

Vote Record

Assembly Committee on Agriculture

Date: 5-29-97
 Moved by: Otte Seconded by: Ott
 AB: 223 Clearinghouse Rule: _____
 AB: _____ SB: _____ Appointment: _____
 AJR: _____ SJR: _____ Other: _____
 A: _____ SR: _____

A/S Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: 1
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- | | |
|--|--|
| <input type="checkbox"/> Passage | <input type="checkbox"/> Indefinite Postponement |
| <input checked="" type="checkbox"/> Introduction | <input type="checkbox"/> Tabling |
| <input type="checkbox"/> Adoption | <input type="checkbox"/> Concurrence |
| <input type="checkbox"/> Rejection | <input type="checkbox"/> Nonconcurrence |
| | <input type="checkbox"/> Confirmation |

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Rep. Alvin Ott, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tom Sykora	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. John Ainsworth	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Eugene Hahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Clifford Otte	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. David Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Robert Zukowski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Rick Skindrud	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Barbara Gronemus	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Marty Reynolds	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tom Springer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Robert Dueholm	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. John Steinbrink	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Joe Plouff	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>14</u>	_____	_____	_____

Motion Carried

Motion Failed

Vote Record

Assembly Committee on Agriculture

Date: 5-29-97
 Moved by: Otte Seconded by: Ward
 AB: 223 Clearinghouse Rule: _____
 AB: _____ SB: _____ Appointment: _____
 AJR: _____ SJR: _____ Other: _____
 A: _____ SR: _____

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 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: 1
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

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- | | |
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| <input type="checkbox"/> Introduction | <input type="checkbox"/> Tabling |
| <input checked="" type="checkbox"/> Adoption | <input type="checkbox"/> Concurrence |
| <input type="checkbox"/> Rejection | <input type="checkbox"/> Nonconcurrence |
| | <input type="checkbox"/> Confirmation |

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Rep. Alvin Ott, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tom Sykora	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. John Ainsworth	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Eugene Hahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Clifford Otte	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Rep. Marty Reynolds	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tom Springer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Robert Dueholm	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. John Steinbrink	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Joe Plouff	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>14</u>	<u>0</u>	<u>0</u>	<u>0</u>

Motion Carried Motion Failed

Vote Record

Assembly Committee on Agriculture

Date: 5/29/97
 Moved by: Ott Seconded by: Ott
 AB: 223 as amended by ASA 1 Clearinghouse Rule: _____
 AB: _____ SB: _____ Appointment: _____
 AJR: _____ SJR: _____ Other: _____
 A: _____ SR: _____

A/S Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____
 A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Sub Amdt: _____
 A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

- Be recommended for:
- Passage
 - Introduction
 - Adoption
 - Rejection
 - Indefinite Postponement
 - Tabling
 - Concurrence
 - Nonconcurrence
 - Confirmation

Committee Member	Aye	No	Absent	Not Voting
Rep. Alvin Ott, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tom Sykora	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Rep. Tom Springer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Robert Dueholm	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. John Steinbrink	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Joe Plouff	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	14			

Motion Carried

Motion Failed

Assembly Hearing Slip

(Please print plainly)

Date: 5-1-97

Bill No. AB 223

Or
Subject CLIFF OTTE

(Name) STATE CAPITAL

(Street Address or Route Number)

(City & Zip Code) WISSELE

(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 5/1/97

Bill No. AB 223

Or
Subject Robert Tucker

(Name) 19617 Tulbena Ct.

(Street Address or Route Number) Self Lake, WI

(City & Zip Code) Self

(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: May 1

Bill No. 223

Or
Subject Eugene Thruway

(Name) 4498 Berton Rd

(Street Address or Route Number) Wane Wis 53529

(City & Zip Code) Self

(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: ARB-223

Bill No. ARB-223

Or Subject ROBERT

(Name) Tom Tonfara

(Street Address or Route Number) GET III

(City & ZIP Code) MADISON

(Representing) DEPT OF REVENUE

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 5/1/97

Bill No. AB-223

Or Subject DAVID NISPEL

(Name) 3 S. PINKNEY ST

(Street Address or Route Number) MADISON

(City & ZIP Code) 53203

(Representing) WIS. FARMERS UNION

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: May 1, 97

Bill No. AB 223

Or Subject BILL H. TUEMANN

(Name) 2401 CTH E

(Street Address or Route Number) Mt. Horeb

(City & ZIP Code) 53572

(Representing) Self

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 5-1-97

Bill No. HB 223

Or Subject _____

Name) HARRIET PEDLEY

(Street Address or Route Number) 181 W. SEMINARY

RICHMOND CENTER VT

(City & zip Code) 33581

WINDSOR COUNTY CODE
(Representing) ADMINISTRATORS

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, VT 53702

I would appreciate being used early. THANK YOU

Harriet Pedley

Thank you -

*Chairman att,
I apologize for having to leave before my opportunity to testify in opposition to HB 223.*

If you, or any member of the committee

would like to ask me questions, feel free to call me at 608-644-2447 (Richmond Co. gov.org)

AB 223

DOR - 2 technical amendments - Oke okay with
- large discrepancy in tax bill, condition changes
want amendment for authority to check
on zoning changes (so that they can
ask for additional
info)

LRB or Bill No./Adm. Rule No.

