
Wisconsin Legislative Council

AMENDMENT MEMO



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2023 Assembly Bill 65

Assembly Amendment 1

2023 ASSEMBLY BILL 65

2023 Assembly Bill 65 expands eligibility of producer-led groups for the watershed protection grant program administered by the Department of Agriculture, Trade and Consumer Protection (DATCP). The bill also provides that producer-led groups may be eligible for various lake and river protection grant programs administered by the Department of Natural Resources (DNR).

DATCP Producer-Led Watershed Protection Grant Eligibility

Current law directs DATCP to provide grants for nonpoint source pollution abatement activities conducted with the assistance of producer-led groups. In order to be eligible for these grants, a producer-led group must include at least five agricultural producers, each of whom operates an “eligible farm,” located in a single watershed.¹

2023 Assembly Bill 65 expands eligibility for these grants by allowing the five agricultural producers to be located in a single watershed or in adjacent watersheds. The bill defines “watershed” as a watershed delineated by the U.S. Geological Survey using its 12-digit hydrologic unit code system.

DNR Lake and River Grant Eligibility

Current law directs DNR to provide grants for lake management planning, lake monitoring and protection, lake management and classification, and river protection activities.

2023 Assembly Bill 65 provides that producer-led groups conducting producer-led group projects may be eligible for these DNR grants.

ASSEMBLY AMENDMENT 1

DATCP Producer-Led Watershed Protection Grant Eligibility

Assembly Amendment 1 removes the bill’s definition of “watershed” as a watershed delineated by the U.S. Geological Survey using its 12-digit hydrologic unit code system. The amendment thus retains current law under which “watershed” is not defined for purposes of this DATCP grant program.²

¹ “Eligible farm” is defined in [s. 91.86 \(1\), Stats.](#), as “a farm that produced at least \$6,000 in gross farm revenues during the taxable year preceding the year in which a petition is filed requesting [DATCP] to designate an area in which the farm is located as an agricultural enterprise area or a total of at least \$18,000 in gross farm revenues during the 3 taxable years preceding the year in which a petition is filed.”

² In testimony before the committee at the public hearing, DATCP stated that a producer-led group currently may apply at the 12-digit hydrologic unit code system or at either of the geographically larger 10-digit or 8-digit hydrologic unit code systems.

DNR Lake and River Grant Eligibility

Assembly Amendment 1 provides that if a producer-led group is not a legal entity, the grant must be awarded to a legal entity on behalf of the producer-led group.³

BILL HISTORY

Representative Kitchens offered Assembly Amendment 1 on March 23, 2023. On March 30, 2023, the Assembly Committee on Environment voted to recommend adoption of the amendment and passage of the bill, as amended, both on votes of Ayes, 8; Noes, 0.

For a full history of the bill, visit the Legislature's [bill history page](#).

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³ This aspect of the amendment adds to the DNR grant programs a provision similar to one currently contained in DATCP's producer-led watershed protection grant program. See [s. 93.59\(1\), Stats.](#)