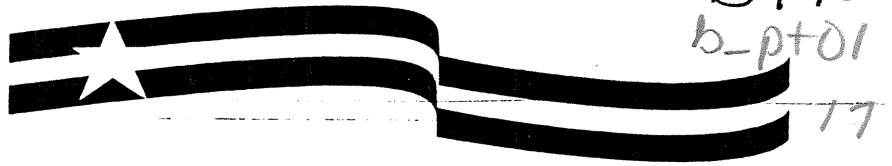


WISCONSIN CITIZEN ACTION



SB445
b-pt01
17

The State's Largest Public Interest Organization

February 5, 2002

Dear Friends,

The *Family Farm Protection Act* is ready for introduction. We are asking your organization to endorse the bill as soon as possible. We've enclosed a summary of the bill draft, LRB 4560, for your review. If you need to see the complete draft, please contact me at our Madison office.

The Family Farm Protection Act was developed by the Family Farm Stewardship Campaign, which includes WI Farmers Union, WI Public Interest Research Group, Churches Center for Land and People, Sierra Club, Lutheran Office on Public Policy in WI, Wisconsin's Environmental Decade and Wisconsin Citizen Action. The campaign spent over a year getting comments and input from individuals and organizations through forums, presentations and one-on-one meetings. Now we are proud to have this blueprint for the future of agriculture in Wisconsin.

Our vision for Wisconsin agriculture is an optimistic one. We believe that with proper nourishment, Wisconsin's farm economy can grow. We believe that given a level playing field, Wisconsin's family farmers are poised to experience tremendous growth in value-added and commodity sales. We believe that Wisconsin has a national reputation for wholesome, farm raised foods that – if properly marketed - can be translated into increased profits for our family farmers. We also believe that family farmers in Wisconsin do maintain a high level of conservation awareness and with their continued commitment to a clean environment and the commitment of public resources to assist them, they can continue to be a national leader in environmental protection. In short, we believe Wisconsin can be the national center of family-farm fresh foods raised in harmony with the environment and with respect for the people who work the land.

Please let us know if your organization will endorse the Family Farm Protection Act.

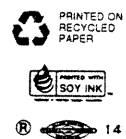
Sincerely,

Sam Gieryn
Coordinator

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Family Farm Protection Act – DRAFT

Fiscal Impact

\$8,100,000 annually
\$150,000 in one time expenditures

Major Policy Components (LRB 4560 section numbers in bold for reference)

- I. **Agricultural Research, Education and Business Development Programs**
 - a) Increase funding for DATCP Agriculture Development and Diversification grant program which promotes new agricultural uses and markets from \$400,000 to \$2 million annually.
S78(2)
 - b) Establish \$1 million annual DATCP “Buy Wisconsin” Market Development Program that:
 - Promotes a Wisconsin identity for local farm-raised foods including producer directories, marketing materials, media and trade co-promotion with producers, producer commodity groups and Wisconsin based specialty food companies.
 - Provides assistance to producers, school districts and local and state governments to promote the purchasing of products directly from family farmers, producer commodity groups and Wisconsin-based food specialty companies as a means of expanding markets for farm products and improving the quality and freshness of food served to children.
S17 & S78(3)
 - c) Increase UW-Center for Dairy Profitability funding by \$100,000 annually for research on low-capital strategies for improving profitability of moderate scale dairy farms
 - Increases funding for research of low-cost options (low-cost milking parlors, managed grazing, financial strategies) to assist moderate scale dairy farms in becoming more competitive in the dairy sector.
S78(5)
 - d) Establish DATCP cost-share program for transition to managed intensive grazing and organic systems of livestock production. Fund at \$2 million annually.
 - Establishes a new program that provides cost-share programs and educational and technical assistance to farmers interested in or transitioning to managed grazing and/or organic livestock systems.
SS 1, 2, & 18
 - e) Increase annual funding for research and education programs on effective entry strategies for beginning farmers.

Family Farm Protection Act

Executive Summary

The proposed Family Farm Protection Act is designed to:

- Invest in a future for Wisconsin family-farms including low interest loans, low-cost strategies for modernization and expansion and the development of new agricultural enterprises, new products and an aggressive marketing effort for Wisconsin grown products.
- Level the playing field so small to moderate sized family farms – the majority of Wisconsin farms – can be economically viable.
- Ensure adequate environmental protection and healthy rural communities.

The Act calls for significant state investments in research, education and economic development programs that identify new uses for crops, develop new agricultural products, markets and processes that have the potential to expand markets and demand for farm products, increase farm income, create jobs and enhance Wisconsin's rural communities. The Act also reforms current state grant and loan programs that have tended to benefit large-scale operations over small farms and it limits the amount of cost-sharing dollars that any one farm can get to help more farms comply with environmental standards. The Act directs the University to investigate the impact of consolidation in the industry and requires the DOJ to assess its ability to enforce laws governing anti-competitive practices. The Act restores consumer credit protections for agricultural loans and creates new loan programs for new agricultural businesses. Finally, it expands state assistance to farms implementing manure management plans and enhances oversight of some large-scale agricultural practices, particularly large-scale manure storage facilities.