AB 223

Amendment No. if Applicable

FISCAL ESTIMATE
DOA-2048 N(R10/94)

- ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

Subject

Documentation Required in Application for Farmland Preservation Credit

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation

- Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

Increase Costs - May be Possible to Absorb Within Agency's Budget Yes No

Decrease Costs

Local: No Local Government Costs

1. Increase Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:

2. Decrease Costs
 Permissive Mandatory

4. Decrease Revenues
 Permissive Mandatory

- Towns Villages Cities
 Counties Others _____

School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

In 1996, 23,000 Wisconsin farmers claimed the farmland preservation credit: 4,100 based on a farmland preservation agreement and 18,900 for land under zoning. Claimants with an agreement must include a copy of the agreement with the claim. Zoning claimants must include a zoning certificate with the claim. A zoning certificate, which is usually issued by the county zoning administrator, indicates, among other things: 1) the portion of acreage within the area zoned for exclusive agricultural use, 2) that each structure and improvement conforms to the requirements of the exclusive agricultural zoning, and 3) that soil and water conservation standards are met.

Under the bill, a credit claimant with land under zoning would not be required to submit a zoning certificate each year if the claimant has obtained a zoning certificate in a previous year, and if the claimant determines that the conditions previously certified have not changed.

Procedure Under Current Law. The zoning authority issues the initial certificate after a thorough examination of the zoning ordinance, the applicant's property tax bill and communication with the applicant and the county's land conservation officer regarding the applicant's farm and agricultural practices. In issuing the certificate in subsequent years, the zoning authority confirms that the farmer is in

(continued on page two)

Long-Range Fiscal Implications

Agency/Prepared by: (Name & Phone No.)	Authorized Signature/Telephone No.	Date
Wisconsin Department Of Revenue Rebecca Boldt, (608) 266-6785	Yeang-Eng Braun (608) 266-2700 <i>Yeang-Eng Braun</i>	4/29/97

compliance with soil and water conservation standards and updates the previous year's certificate to correct for changes in acreage due to rezoning or sales. To make these adjustments, the zoning administrator relies on information obtained from the applicant, property lister, the land conservation officer, rezoning indices and maps. Issuing the certificate each year involves printing, postage and personnel time to make changes to prior year certificates.

Many counties process the applications through two mailings: an initial explanatory mailing, and a mailing of the certificate. Other counties mail instructions and then require applicants to obtain the certificate in person. Some counties charge no fees, whereas others charge fees ranging from nominal to \$25.

The Department uses the information on the zoning certificate to verify that the property for which the claim is made is subject to exclusive agricultural zoning and that it meets the conditions related to structures/improvements and soil conservation standards. The department relies on the annual certificates in making adjustments to the eligible acreage resulting from changes due to rezoning, purchase/sale, or construction of improvements.

Fiscal Effect. The bill would increase the Department's administrative costs related to processing farmland preservation credit claims. At the local level, the bill would decrease costs associated with processing zoning certificates and decrease revenues from issuing certificates.

Department costs. Because the claimant would no longer be required to submit the prior year's certificate, the Department would have to track the previously filed zoning certificate, increasing the time needed to process the claim. Department costs would increase under the bill due to the need for increased communication with claimants and information tracking, the cost of which could be absorbed. In addition, the reliance on previous years' certificates could result in the department failing to identify inappropriate claims or failing to make necessary adjustments to eligible acreage. If and when these errors are detected, staff time would be required to seek recovery of excess credits.

Local Costs. The bill would reduce county processing and personnel costs since the county would provide certificates only for first-time farmland preservation credit claimants and in cases where previously certified conditions have changed. To service the latter cases, the county would continue to track changes in acreage due to rezoning or land transfers. The savings in processing costs result from reduced postage and printing of certificates and related information. It is estimated that of the 18,900 claims made under exclusive agricultural zoning in 1996, 300 were new claims and 18,600 claims had been made in prior years.

It is estimated that 25 percent of claims are for lands in multiple townships and so require multiple zoning certificates. Thus, it is estimated that 23,250 zoning certificates are renewed each year under current law [18,600 claims x 1.25]. Of these, it is assumed that 6,000 certificates reflect changes and would still have to be issued under the bill. Thus, 17,250 fewer certificates would be issued each year under the bill.

Assuming that each certificate not issued costs \$3 in printing, postage, and staff time, the bill would result in annual local cost savings of approximately \$52,000 [17,250 certificates x \$3 unit cost]. Assuming the average fee charged for zoning certificates is \$5, local revenues from the fee would decline by \$86,250 [17,250 certificates x \$5 fee] annually.

