



2009 SENATE BILL 623

March 15, 2010 – Introduced by Senators KREITLOW, VINEHOUT, HOLPERIN, LASSA and TAYLOR, cosponsored by Representatives DANOU, SMITH and PETROWSKI. Referred to Committee on Agriculture and Higher Education.

1 **AN ACT relating to:** processing certain applications for farmland preservation
2 agreements.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Agriculture, Trade and Consumer Protection (DATCP) administers the Farmland Preservation Program, which contains some of the requirements that a farmer must meet to qualify for the farmland preservation tax credit. The Farmland Preservation Program includes farmland preservation planning, farmland preservation zoning, farmland preservation agreements, and soil and water conservation requirements. Under current law, for a farmer to qualify for the farmland preservation tax credit, the farm must be in a farmland preservation zoning district or be covered by a farmland preservation agreement executed by DATCP. A farmland preservation agreement generally requires a farmer to keep the land covered by the agreement in agricultural use for the term of the agreement.

The 2009–11 biennial budget act, 2009 Wisconsin Act 28, made numerous changes in the Farmland Preservation Program. The changes took effect on July 1, 2009. Current law, as modified by that act, prohibits DATCP from entering into a new farmland preservation agreement unless the land to be covered by the agreement is in an agricultural enterprise area, designated by DATCP. DATCP may only designate an area if it receives a petition requesting the designation filed by each political subdivision in which any part of the area is located and by the owners of at least five farms that would be eligible for coverage by farmland preservation agreements. As of December 1, 2009, DATCP had not designated any agricultural enterprise areas.