The following outline is a consensus document prepared by the following organizations: WI Farmers Union, WI Public Interest Research Group, Churches Center for Land and People, Sierra Club, Lutheran Office on Public Policy in WI, Wisconsin's Environmental Decade, and Wisconsin Citizen Action.

LRB 4560 Summary – February 2002

Increases UW - Center for Integrated Agricultural Systems funding (\$50K) for on-going research pertaining to effective entry strategies for beginning farmers. **S78(6)**

Increases funding (\$100K) for Wisconsin Technical College System beginning farmer education programs. **S78(7)**

Increases funding (\$50K) for University of Wisconsin farm industry short-course for beginning dairy and beginning market gardener programs. **S78(6)**

- f) Increase UW-Center for Integrated Agriculture (CIAS) farmer-research grants on sustainable agriculture. **S1**

Increases funding of applied research and on-farm demonstration projects conducted by UW scientist and farmer research teams by \$200,000 annually. Focus on family farm-related issues including: managed grazing and organic dairying, environmentally and socially responsible food production systems and related enterprises.

S1

- g) Authorize Rural Business Economic Development program loans to individuals for farm operating costs and agricultural business start-ups. Fund at \$1 million annually. Loan policies and practices for the loans should be established by a farmer advisory board and staffed by DATCP Agriculture Development and Diversification and Department of Commerce Rural Economic Development Programs. **S76&78(4)**

- h) Require the Department of Commerce to disburse Dairy 2020 grant funds for modernization and expansion and other Rural Business Economic Development grant funds for new dairy start-ups in such a manner that the average size of grant recipients is equivalent to the average size of a WI dairy farm in the previous year. Promotes fairness in grant programs. **Ss74-75**

II. Anti-Competitive Practices

- a) Require UW-PATS to study the degree of concentration in the dairy and livestock industry and its impact social and economic impact on family farm agriculture, rural communities and consumers in Wisconsin. Study funded at \$100,000. **S77(4) and S78(8)**
- b) Require the Department of Justice (DOJ) to assess it's capacity to enforce laws governing agricultural anti-trust and unfair business practices and what it would need in terms of authority, staff and funding. Require the DOJ to review such programs that exist in other states and determine what types of activities would be appropriate in Wisconsin, how they would become aware of complaints and what actions they could take. **S77(5)**

III. Credit and Agricultural Financing Reform

- a) Require all lenders participating in state financing programs (WHEDA) to use *loan servicing and forbearance policies* to the fullest extent possible prior to foreclosure actions. **S23**

- b) Eliminate the \$150 loan application fee for CROP program. S22
- c) Restore coverage of Wisconsin Consumer Act to farmers (*Eliminated by 1997 Wisconsin Act 302*). Ss41-73
- d) Require that farmers be provided with copies of all agricultural credit transactions. S20

V. Rural Community and Natural Resource Protection

a) Environmental Funding

- Provide \$2 million annually in cost share funding for state and federal required nutrient management plans and planner certification. Give priority to farms that have never before had a nutrient management plan. Develop nutrient management planning certification program. S1, S9 & S16.
- Limit the amount that can be awarded to a single farm through Soil and Water Resource Management programs to \$50,000. S14

- b) WPDES Permits: Currently there is no charge for the development of approximately 846 WPDES permits per year. To improve permitting services and compliance monitoring of the permit program for livestock facilities, charge a permit fee of \$250 for all WPDES permits & provide fee-funded staff. See also S77(2) relating to assessment of staffing requirements for permitting and compliance. S31

- Require the Department of Natural Resources to comply with WI Stat.s 299.05 and set time limits for issuance of WPDES permits for livestock operations. Already Law
- Eliminate the exemption from the \$10 minimum daily fine for livestock facilities that violate their WPDES permits. Limit the maximum daily fine to \$1,000. S38-40

c) Livestock Waste Storage Facilities

- Require Proof of Financial Responsibility: Ensure that owners of manure storage facilities with capacity greater than 3 million gallons have the resources to pay for clean up before they are allowed to start operating. S26
- Require the University of Wisconsin – Program on Agricultural Technology Studies to study and report back in one year on options to liquid animal waste handling through manure storage lagoons and aerial irrigation systems, including the use of wastewater treatment systems. The study will develop a plan to phase out lagoons that do not meet NRCS standards. Fund study at \$50,000. [Note that industrial and commercial lagoons have been regulated since July 1, 1990 with a deadline of July 1, 1995 to upgrade, rebuild or abandon nonconforming lagoons.] S77 and S78(1)
- Prohibit construction of new liquid livestock waste storage lagoons along trout streams. S27

