



State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

DATE: May 11, 2017
TO: Board of Agriculture, Trade and Consumer Protection
FROM: Ben Brancel, Secretary *Ben Brancel*
SUBJECT: Dissolution of the Purchase of Conservation Easement Council ("PACE")
PRESENTED BY: Ben Brancel

REQUESTED ACTION:

Given the infrequency of PACE Council meetings over the last seven years, the ARM Division recommends abolishing the PACE Council as a standing committee.

While the PACE Council played a role in the development of the Department's farmland preservation programs, an infrequently used standing committee is no longer the best approach for the Department to obtain input and advice on farmland preservation program issues. There have been no allocations to purchase agricultural conservation easements since the first round of easements were purchased.

If the PACE Council as a standing committee is abolished as recommended, the ARM Division will continue to seek and listen to outside experts and stakeholders during policy and program development through custom, limited scope ad hoc committees created for specific issues. The ad hoc committee approach will allow for more people, with the most appropriate backgrounds, interest and expertise to serve. Our experience is that broad, diverse participation results in better and more accepted outcomes.

BACKGROUND

The PACE Council is a standing committee of the Department of Agriculture, Trade and Consumer Protection of the ("Department") that was established as a result of passage of 2009 WI Act 28 that included major changes to the farmland preservation program, including authority to purchase agricultural conservation easements. The PACE Council consists of 12 members from land trusts, county and town government, agri-business groups, environmental groups, and farmers. The membership represents a broad range of expertise and interests in the area of preserving farmland and land use. Only the initial appointments were made in 2009. Members were appointed to one, two, or three year terms.

As a result of the statutes, the Department created the PACE Council in 2009 to assist the Department in selecting and administering the PACE program. The council met 10 times beginning in October 2009, with the last meeting in March 2011. The council confirmed the criteria for ranking applications for PACE and provided recommendations to the Secretary related to the ranking of the first round of PACE applications. A second

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round of requests for PACE applications was sent out, but the funding for PACE was removed in the subsequent biennial budget and none of the second round of applications were funded. The lack of funding removes the need for the PACE Council to meet. There has been no funding for PACE since the 2009-11 biennial budget.

DATCP Policy 105 — Advisory Councils

Policy 105 is the Department's policy on the use of advisory groups. According to Policy 105, a standing committee exists indefinitely until it is abolished by the Secretary with Board approval. A standing committee meets periodically, at the call of the department, to address proposed rules and other matters related to the advisory council's area of concern (no further definition of "periodically" is provided). An ad hoc advisory committee, by way of contrast, is a temporary advisory council appointed to address a specific issue. The Secretary may appoint an ad hoc advisory council without Department Board approval, but the Secretary normally informs the Board when creating an ad hoc advisory council.