



Capitol LINK

CURRENT ISSUES AFFECTING WISCONSIN AGRICULTURE & AGRI-BUSINESS

January 30, 2014

Issues for Farmers Remaining in the 2013-14 Wisconsin Legislative Session

By Jordan Lamb, DeWitt Ross & Stevens

The 2013-14 Wisconsin legislative session is nearing its scheduled end in April 2014. Wisconsin farmers have been working since January 2013 on several key issues that need resolution before the 2014 growing season begins.

High Capacity Well Legislation. 2013 Senate Bill 302 authored by Senator Neal Kedzie (R-Elkhorn), would address the high capacity well regulatory uncertainty that was created by the Wisconsin Supreme Court in the 2011 Lake Beulah decision. This legislation restores regulatory certainty to Wisconsin's high capacity well permitting program by clarifying what standards of review will be applied by the DNR to new wells, new wells in environmentally sensitive areas, replacement wells, reconstructed wells and establishes a clear system for transferring ownership of wells when a farm is sold or passed down to the next generation. SB 302 has been recommended for passage by the Senate Natural Resources Committee and awaits consideration by the full Senate and Assembly. Wisconsin farmers are working with legislators to pass this important legislation before this legislative session comes to an end.

IoH Legislation. 2013 Senate Bill 509 Agricultural groups, towns, counties, regulators, implement dealers and manufacturers have been working since December 2013 to address the issues that have arisen regarding the current weight limits that are imposed on farm implements. State Representative Keith Ripp (R-Lodi) and State Senator Jerry Petrowski (R-Marathon) have drafted legislation to implement changes and clarifications to Wisconsin's IoH statutes. There was a joint hearing on the IoH legislation on January 28, 2014. Wisconsin farmers continue to support the development of this important legislation.

Implementation of the MAC Credit. The passage of legislation last session that will

phase-out state income tax on farm income is critical for farmers in this economy. Recently, a technical issue with the phase-out was discovered and legislation has been written to resolve an error and secure the credit. State Representative Dale Kooyenga (R-Brookfield) has authored legislation that will clarify that the MAC credit may be claimed against the alternative minimum tax. Assembly Bill 484 and its Senate companion, Senate Bill 378, authored by Senator Glenn Grothman (R-West Bend), are currently pending before the state legislature.

The PDPW Capitol Link monthly e-newsletter is sponsored by DeWitt Ross & Stevens law firm. DeWitt Ross & Stevens is a Wisconsin law firm whose members are leaders in their areas of practice and in their communities. Founded in 1903, today there are more than 80 attorneys in their Madison and Milwaukee offices. Nominated by peers as top lawyers nationally and locally, DeWitt's attorneys offer numerous services including strategic counseling, advocacy, collaboration, alternative dispute resolution, negotiation, mediation, lobbying, and litigation.

This newsletter is a periodic publication produced by PDPW and DeWitt Ross & Stevens. The information provided in this newsletter is provided for educational and informational purposes only. PDPW does not attempt to influence legislation or administrative rules at any level. The contents of this newsletter are intended for general information purposes only and should not be construed as legal advice or legal opinion on any specific situation. You are urged to consult an attorney concerning your own situation and any legal questions you may have.

Jordan Lamb is a partner at DeWitt Ross & Stevens' Capitol Square office in Madison. Jordan's law practice focuses on government relations and administrative law. She concentrates on legislative drafting, legislative research, and facilitating communication between clients and state government including administrative agencies and the State Legislature. Ms. Lamb also offers litigation support for administrative law issues. Jordan can be contacted at 608-252-9358 or at jkl@dewittross.com. For more information about DeWitt Ross & Stevens, go to www.dewittross.com.

*Brought to you by:
Professional Dairy Producers of Wisconsin
820 N Main Street Suite D Juneau, WI 53039
800-947-7379 www.pdpw.org*

Dairy's Professional Development Organization | PDPW