



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1995 ASSEMBLY BILL 489**

November 30, 1995 - Offered by COMMITTEE ON AGRICULTURE.

1 **AN ACT to amend** 91.13 (1) and 91.13 (9); and **to create** 91.19 (6n) of the statutes;
2 **relating to:** the requirement that an application for a farmland preservation
3 agreement be signed by all persons holding a mortgage on the land to be covered
4 by the agreement, notification of execution of a farmland preservation
5 agreement and release from a farmland preservation agreement of foreclosed
6 land.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

7 **SECTION 1.** 91.13 (1) of the statutes is amended to read:
8 91.13 (1) Any owner of eligible farmlands who desires to have the lands covered
9 by a farmland preservation agreement may apply to the county clerk by executing
10 a form provided by the department. ~~If an application is received by the county clerk~~
11 ~~on or after May 14, 1992, and it is not signed by all persons holding a recorded~~
12 ~~mortgage on the land to be covered by the agreement, the application is void and may~~
13 ~~not be processed by the county clerk.~~ The application shall include a land survey or
14 legal description of all eligible farmland to be covered under the agreement, a map

1 showing significant natural features and all structures and physical improvements
2 on the lands or an aerial photograph of all land which is an integral part of the
3 owner's farming operation which is marked to indicate the farmland and structures
4 to be covered by the agreement, the soil classification of the lands and such other data
5 as the department deems reasonably necessary to determine the eligibility of the
6 lands for coverage under the agreement.

7 **SECTION 2.** 91.13 (9) of the statutes is amended to read:

8 91.13 **(9)** If the owner executes the farmland preservation agreement, the
9 owner shall return it to the department for execution on behalf of the state. An
10 agreement shall become effective on the date it is delivered or mailed to the
11 department for execution. The department shall within 30 days of receipt record the
12 executed agreement with the register of deeds of the county in which the land is
13 situated and notify the applicant, the local governing body having jurisdiction, all
14 reviewing agencies, all persons holding a recorded mortgage on the land covered by
15 the agreement and the department of revenue.

16 **SECTION 3.** 91.19 (6n) of the statutes is created to read:

17 91.19 **(6n)** The department shall release from a farmland preservation
18 agreement any land whose ownership changes as a result of foreclosure of a
19 mortgage.

20 **(END)**