of the statutes is created to read:

15 **93.70 Conservation reserve enhancement program. (1) DEFINITIONS.** In  
16 this section:

17 (a) “Conservation easement” has the meaning given in s. 700.40 (1) (a).

18 (b) “Nonprofit conservation organization” has the meaning given in s. 23.0955  
19 (1).

20 **(2) STATE PARTICIPATION.** Subject to subs. (3) to (6), the department may expend  
21 funds from the appropriation account under s. 20.866 (2) (wf) to improve water  
22 quality, erosion control and wildlife habitat through participation by this state in the  
23 conservation reserve enhancement program as approved by the secretary of the

1 federal department of agriculture under 16 USC 3834 (f) (4). The department shall  
2 administer the program in cooperation with the department of natural resources.

3 (3) FORMS OF PARTICIPATION. (a) Land enrolled in the conservation reserve  
4 enhancement program may either be subject to a permanent conservation easement  
5 or to a contract under which the owner of the land agrees to remove the land from  
6 agricultural production. The department shall provide greater financial incentives  
7 for landowners to grant permanent easements than to enter into contracts. The  
8 department shall provide a financial bonus to landowners who allow public access  
9 to enrolled land.

10 (b) The department shall administer the conservation reserve enhancement  
11 program so that at least 50% of the acreage of land enrolled in the program is covered  
12 by permanent conservation easements under par. (a). If, after 50,000 acres of land  
13 have been enrolled in the program, less than 50% of the acreage of land enrolled in  
14 the program is covered by permanent conservation easements, the department and  
15 the department of natural resources shall review the effectiveness of the program to  
16 determine whether the program is meeting its water quality and wildlife habitat  
17 objectives and shall report the results of the review to the legislature under s. 13.172  
18 (2).

19 (c) On behalf of this state, the department and the department of natural  
20 resources shall jointly hold conservation easements entered into for land enrolled in  
21 the conservation reserve enhancement program.

22 (d) The department may provide funding from the appropriation under s.  
23 20.866 (2) (wf) for a contract under par. (a) only if the contract has a term of 20 years  
24 or longer.



1           (4) GRASSLAND COMPONENT. (a) If the plan approved by the secretary of the  
2 federal department of agriculture authorizes this state to enroll 100,000 or more  
3 acres in the conservation resource enhancement program, the department shall  
4 administer the program so that at least 30,000 acres are designated for grassland  
5 wildlife habitat. If the secretary of the federal department of agriculture authorizes  
6 this state to enroll fewer than 100,000 acres, the department shall administer the  
7 program so that at least 30% of the acreage of land enrolled in the program is  
8 designated for grassland wildlife habitat. The department shall designate for  
9 grassland wildlife habitat areas that include the Blue Mounds area in Iowa, Dane  
10 and Green counties, the prairie chicken range in Portage, Clark, Taylor and  
11 Marathon counties and the western prairie area in Polk and St. Croix counties.

12           (b) The department may not require that land designated for grassland wildlife  
13 habitat be riparian land.

14           (c) The department shall provide a financial bonus to landowners who enroll  
15 land that is designated for grassland habitat if the land is adjacent to land that is  
16 owned by another person and that is enrolled and designated for grassland habitat.  
17 The department shall also provide a financial bonus to a landowner who enrolls land  
18 that is designated for grassland habitat if the landowner agrees to implement a  
19 conservation practice that requires restoration of native prairie vegetation.

20           (5) PARTICIPATION REQUIREMENTS. The department may not impose more  
21 restrictive requirements for participation in the conservation reserve enhancement  
22 program with respect to production and land ownership than are required by the  
23 secretary of the federal department of agriculture under 16 USC 3834 (f) (4).

24           (6) STATE, LOCAL AND NONPROFIT ORGANIZATION INVOLVEMENT. A nonprofit  
25 conservation organization may negotiate contracts or easements under sub. (3) (a)

1 with landowners with the assistance of the department and the department of  
2 natural resources. A county may negotiate contracts or easements under sub. (3) (a)  
3 with landowners with the assistance of the department and the department of  
4 natural resources. In counties that do not choose to participate, the department and  
5 the department of natural resources shall negotiate the contracts or easements.

6 (7) PROHIBITION. No person may use land enrolled in the conservation reserve  
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8 bird and animal farm licensed under s. 29.867, a fur animal farm licensed under s.  
9 29.869 or a deer farm licensed under s. 29.871.”

10 (END)