- d) Integrator Liability: Ensure that liability for environmental compliance rests with the entity with substantial operational control of the facility. This provision places financial liability at the top of the corporate chain where it belongs, rather than forcing the community or contract farmer to pay for damage caused by decisions/policies made at a higher corporate level. **S30**
- e) Require best management practices for controlling ammonia and hydrogen sulfide emissions at large animal feeding operations. **S37**
- f) All permits & bonds must be in place before WPDES-permitted facilities can begin operation. **S29**
- g) Open Records: Documents related to permit and discharge monitoring should be open and accessible by the public. **S32-36**

For More Information, please contact:

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Caryl Terrell, co-chair of the Family Farm Task Force

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for bill file

WISCONSIN FARMERS UNION NEWS

Volume 59, Number 2

February/March 2002

Jaeger Testifies for Family Farm Protection Act

Wisconsin Farmers Union Board Director Gerald Jaeger recently urged the Wisconsin legislature to pass S. 445, the Family Farm Protection Act (FFPA).

Testifying before the Wisconsin Senate Committee on Labor and Agriculture on Feb. 27, Jaeger said the bill would promote additional growth in family scale agriculture operations within the state to the benefit of local communities and the state as a whole.

Jaeger appeared before the Senate panel as co-chair of Family Farm Stewardship Campaign with which the WFU has been working for more than two years in developing the FFPA.

Jaeger was one of a number of witnesses from a variety of groups testifying in support of the measure. Other WFU members testifying in favor of the FFPA included Will Beitlich of Vernon Co., Don Bina of LaCrosse Co., Jan Morrow of Chippewa Co., John Schafer of Pierce Co. and WFU's Assistant to the President Bob Denman.

As part of his testimony, Beitlich outlined how he and his wife, WFU Board Director Sue Beitlich, gradually built up their 334 acre dairy and crop farming operation from when they started in 1976 while holding off farm jobs to provide additional income to the farm operation and to provide health benefits.

After 26 years, Beitlich said they now are at the point where one of their three sons is considering starting his own farming

operation. The FFPA would help his son make that decision and get into farming, Beitlich said.

"This is where the Family Farm Protection Act can help our family and others to make the transition to the next generation," Beitlich said.

During his testimony, Jaeger said opponents of the FFPA have inaccurately characterized the bill as being anti-growth.

"The Family Farm Protection Act is a pro growth bill that recognizes the need for a changing, dynamic farming system in Wisconsin that responds to the needs of the economic marketplace," Jaeger said. "And this bill attempts to make sure that all farmers, whatever their size, have an equal chance at the limited public resources this state makes available to farmers to grow, modernize and adapt to that changing world."

In fact, Jaeger said he believed his group "should have named our bill the Family Farm Promotion Act rather than the Family Farm Protection Act. I think that might be a better description of its purpose."

Jaeger noted that many in the public arena have pointed out the need for growth in the dairy sector to meet the milk needs of Wisconsin's dairy processors.

"We attempt to address that issue within the Family Farm Protection Act by trying to direct the public investment dollars of this state towards fostering the growth and expansion of the smaller to medium-size dairy farms of this state," Jaeger said, noting we still have remaining a substantial base of farms of this size who have large growth potential.

(See Family Farm Bill on Page 2)



Members of the Wisconsin Farmers Union delegation attending the National Farmers Union Centennial Convention in Irving, TX gather for a group picture during a delegation breakfast held Sunday morning. Also in the picture is Texas Farmers Union President Wes Sims who received a special award from the Wisconsin delegation. For more pictures and stories on the NFU Convention turn to Page 4.

WFU To Hold Spring Conference April 18 at Holiday Inn in Tomah

The Wisconsin Farmers Union's annual Spring Conference will be held Thursday, April 18 at the Holiday Inn in Tomah, WI.

Topics to be covered during spring conference will be the impact of Gov. Scott McCallum's state budget on rural Wisconsin and matters related to the WFU's Kamp Kenwood facility on Lake Wissota, outside of Chippewa Falls. Covered will be plans for this summer's Kamp Kenwood Golden Anniversary celebration scheduled for Saturday, June 22 and an update on the Kamp Kenwood tax situation.

Advance registrations for Spring Conference can be made by calling the WFU state office at 1-800-272-5531. Registration the day of the conference will open at 9:30 a.m. with the conference starting at 10 a.m. The cost of the day's lunch and coffee break will be \$12 per person.

PRESIDENT'S MESSAGE

Pride in 100 Years of Service

By: William "Bill" Brey

Wisconsin Farmers Union fielded its largest delegation in years earlier this month when 45 WFU members took the long trek to Texas to help the National Farmers Union celebrate its 100-year birthday in festivities in Irving and Point, Texas.



