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State of Misconsin 2013 - 2014 LEGISLATURE



2013 ASSEMBLY BILL 105

March 26, 2013 – Introduced by Representatives A. Ott, Vruwink, Nerison, Berceau, Bernier, Bewley, Bies, Endsley, Kleefisch, Loudenbeck, Murphy, Murtha, Ripp, Spiros and Strachota, cosponsored by Senators Moulton, Cowles, Grothman, Harsdorf, Olsen and Petrowski. Referred to Agriculture.

1 AN ACT to repeal 91.64 (2) (g); and to amend 91.64 (1) of the statutes; relating

to: applications for farmland preservation 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. Under current law, one of those requirements is that the farmland must either be in a farmland preservation zoning district under a certified farmland preservation zoning ordinance or be covered by a farmland preservation agreement executed by DATCP.

The law requires a person applying for a farmland preservation agreement to submit a signed agreement from each person who holds a mortgage, lien, or easement on the land that would be covered by the agreement subordinating the person's interest to the farmland preservation agreement. This bill eliminates the requirement to submit signed subordination agreements. Under the bill, the application for a farmland preservation agreement must be signed by each person who holds a mortgage, lien, or easement on the land that would be covered by the agreement.

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

ASSEMBLY BILL 105

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SECTION 1. 91.64 (1) of the statutes is amended to read:
91.64 (1) Submitting an application. An owner who wishes to enter into a
farmland preservation agreement shall submit an application <u>signed by the owner</u>
and each person required to be identified under sub. (2) (f), on a form provided by the
department, to the county clerk of the county in which the land is located.
SECTION 2. 91.64 (2) (g) of the statutes is repealed.
(END)