



1995 ASSEMBLY BILL 489

July 24, 1995 – Introduced by Representatives BALDUS, WILDER, BOYLE, HAHN and PLOMBON, cosponsored by Senators CLAUSING, WINEKE, BURKE and MOEN. Referred to Committee on Agriculture.

1 **AN ACT to amend** 91.13 (1) of the statutes; **relating to:** the requirement that an
2 application for a farmland preservation agreement be signed by all persons
3 holding a mortgage on the land to be covered by the agreement.

Analysis by the Legislative Reference Bureau

Under current law, one of the ways that an owner of land can become eligible for the farmland preservation credit is to enter into a farmland preservation agreement that covers the land. One of the conditions for entering into a farmland preservation agreement is that the application form must be signed by all persons holding a recorded mortgage on the land to be covered by the agreement. This bill eliminates that condition for entering into a farmland preservation agreement.

For further information see the *state* 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:

4 **SECTION 1.** 91.13 (1) of the statutes is amended to read:
5 91.13 (1) Any owner of eligible farmlands who desires to have the lands covered
6 by a farmland preservation agreement may apply to the county clerk by executing
7 a form provided by the department. ~~If an application is received by the county clerk~~
8 ~~on or after May 14, 1992, and it is not signed by all persons holding a recorded~~
9 ~~mortgage on the land to be covered by the agreement, the application is void and may~~

1 ~~not be processed by the county clerk.~~ The application shall include a land survey or
2 legal description of all eligible farmland to be covered under the agreement, a map
3 showing significant natural features and all structures and physical improvements
4 on the lands or an aerial photograph of all land which is an integral part of the
5 owner's farming operation which is marked to indicate the farmland and structures
6 to be covered by the agreement, the soil classification of the lands and such other data
7 as the department deems reasonably necessary to determine the eligibility of the
8 lands for coverage under the agreement.

9 (END)