Bill Brey

Unfortunately we and some of our other Farmers Union members from the northern states also brought our weather with us for the celebration activities in the small town of Point, where the Farmers Union was founded a century ago. It was windy with temperatures in the 20s and snowy and icy -- a rare event in Texas at anytime -- for the birthday party held in a large tent and scheduled for outdoors as well.

Included in our delegation were seven Silver Star award winners who had their way to the NFU convention paid for partially by NFU and partially by WFU as a reward for signing up 25 or more WFU members in the last year.

Next year, the NFU convention will be held in what we hope will be sunny and warm southern California. I hope a number of you will meet the challenge of signing up 25 or more of your friends and neighbors so you will help us take a large delegation to that convention as well.

While at the NFU convention I bought a copy of the NFU's 100-Year history that was authored partially by one of our own, WFU's Assistant to the President Bob Denman. That book entitled **Connecting America's Farmers with America's Future -- The National Farmers Union 1902-2002**, details the Farmers Union's contribution over the years in bringing progress and better living conditions to rural America.

Today the Farmers Union continues to stand up for what is right and just in the world.

This month, NFU asked me to take part in a U.S. Food and Drug Administration hearing on the international Codex Alimentarius Commission which is trying to relax international standards for dairy products that would apply in the U.S. and allow lower quality imported products to be used in U.S. dairy products. Such a practice would again put price pressure on milk prices in the U.S.

As February drew to a close, WFU Board Director Gerry Jaeger also did a wonderful job in representing us at a hearing in Madison, testifying in favor of the recently-introduced Family Farm Protection Act.

That bill is designed to provide incentives for family farms such as yours and mine to make the investments we need to improve and grow our farming operations. The benefits of that to our families, our local communities and our state are obvious and we hope the bill will receive the attention it deserves.

Farmers Union has been around for 100 years, but we're not resting on our old accomplishments. We remain true to our heritage fighting today's battles to improve life for rural America and those who live in it.

(Family Farm Bill, Continued From Page 1)

"As we try to revitalize Wisconsin dairying, we need to keep in mind it is this group of Wisconsin farmers who own and maintain the state's remaining cow herd and its genetic base and have generations of experience in the breeding and management of that herd which should not be lost or discarded. It is from this group of farmers that the replacement heifers of the future will come. They will be the ones who decide whether or not to expand their operations and keep those cows here in Wisconsin or sell them out of state," Jaeger explained. "They will be the ones who make the decision to invest in the future growth of their dairy operations or transition out of dairying into one of the other types of diverse farming enterprises for which this state also is famous."

The proposed Family Farm Protection Act is designed to:

- Invest in a future for Wisconsin family-farms including low interest loans, low-cost strategies for modernization and expansion and the development of new agricultural enterprises, new products and an aggressive marketing effort for Wisconsin grown products.
- Level the playing field so small to moderate sized family farms the majority of Wisconsin farms can be economically viable.
- Ensure adequate environmental protection and healthy rural communities.

The Act calls for significant state investments in research, education and economic development programs that identify new uses for crops, develop new agricultural products, markets and processes that have the potential to expand markets and demand for farm products, increase farm income, create jobs and enhance Wisconsin's rural communities.

The Act also reforms current state grant and loan programs that have tended to benefit large-scale operations over small farms and it limits the amount of cost-sharing dollars that any one farm can get to help more farms comply with environmental standards. The Act directs the University to investigate the impact of consolidation in the industry and requires the DOJ to assess its ability to enforce laws governing anti-competitive practices.

The Act restores consumer credit protections for agricultural loans and creates new loan programs for new agricultural businesses. Finally, it expands state assistance to farms implementing manure management plans and enhances oversight of some large-scale agricultural practices, particularly large-scale manure storage facilities.

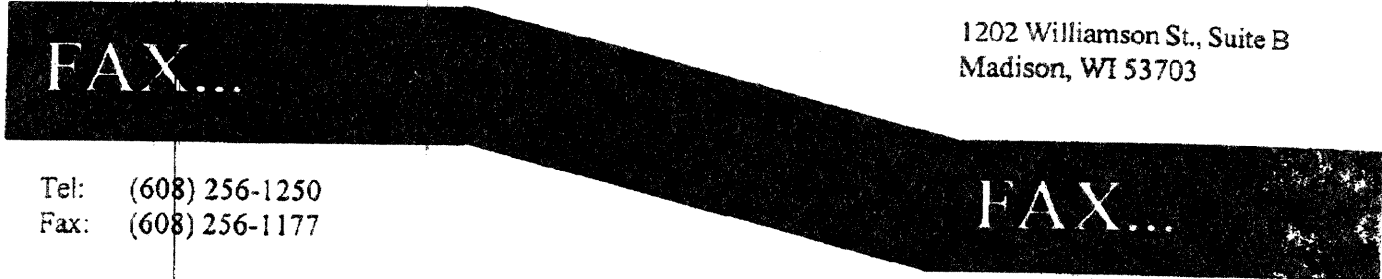
WFU Board of Directors

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<i>Dennis Rosen</i> District 3 (715) 263-2941	<i>Janet Nelson, Vice-President</i> District 6 (715) 455-1755	<i>Gerald Jaeger</i> District 9 (920) 533-4725

WISCONSIN CITIZEN ACTION



The State's Largest Public Interest Organization



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FAX...

