

# Capitol LINK

CURRENT ISSUES AFFECTING WISCONSIN AGRICULTURE & AGRI-BUSINESS

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**February 19, 2010**

## **PROPOSED EXPANSION OF DAIRY INVESTMENT TAX CREDIT**

*By Jordan Lamb, DeWitt Ross & Stevens*

State Representative Amy Sue Vruwink (D-Milladore), along with State Representatives Keith Ripp (R-Lodi), Jeff Smith (D-Eau Claire) and Al Ott (R-Forest Junction), has introduced Assembly Bill 756

<http://www.legis.state.wi.us/2009/data/AB756hst.html>, legislation that would expand the dairy investment tax credit.

The Dairy Investment Tax Credit provides dairy farmers with an investment tax credit for expansion or modernization of their facilities. This credit was created in 2004 and expired at the beginning of 2010. AB 756 would extend the credit until 2013 to allow farmers to continue to access these credits and stabilize the industry.

This legislation is scheduled for a public hearing before the Assembly Agriculture Committee on Wednesday, February 24, 2010.

## **PRODUCER SECURITY FEE HOLIDAY FOR MILK PROCESSORS INTRODUCED**

*By Jordan Lamb, DeWitt Ross & Stevens*

The Department of Agriculture, Trade and Consumer Protection (DATCP) administers the agricultural producer security program under which DATCP licenses milk contractors, grain dealers, grain warehouse keepers, and vegetable contractors. Under current law, certain milk contractors are required to pay annual assessments into the segregated agricultural producer security fund. If a milk contractor that is required to pay into the fund defaults on its payments to dairy farmers, DATCP reimburses the farmers from the fund for a portion of their losses.

Assembly Bill 748, <http://www.legis.state.wi.us/2009/data/AB748hst.html>, introduced by Representative Amy Sue Vruwink (D-Milladore), eliminates the requirement of milk contractors to pay assessments into the agricultural producer security fund until the license year that begins on May 1, 2010.

This legislation is scheduled for a public hearing before the Assembly Agriculture Committee on Wednesday, February 24, 2010.

## **NEW LEGISLATION PROMOTES FARM TO SCHOOL PROGRAMS**

*By Jordan Lamb, DeWitt Ross & Stevens*

Assembly Bill 746, <http://www.legis.state.wi.us/2009/data/AB746hst.html>, (Rep. Vruwink) and Senate Bill 536, <http://www.legis.state.wi.us/2009/data/SB536hst.html> (Sen. Lassa) are identical companion bills that require DATCP to promote farm to school programs. A farm to school program seeks to connect schools with nearby farms to provide children with locally produced fresh foods in school meals and snacks, help children develop healthy eating habits, provide nutritional and agricultural education, and improve farmers' incomes.

This legislation creates a program for DATCP to provide grants to school districts, nonprofit organizations, and others for the creation and expansion of farm to school programs and establishes a farm to school council to advise DATCP and to report to the legislature about the needs and opportunities for farm to school programs.

Assembly Bill 746 is scheduled for a public hearing before the Assembly Agriculture Committee on Wednesday, February 24, 2010.

## **NR 151 HEARINGS AND COMMENTS PERIOD CONTINUES**

*By Jordan Lamb, DeWitt Ross & Stevens*

There are two public hearings left at which the public can provide comments on the proposed changes to DNR agricultural nonpoint pollution performance standards and prohibitions, NR 151.

- Feb. 25, 2010, Platteville, UW Platteville, Pioneer Student Center, University North Room, One University Plaza, 1:00 p.m.
- Mar. 8, 2010, Ashland, Northern Great Lakes Visitors Center, 29270 County Hwy G, 2:00 p.m.

The proposed rule revisions and supporting documents may be viewed and downloaded from this web site and e-comments can be submitted at: <https://health.wisconsin.gov/admrules/public/Rmo?nRmoId=1703>.

**Written comments may be submitted until March 12, 2010 to:**

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DNR – WT3  
P.O. Box 7921  
Madison, WI 53707-7921  
[carol.holden@wisconsin.gov](mailto:carol.holden@wisconsin.gov)

## **DNR ISSUES SCOPE STATEMENT FOR AIR PERMIT RULES FOR FARMS**

*By Jordan Lamb, DeWitt Ross & Stevens*

On February 15, 2010, the Wisconsin DNR issued a “scope statement” stating their intent to draft an administrative rule that would develop best management practices to control emissions of hazardous air contaminants from agricultural waste. Currently, farms do not have to obtain an air permit covering emissions from agricultural waste. However, that exemption expires on July 31, 2011.

Accordingly, the DNR proposes to spend 3,944 hours of staff time to develop amendments to NR 445 and NR 410 that would pertain to the implementation of established state air permit requirements for sources of hazardous air contaminants from agricultural waste and that would create fees to support DNR’s implementation of the proposed best management practices.

According to the scope statement, “[e]ntities likely to be impacted include owners and operators of animal feeding operations, including small businesses e.g., small farms.” A copy of the scope statement is available online at: <https://health.wisconsin.gov/admrules/public/Rmo?nRmoId=7404>.

## **NEW WEBSITE MONITORS THE HUMANE SOCIETY OF THE UNITED STATES**

*By Casey Langan, Wisconsin Farm Bureau Federation*

The Center for Consumer Freedom has just launched [HumaneWatch.org](http://HumaneWatch.org), a watchdog project dedicated to analyzing the activities of the Humane Society of the United States (HSUS). HumaneWatch will include a blog written by CCF’s Director of Research, a growing document library, and a database capable of tracking the dozens of nonprofit (and for-profit) organizations that make up HSUS’s sprawling financial empire. The Humane Society of the United States has become the animal rights industry’s most powerful player, but it has avoided serious public scrutiny for years. HSUS raises nearly \$100 million annually from Americans who largely believe their donations filter down to local pet shelters and improve the lives of dogs and cats. But in 2008, less than one-half of one percent of HSUS’s budget consisted of grants to actual hands-on “humane societies” that deal with the thankless task of sheltering unwanted pets.

## NEW ORGANIC RULES MANDATE PASTURE TIME

By Casey Langan, Wisconsin Farm Bureau Federation

Late last week the USDA issued new rules on access to pasture for organic livestock operations. Visit <http://www.usda.gov/wps/portal/!ut/p/s.7.0.A/7.0.1OB?contentidonly=true&contentid=2010/02/0059.xml> to see the news release. The new rules, which take effect June 17, say animals must graze pasture at least 120 days per year, animals must obtain a minimum of 30 percent dry matter intake from grazing pasture during the grazing season, and more. Newspapers from both coasts featured stories on the topic.

\* New pasture rules issued for organic dairy producers New York Times can be seen here:

<http://www.nytimes.com/2010/02/13/business/13organic.html>

\* USDA imposes new standards for milk to qualify as organic Los Angeles Times can be seen here:

<http://www.latimes.com/business/la-fi-dairy13-2010feb13,0,7039768.story>

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