1997 Session

FISCAL ESTIMATE WORKSHEET
Detailed Estimate of Annual Fiscal Effect
DOA-2047(R10/94)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB OR Bill No./Adm. Rule No.	Amendment No.
AB 223	

Subject

Documentation Required in Application for Farmland Preservation Credit

I. One-Time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

II. Annualized Costs:	Annualized Fiscal Impact on State Funds from:	
A. State Costs by Category	Increased Costs	Decreased Costs
State Operations - Salaries and Fringe (FTE Position Changes)	\$	\$ -
	(FTE)	(FTE)
State Operations-Other Costs		-
Local Assistance		-
Aids to Individuals or Organizations		-
TOTAL State Costs by Category	\$	\$ -
B. State Costs by Source of Funds	Increased Costs	Decreased Costs
GPR		\$ -
FED		-
PRO/PRS		-
SEG/SEG-S		-
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	Increased Rev.	Decreased Rev.
GPR Taxes	\$	\$ -
GPR Earned		-
FED		-
PRO/PRS		-
SEG/SEG-S		-
TOTAL State Revenues	\$	\$ -

NET ANNUALIZED FISCAL IMPACT

STATE

LOCAL

NET CHANGE IN COSTS	\$ see text of fiscal note.	\$ -52,000
NET CHANGE IN REVENUES	\$	\$ -86,250

Agency/Prepared by: (Name & Phone No.) Wisconsin Department Of Revenue Rebecca Boldt, (608) 266-6785	Authorized Signature/Telephone No. Yeang-Eng Braun (608) 266-2700 <i>Yeang-Eng Braun</i>	Date 4/29/97
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MEMORANDUM

April 29, 1997

TO: Marc Shovers
Legislative Reference Bureau

FROM: Yeang-Eng Braun *YEB*
Department of Revenue

SUBJECT: Technical Memorandum on AB 223 - Documentation Required in Application for Farmland Preservation Credit

We suggest two amendments to the bill in order to make the administration of this change to the Farmland Preservation Credit program clear:

1. Because of the four-year window for claiming credits, a claimant may file out of chronological order, that is, claim a 1998 credit before claiming the credit for 1997. For example, a 1997 claim filed in 1998, followed by a 1996 claim filed in 1999 – it would not be appropriate to certify in 1999 (for the 1996 claim) that nothing had changed since 1998 (in which the 1997 claim was filed). For that reason, we recommend that on page 2, line 4, change "in" to "for". Otherwise, as in the example, a zoning certificate that was obtained in 1998 (for a 1997 claim) could be used to claim a credit in 1999 (for a 1996 claim). If the claimant determines that conditions of 1998 have not changed and still apply.
2. The bill should have effective date language to ensure consistent treatment of all claimants. We suggest the bill be effective for claims filed for the tax year beginning January 1 of the year following enactment.

If you have questions regarding this technical memorandum, please contact Rebecca Boldt at 266-6785.

YEB:RB:skr
f:\fsn97-98\ab223.tec.doc



**Wisconsin
County Code
Administrators**

To: Committee on Agriculture
From: Wisconsin County Code Administrators
Date: May 1, 1997
Subject: Assembly Bill 223

Thank you for the opportunity to comment on AB 223. The Wisconsin County Code Administrators, WCCA, is a statewide association of county employees whose responsibilities are the administration of county land use regulations such as Farmland Preservation. The zoning offices across the state keep track of the zoning certificates that are issued to the farmers so they can receive tax credits for their farm acres. In most counties, the farmers are required to come into the office and pick up their certificates and some counties charge a fee for this service.

There is a multitude of reasons the farmer should be required to pick up his/her certificate or have some contact with the zoning office on a yearly basis. First, and most important, it is a way to check their requirements to meet the conservation standards set up by statute. If there is a farmer that is not in compliance with his/her conservation plan then the zoning office is notified and no zoning certificate is issued. It has happened that a farmer out of compliance has attempted to pick up his certificate knowing or unknowing that he was out of compliance. Secondly, the certificate has a list of all the parcels that a farmer wishes to claim on his/her certificate. These parcel numbers must match their tax bills exactly or their whole tax return could be returned unpaid. In some cases, the counties tax lister may change a tax parcel number for whatever reason and in most cases the farmer will not notice the change and therefore think no changes have occurred. We have had farmers that have picked up their certificate without their current tax bills and have had a tax refund of thousands of dollars held up. Thirdly, a farmers tax liability may change from year to year and their parcels should be amended to reflect that change.

It is true that farmers would certainly know when the zoning has changed on any of their parcels or if a non-agricultural use has transpired but as you can see there are a number of other reasons that a farmer should be required to pick up their certificates on a yearly basis.

WCCA would like to go on record being opposed to AB223.

Harriet Pedley