TO: Patrick H FROM: Sam Geryn Total # of pages including cover: 3

DATE: 3/5/02 SUBJECT: FPPA

MESSAGE:

*Thanks again!
Sam G.*

Have a great day!!

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Bill aims to make Wisconsin 'family farm friendly'

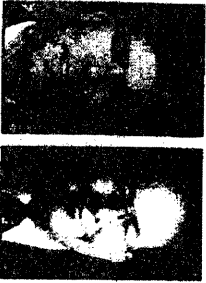
By Casey Langan

Regional Editor

SHEBOYGAN — Legislation called the Family Farm Protection Act, which according to its creators is designed to make Wisconsin "the most family farm friendly state in the Union," was introduced Feb. 14.

Two state senators, Brian Burke, D-Milwaukee, and Jim Baungart, D-Sheboygan, announced their support for the bill, calling it a major commitment to Wisconsin agriculture and rural communities.

The state Senate's Labor and Agriculture Committee was scheduled to hold a hearing on



Sen. Brian Burke

Sen. Jim Baungart

the HFPA Feb. 27 at 10 a.m. at the State Capitol.

Sen. Baungart said it would invest \$6.1 million annually by providing funding for modernization, expansion of markets, transitions into profitable organic and grazing production

methods, and farm education programs. The bill would also restore credit protections for farmers under the Wisconsin Consumer Act, and tighten environmental regulations for some large-scale agricultural practices.

The bill has been revamped since it was first unveiled by a coalition of environmental, religious, citizen and family farm advocacy groups in 2000. At that time, former state Sen. Alice Clausing, D-Menomonie, signed on as an early legislative supporter but she was defeated in that fall's election and the bill was never formally introduced.

The HFPA aims to get the state's Department of Justice and the University of Wisconsin involved in investigating and addressing industry consolidation and anti-competitive practices.

"We need state government to be more active in standing up to the commodities brokers and processing giants that are putting the squeeze on our farmers," said Sen. Burke, who would be in position to enforce agricultural anti-trust laws if elected attorney general in November.

Gerald Jaeger, a district director for the Wisconsin Farmers Union, said the bill's introduction meant a serious legislative discussion about the future of Wisconsin agriculture

is coming. The bill includes a proposal for \$2 million annually for farmers to conduct manure management planning, and stepped up research and education efforts on eco-friendly farming practices.

"This industry is critical to our state economy and thus critical to the future of state tax revenues," said Sen. Burke when asked about the state government's pressing need to cut its budget.

"If we lose our farms and farm-related industries, the budget shortfall will worsen year after year. We'll have to take a closer look at state spending and make up for the current shortfall elsewhere," said Sen. Burke, who co-chairs the legislature's Joint Finance Committee.

The goals of the proposed Family Farm Protection Act are to:

- Invest in a future for Wisconsin family farms including low interest loans, low-cost strategies for modernization and expansion and the development of new agricultural enterprises, new products and an aggressive marketing effort for Wisconsin grown products.
- Level the playing field so small to moderate sized family farms — the majority of Wisconsin farms — can be economically viable.

• Ensure adequate environmental protection and healthy rural communities.

Some of the components of the HFPA include:

- Increasing the funding for the DATCP's Agriculture Development and Diversification grant program from \$400,000 to \$2 million annually.
- Funding a "Buy Wisconsin" market development program to the tune of \$1 million annually.
- Increasing the UW-Center for Dairy Profitability's funding by \$100,000 annually for research on low-capital strategies for improving profitability of moderate scale dairy farms.
- Establishing a \$2 million DATCP cost-share program for transitioning to managed intensive grazing and organic systems of livestock production.
- Increasing annual funding for research and education programs on effective entry strategies for beginning farmers.
- Require the Department of Commerce to disburse Dairy 2020 grant funds for modernization and expansion and other Rural Business Economic Development grant funds for new dairy start-ups in such a manner that the average size of grant recipients is equivalent to the average size of a Wisconsin dairy farm in the previous year.
- Limit the amount that can be awarded to a single farm through Soil and Water Resource Management programs to \$50,000.
- As for WPPDES permits: "Currently there is no charge for the development of approximately 846 WPPDES permits per year. To improve permitting services and compliance monitoring of the permit program for livestock facilities, charge a permit fee of \$250 for all WPPDES permits and provide fee funded staff..."
- "Eliminate the exemption from the \$10 minimum daily fine for livestock facilities that violate their WPPDES permits. Limit the maximum daily fine to \$1,000."
- "Ensure that owners of manure-storage facilities with capacity greater than 3 million gallons have the resources to pay for clean up before they are allowed to start operating."
- Prohibit construction of new liquid livestock waste storage lagoons along trout streams.

