

Capitol LINK

CURRENT ISSUES AFFECTING WISCONSIN AGRICULTURE & AGRI-BUSINESS

October 2007

Welcome to PDPW's Capitol Link electronic newsletter!

State Budget Debate Continues

By Jordan Lamb

On October 15th, Governor Jim Doyle called the state Legislature into a special session to consider a new budget package that reflected the “compromise” offer made by the Senate Democrats to the Assembly Republicans during the second week in October. According to the Department of Administration’s letter prefacing a summary of the bill, this bill “will cut spending by \$420 million, eliminate almost \$300 million in new taxes, preserve core investments and keep the state’s finances strong.” This budget proposal did not contain a budget for the Department of Transportation, which was intended to be considered separately.

The Senate voted to approve this budget package with an 18-14 party line vote. (*Note: Republican Senator Scott Fitzgerald was absent at the time of the vote due to pain from injuries sustained in a motor cycle accident earlier this month.*) Then, the Assembly rejected the revised budget proposal with a 53-44 vote after about 2 1/2 hours of debate. Democratic Representatives Sheldon Wasserman (Milwaukee) and Amy Sue Vruwink (Milladore) voted with the Republicans against the budget, while Representative Brett Davis (R-Oregon), voted with the Democrats for passage.

Speaker of the State Assembly, Mike Huebsch, circulated an email to all legislators on October 16th asking for signatures in support of a petition to call the legislature into an Extraordinary Session to consider AB 506, the school funding bill, and AB 507, which funds local government aids.

It's Time to *Determine Dairy's Direction!*

Consumer confidence and uniting as an industry has never been more important. At the **National Dairy Issues Forum**, you'll cut to the core of today's issues – revealing trends, dissecting issues and aligning together to shape dairy's destiny.

Don't miss the first-ever **National Dairy Issues Forum** on Nov. 14-15, at the Holiday Inn at The American Center in Madison. Designed for dairy producers, processors, marketers, retailers, elected leaders and other industry leaders, this is a conference you don't want to miss!

We'll be taking the bull by the horn and tackling tough issues, such as special labeling, different management choices and pending laws of technology. We'll analyze the balance in maintaining consumer confidence, embracing technologies and modern-day practices.

Hear from national experts as they discuss issue management, focusing on challenges and solutions. Engage in open dialogue with industry leaders who helped develop the National Dairy Animal Well-being Initiative. This is your opportunity to ask questions and determine dairy's direction!

To learn more and to register, check out www.pdpm.org. Please call 800-947-7379 with questions.

Federal Judge Grants Preliminary Injunction Against Issuance of Social Security No-Match Letters

By Jordan Lamb

In the September issue of *Capitol Link* we informed you that the AFL-CIO had filed a lawsuit against the Department of Homeland Security (DHS) claiming that the new DHS rule with regard to social security "no-match" letters threatened to violate workers' rights and to unfairly burden employers.

On October 10, a federal judge in the United States District Court for the Northern District of California issued a preliminary injunction thereby prohibiting the DHS from enforcing the new no-match rule. The judge ruled that the AFL-CIO, the plaintiff in the case, had demonstrated that there are serious questions about the legality of the new rule.

Under the new DHS rule, employers receiving "no-match" letters might be required to fire employees whose SSA discrepancies are not resolved within 93 days after the "no-match" letter is received. In addition, if the employer does not respond to a "no-match" letter, the DHS may conclude that the employer had "constructive knowledge" that an employee was not authorized to work in the U.S. and prosecute the employer accordingly. The judge found that the no-match letters would cause "irreparable harm to innocent workers and employers." This ruling prevents any implementation of the new rule until the court makes a final ruling after trial.

Governor Appoints Matt Frank as New DNR Secretary

By Jordan Lamb

Governor Doyle appointed Matt Frank as the new Department of Natural Resources Secretary effective September 1, 2007. Mr. Frank served in the Doyle administration as the Secretary of the Department of Corrections for the past four years. Prior to his appointment to the Department of Corrections position, Mr. Frank was an assistant Attorney General at the Wisconsin Department of Justice for twenty-two years.

New Cheese Production Record Set in Wisconsin

By Jordan Lamb

On October 4, 2007, Governor Jim Doyle announced that Wisconsin cheese production set a new record in 2006. Nearly 2.5 billion pounds of cheese were produced in the State last year, which accounts for 26 percent of the national cheese market. According to the Department of Agriculture, Trade and Consumer Protection, Wisconsin's growth in cheese production is fueled by the increase in national demand for high-quality, specialty cheeses. Specialty cheese production in Wisconsin grew by 26 million pounds, which represents nearly 45 percent of the national specialty cheese market.

Today, more than 80 of the state's 115 cheese plants make at least one type of specialty cheese.

Report on "Future of Farming in Wisconsin" Released

The Wisconsin Academy of Sciences, Arts and Letters released "The Future of Farming and Rural Life in Wisconsin: Findings, Recommendations, Steps to a Healthy Future," report on October 7, 2007 after more than 2 years of study. Among the 80 recommendations presented in the report, highlights include:

- Creating a statewide grant program to purchase 25-year easements on land (purchase of development rights);
- Establishing agricultural enterprise areas with farming clusters;
- Creating farm and forestry "ambassadors" to educate the public about land preservation;
- Developing ways to improve health care for farmers; and
- Seeking additional funding for students in rural schools.

The report is available for review online at: http://www.wisconsinacademy.org/idea/fof_report.html.

PDPW Dairy Policy Summit is Stacked with Leaders, Experts and Dignitaries

Dairy producers, policy makers and elected officials are urged to attend the **Dairy Policy Summit** October 30-31, 2007, at the Madison Marriott West in Middleton, Wis. Register to

The **Dairy Policy Summit** will address "Discovering Dairy's New Role...Balancing Energy and Food Production." One highlight will be Governor Jim Doyle, as he will discuss the future of the Wisconsin economy.

Multiple dignitaries, leaders and experts will also present at the Summit, including UW College of Agricultural and Life Sciences Dean Molly Jahn; Secretary of the Department of Work Force Development Roberta Gassman; Department of Agriculture, Trade and Consumer Protection Secretary Rod Nilsestuen; Director of Energy Independence Judy Ziewacz and Representative Al Ott, to name a few. In addition, attendees will tour Rosy-Lane Holsteins, owned by Lloyd & Daphne Holterman and Tim Strobel, and the soon-to-open Renew Energy in Jefferson, Wisconsin.

If you are a local elected official; a dairy producer with a vision for the future; a policy maker; an agency employee; an educator or an industry leader – this is one event you can't afford to miss. The **Dairy Policy Summit** brings together the state's leading decision makers, because working together is the only way we will create sustainable balance for ourselves and generations to come.

To learn more and to register, visit www.pdpw.org or call 800-947-7379. **Register by Monday, Oct. 22 and SAVE!**

All PDPW educational programs, such as the **Dairy Policy Summit**, are open to anyone interested in attending.

Capitol Link Details

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 our offices in Madison and Milwaukee. 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 an associate 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 jl@dewittross.com. For more information about DeWitt Ross & Stevens, go to www.dewittross.com.



Brought to you by:
Professional Dairy Producers of Wisconsin
N5776 US Hwy 151, Suite 1, Fond du Lac, WI 54937
Phone: 800-947-7379
mail@pdpw.org
www.pdpw.org