

Wisconsin Department of Agriculture, Trade and Consumer Protection

Regulatory Flexibility Analysis

Rule Subject: Crop insurance premium rebates for planting cover crop

Adm. Code Reference: ATCP 52

DATCP Docket No.: 22-R-04

Rule Summary

This emergency rule implements the crop insurance premium rebates for planting cover crop program created under s. 92.14 (17), Stats., by 2022 Wisconsin Act 223. Under s. 92.14 (17), Stats., the Department of Agriculture, Trade and Consumer Protection (Department) is authorized to provide rebates in the amount of \$5 for each acre of a cover crop planted for crop insurance premiums paid on those acres. The department will submit a request under s. 13.10, Stats., seeking \$0 in funds for this program in state fiscal year 2021-2022 and \$800,000 in funds for fiscal year 2022-23.

Small Businesses Affected

The crop insurance premium rebates for planting cover crop program is voluntary and no significant analysis was required to determine the effect on small businesses.

Reporting, Bookkeeping and other Procedures

Application requirements include applicant contact information, current USDA Farm Service Agency form FSA-578 with verified cover crop acres, crop insurance policy number(s), acres of cover crops seeded to each field, farm, tract, common land unit (CLU)/Field #, and legal description of fields/acres seeded to cover crops.

The Department will verify applications and respective acreage. The Department may contact applicants for additional clarifying information. Applicants must maintain documentation on cover crops that have been seeded (e.g., seed bills). Confirmed applications will be forwarded to USDA-Risk Management Agency (RMA) for processing premium discounts on crop insurance premium invoices. Applicants must certify that by signing up for this program, they give the Department permission to share the information provided to the USDA-RMA for administering the benefit to the beneficiary as documented on the application. Applicants also convey permission to the Department or county representative(s) to access the property enrolled, if necessary, to verify cover crop establishment.

Professional Skills Required

The proposed rule does not require any new professional skills by small businesses.

Accommodation for Small Business

The agricultural producers that will participate in the program will primarily be small businesses. The program is voluntary. To ease participation of those small businesses the Department will work to make the application process as simple as possible.

Conclusion

This rule will have no adverse effect on small business. Because participation in the program is voluntary, there will be no negative economic impact produced by the proposed rule. The proposed rule will enable the Department to provide rebates to producers who plant cover crops. Grant funds should positively impact businesses that utilize cover crops. This rule will not have a significant adverse effect on “small business,” and is not subject to the delayed “small business” effective date provided in s. 227.22 (2) (e), Stats.

Dated this _____ day of July, 2022.

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By _____
Brian Weigel, Administrator
Division of Agricultural Resource
Management