The following organizations support the Family Farm Protection Act: Wisconsin Farmers Union, Family Farm Defenders, Growing Power, American Raw Milk Producers Pricing Association, Dane County Farmers Market, Lutheran Office for Public Policy in Wisconsin, Wisconsin Public Interest Research Group, Wisconsin Citizen Action, Sierra Club — John Muir Chapter, and Citizens for a Better Environment.

Casey Langan may be reached at CaseyL@tnc.com.net

Please see related stories on Page 9B

PAGE 11A

FEBRUARY 22, 2002

WISCONSIN STATE FARMER

'Family Farm Protection Act' to help moderate-sized farms

RAY MUELLER
SHEBOYGAN

"We're known nationally for our thousands of well-kept quinescentual farms. They're our trademark. It's a pretty picture but the problem is that our farmers are being squeezed out by globalization, processing and retailing giants, and by being paid low prices," Wisconsin Citizen Action coordinator Sam Gieryn remarked during a Feb. 14 press conference here to introduce the Family Farm Protection Act.

As Wisconsin Senate Bill 445, it will receive its first public hearing at 10 a.m. Wednesday, Feb. 27, in Room 201 southeast at the state capitol. It has not yet been introduced in the State Assembly.

Two of the bill's three state Senate sponsors, all Democrats — James Baumgart of Sheboygan and Brian Burke of Milwaukee — spoke briefly at the announcement here. The third sponsor is Kevin Shibilski of Stevens Point. The bill is also endorsed by the Wisconsin Farmers Union, Family Farm Defenders, the Sierra Club — John Muir Chapter, the Wisconsin Public Interest Research Group, Lutheran Office on Public Policy in Wisconsin, and the Churches' Center for Land and People.

Burke noted the bill has been in the drafting stage since 1999. Estimated to cost \$8.1 million annually with one-time expenditures of \$150,000, the act would emphasize agricultural research, education and business development programs, anti-competitive practices that harm family farms, reform in agricultural financing and credit, and ways to protect both the vitality of rural communities and natural resources.

"Our state's tradition and heritage are rooted in agriculture. The thriving, independent family farm is the backbone of our economy," Burke remarked. "We must keep that system growing. This act will level the playing field for the family farm with new investment while also protecting the environment."

"We want the University of Wisconsin to investigate the impact of consolidation in agriculture and the Department of Justice to assess its capacity to enforce laws on antitrust business practices in agriculture and all of our state agencies to carry out research, programs, and policies that do not fa

quality food, a fair return for our efforts, and to do it in an environmentally sound way."

"The fundamental issue is profitability," according to Sierra Club member, businessman, and former state assembly candidate Tim Lorenz of Sheboygan. "If farmers are not profitable, they will cut back on maintaining the environmental integrity of the land. Profitable farmers are environmentally-friendly farmers because they can do what they need to do for the environment."

"Farmers do not set their own prices for what they sell. That's the only business I know of that does it that way," Lorenz pointed out. "I think they should bill processors for their products."

Asked how state legislators would come up with the dollars recommended in the Family Farm Protection Act in the face of a massive state budget deficit, Burke replied that "we view these policies as an investment. If we don't invest now, it will cost the state more in the long run. If we continue to lose these family farms, they will be off the tax rolls forever."

"We need a balance, a dialogue and a chance to modify and improve on our ideas," Baumgart said. "Wisconsin needs to have a goal. We should be looking at Wisconsin products first and what our University of Wisconsin system and the Extension Service are doing."

"Farmers are the most independent and creative people that we have but we've lost one-third of our dairy farms since 1994," Baumgart stated. "That's just unacceptable. We have to use bipartisan and multicultural ways to make it easier for our farmers to be more profitable."

"This is just a start for our more than 60,000 family farms," Farmers Union district director and Family Farm Stewardship Campaign co-chair Gerald Jaeger of Campbellsport promised. "The only thing that we've heard addressed by others is a need for an increase in livestock numbers." He said attention must also be given to prices for raw commodities, the concentration of markets, management practices, market economics, anti-competitiveness and antitrust enforcement.

