

Capitol LINK

CURRENT ISSUES AFFECTING WISCONSIN AGRICULTURE & AGRI-BUSINESS

December 2008

Vruwink to Chair Assembly Agriculture Committee

By Jordan Lamb

Speaker-elect Mike Sheridan announced on December 8 that Representative Amy Sue Vruwink (D-Milladore) will chair the Assembly's Agriculture Committee. Representative Vruwink has been elected to the Assembly since 2002. She grew up on her parent's dairy farm.

Other key Assembly committee chairs include Rep. Andy Jorgensen (D-Fort Atkinson), Chair of Renewable Energy and Rural Affairs; Rep. Spencer Black (D-Madison), Chair of Environment and Natural Resources; Jim Soletski (D-Green Bay) Chair of Energy & Utilities; and Rep. Gary Sherman (D-Port Wing) Chair of Forestry.

EPA Greenhouse Gas Request for Comments Triggers Concern from Ag Sectors

By Jordan Lamb

On November 28, the comment period related to an advance notice of proposed rulemaking (ANPR) released by the Environmental Protection Agency (EPA) in July 2008 expired and caused quite a stir in national agricultural sectors. The EPA's ANPR presented options for regulating greenhouse gases under the Clean Air Act (CAA) including the suggestion that agricultural producers might be required to get air permits.

The approaching deadline and the suggestion that air permits might be required for farmers, led several national agricultural organizations to urge their members to provide comments to EPA opposing the proposal to regulate greenhouse gas emissions in this manner. Some suggested that EPA might be considering a per animal "tax" as a means to enforce compliance with a new enforcement program. While it is extremely unclear what, if anything, EPA will recommend with regard to the regulation of greenhouse gas emissions under the CAA, it should be noted that in the ANPR, EPA Administrator Stephen Johnson detailed his strong opposition to regulating greenhouse gases under the Clean Air Act.

In addition, many believe that regulation of greenhouse gas emissions under the CAA should be rejected because the CAA is fundamentally ill-suited for such regulation. Congress never intended to regulate greenhouse gas emissions under the CAA. Rather, the CAA was intended to regulate traditional air pollutants from major emitters on a state or regional level.

It is unclear whether the EPA will decide to proceed with this proposal. To review the ANPR and get periodic updates related this EPA proposal, go to <http://www.epa.gov/climatechange/anpr.html>.

California Passes Proposition 2

By Jordan Lamb

On November 4, California citizens voted and approved “Proposition 2,” a ballot initiative measure that creates a statute requiring calves raised for veal, egg-laying hens and pregnant pigs may only be confined in ways that allow these animals to lie down, stand up, fully extend their limbs and turn around freely. Exceptions to this rule are provided for transportation, rodeos, fairs, 4-H programs, lawful slaughter, research and veterinary purposes. These key portions of the new statute will become effective on January 1, 2015.

Although Florida, Arizona, Colorado and Oregon have passed similar laws for swine and veal, California is the first state to require that all egg-producing chickens be kept in more spacious enclosures or free to roam a henhouse.

It is important to note that **Wisconsin does not allow ballot initiatives to create state statutes**. Wisconsin is different from states like California and Colorado because Wisconsin does not have a statewide initiative and referendum process. In Wisconsin, legislation creating a state statute similar to Proposition 2 would have to be introduced into the State Legislature, pass both houses of the State Legislature after the requisite public hearing and then be approved by the Governor before it could be law.

To view the text of Proposition 2, go to <http://www.voterguide.sos.ca.gov/text-proposed-laws/text-of-proposed-laws.pdf#prop2>.

Report Tells EPA and USDA to Address Nutrients in Mississippi Basin

By Jordan Lamb

The National Research Council released a report on December 11 telling the U.S. Environmental Protection Agency (EPA) and the USDA that they should join an initiative to improve water quality in the Mississippi River Basin by reducing the flow of nutrients into the River Basin. The study was initiated after EPA made a request to the Council for advice on initiation of pollution control measures and alternatives aimed at reducing nutrient discharge into the River Basin.

The Council's report suggests that the agencies should select a limited number of pollution control projects in priority Mississippi River Basin watersheds to begin the study. The report also recommends the formation of a Mississippi River Basin Water Quality Center to manage basin-wide water-quality monitoring, assessment and nutrient control because, according to the report, water quality data from the 10-states that comprise the River Basin is inconsistent and not well coordinated.

The National Research Council report, Nutrient Control Actions for Evaluating Pollution in the Mississippi River Basin and the Northern Gulf of Mexico, is available at <http://national-academies.org/>.

Capitol Link Details

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