"We have to provide opportunities for our state's farmers to develop new products and markets so they can obtain a larger share of the consumer dollar," Jaeger remarked. "We also need to help our rural communities that are being lost, our farmers who need credit, to keep our water and air clean, and to protect the way of life, land, and cattle that are the guardians of Wisconsin."

"Our family farms are the backbone of agriculture and of our country," Jaeger stated. "Just look at what has happened in other countries. We have to keep the wonderful system that we have."

"It's critical to get this message to everyone in the state," Jaeger concluded.

There are also requests to prohibit construction of liquid manure storage facilities within 1,000 feet of trout streams, to appropriate \$50,000 for a study on how to phase out manure lagoons that do not meet federal standards and to identify new options for liquid manure handling, treatment and application, and to require management practices that would limit the ammonia and hydrogen sulfide emissions at those facilities.

The proposal also calls for investing \$1 million annually in a new "Buy Wisconsin" market development program that would help school districts and local and state government units to buy products directly from farmers, for a new \$2 million annual cost-share program for conversions to managed intensive rotational grazing and organic livestock systems, and for \$1 million per year to make loans for farm operating costs and for agricultural business start ups through what would be called the "Rural Business Development Program."

Other requests in the Family Farm Protection Bill are to have the UW Program on Agricultural Technology Studies conduct a \$100,000 study on the social and economic impact of concentration in the dairy and livestock industries, to eliminate the \$150 application fee for CROP (a state-supported annual crop production loan program), and to require all lender-in state financing programs to use "loan servicing and forbearance policies to the fullest extent possible before foreclosure actions."

Gieryn noted that the tone of the current bill has changed somewhat from that of previous drafts. Instead of being quite more directly opposed to large farm size and the capacity of manure storage lagoons, the focus is on good management practices and on giving more public support to moderate-size farms, he explained.

On environmental topics, the bill calls for \$2 million in cost-sharing grants for developing on-farm nutrient management plans and for planner certification, a limit of \$50,000 per farm for soil and water resource program grants, for charging a \$250 fee (none now) for pollution elimi-

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Wednesday, March 6, 2002

Barbara J. Rettke
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The Honorable Jim Baumgart
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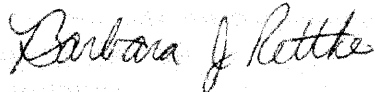
Dear Senator

I am Barbara Rettke of Appleton and I am writing you to request your support of Senate Bill 357, the Personal Protection Act. As a 57 year old disabled woman, I very much feel a need to be trained and armed for my personal protection. My husband is a salesman and as such is frequently away for several days to a week at a time. The need to be properly trained and armed is paramount in today's society for our personal safety. Criminals don't attack the strong, they prey on the weak. We need this law to 'level the playing field.' With a shall issue law in place, the criminal element always has to wonder, "is that woman carrying?, is she capable of defending herself?", whereas without this law, the criminals know that the law abiding are nothing more than prey for their vile deeds.

I ask you to endorse and support SB357.

Senator Baumgart, I look forward to your reply with your position on this issue.

Sincerely,



Barbara J. Rettke



STATE ENVIRONMENTAL RESOURCE CENTER LEGISLATIVE EXCHANGE
SERCLE brings you the most important news on state environmental legislation from across the country.

○ **Issue Spotlight: Stopping "Takings" Legislation**

Taking proponents demand payment in the form of our government tax dollars when a law or regulation affects the use of their land. Yet such a demand fails to balance these alleged "takings" against "givings" which flow from the programs that increase property values and promote environmental quality. For example, local governments may be unable to prevent a large, smelly and environmentally destructive CAFO from getting started without reimbursing the owner for "taking" away potential earnings. "Takings" legislation has already been passed in four states and is currently being considered in several more. To learn how to stop takings legislation in your state visit <http://serconline.org/Takings>

○ **Report Exposes "Corporate America's Trojan Horse in the States"**

A new report released last week details how major corporations are operating behind-the-scenes through the American Legislative Exchange Council (ALEC). The report says corporations often draft what becomes ALEC's anti-environmental model legislation and then utilize ALEC's well-organized network to pass special interest bills. The report titled "**Corporate America's Trojan Horse in the States: The Untold Story Behind the American Legislative Exchange Council**" has been endorsed by a wide variety of public-interest organizations, including the League of Conservation Voters, Public Citizen, NRDC, Defenders of Wildlife and the Center for Policy Alternatives. The report is available online at <http://www.alecwatch.org>

○ **Watch Dog: Arizona's AG Tries To Derail Streamflow Suit**

Last month the Center for Biological Diversity (CBD) filed a lawsuit challenging Arizona's water laws, saying they do not recognize that ground and surface water are connected. CBD contends that even though only 10% of Arizona's historic riparian habitat still survives, Arizona's water laws still deny the obvious connection in order to support developers, mining operations and agribusiness that have strong influence with state policy makers. This past week, Arizona Attorney General Janet Napolitano asked the Court to dismiss the lawsuit, saying it is not in the public interest and that it sought to put a "preference on water flow in streams instead of being used for other purposes, as Arizona law allows."

○ News From the States

Corporate Special Interests -- Colorado: Lawmakers Tied to Corporate Group

The 3/1 Denver Post reported that at least half of Colorado's state lawmakers are members of the corporate-sponsored group ALEC. The story was written based on revelations made in new report which details how corporations control what becomes ALEC's anti-environmental model legislation and then utilize ALEC's well-organized network of state legislators throughout the country to pass it. The report can be read at <http://www.alecwatch.org>

Saving Wildlands -- Alaska: Boreal Buffer Bill Passes House

Alaska environmental groups were pleased by a unanimous vote on the House floor last week in support of HB 131, the Boreal Buffer Bill. The bill provides buffers for protection of interior lakes and streams during logging.

Minnesota: DNR Looks to Restrict ORVs in State Forests

A DNR spokesperson said last week that the agency will likely reclassify some state forests as "limited" and would restrict ORVs to designated trails rather than continuing to allow cross-country riding. The state's current ORV law allows cross-country or off-trail travel in 46 of 58 state forests. Recent Star Tribune reports have shown widespread rutting and damage from ORV use in state forests and wildlife management areas.

Michigan: Chinese Invasive Species Threaten State's Trees

The Detroit Press reported today that the threat posed by exotic pests and diseases is greater than ever in Michigan's nearly 20 million acres of forest. Experts say that the problem has exploded with increasing global trade, particularly from China. In fact, since China's latitude and climate are similar to those found in parts of North America, there are likely to be many species of insects and diseases that have potential to establish in Michigan and throughout the country.

Equal Justice -- Colorado: Anti-SLAPP Bills Being Debated

The 3/1 Denver Post reported a bill on SLAPP suits was slapped down in committee last week, but a tougher measure to protect citizens who speak before government waits to be voted on by the full House. Strategic Lawsuits Against Public Participation (SLAPP) occur when a business tries to silence its opponents through lawsuits. Rep. Mark Paschall presented HB 1267, which he says will allow courts to quickly dismiss suits designed to silence truthful opposition. Rep. William Sinclair has offered HB 1192, which would give immunity from lawsuits to anyone testifying or corresponding with public officials. Four business associations supported Paschall's bill while opposing Sinclair's bill, and Sinclair said Paschall's bill is an attempt to water down his legislation.

Safe Air & Water -- Massachusetts: Bill Banning Mercury Thermometers Passes

Rep. J. James Marzilli's HB 3773 has passed the Senate and is headed for the governor's desk. The bill bans the sales of all mercury fever thermometers, except in the case of a medical necessity as determined by a licensed physician, or by prescription.

New York: Bill Bans Herbicide Use on Utility Rights-of-Way

Rep. Galef Parment has introduced A 1879, a bill that would phase out the use of chemical herbicides on utility rights-of-way in favor of mechanical, cultural, and biological controls. Rep. Parment contends that the use of herbicides to clear and maintain utility rights of way is a practice which is dangerous to workers, the public and damaging to the property of the person who owns the land. He also said the use of herbicides often injures and kills adjacent non-target vegetation and sickens or kills livestock and wild life.

Land & Water Use -- Florida: Schools-First Growth Bill gets Senate's OK

The growth management bill SB 382 passed the Senate 34-1 last week. The bill requires local comprehensive plans to include schools, one of Gov. Jeb Bush's top legislative priorities. It is seen as an answer to overcrowded classrooms caused when development outpaces school construction. The bill would require local governments and school boards to enter planning agreements by 2004 or else face losing up to 5 percent of their state funding and allows local governments and school boards to levy local sales taxes.

Virginia: Light Pollution Bill Clears Senate, Dies in House

Sen. Janet Howell's SB 100 light pollution bill died in the House Committee on Cities, Towns and Counties last week after passing in the Senate. This bill takes a first-step approach of granting all localities authority to establish, by ordinance, maximum outdoor lighting standards and regulations.

Saving Wildlife -- Alaska: Rabies Epidemic Confirmed

AP reported last week that state epidemiologists say there is a rabies epizootic, an epidemic among animals, in northern Alaska. Since Oct. 1, the state virology laboratory in Fairbanks has tested animal carcasses and found 40 percent tested positive for rabies. Microbiologists found rabies in 44 arctic foxes, 18 red foxes and four dogs.

Do you have news about innovative legislation in your state? Please submit items to jud@serconline.org. SERC serves as an information clearinghouse on state environmental news and legislation. For more information, visit our web site at <http://www.serconline.org>. If you no longer wish to receive SERCLE by fax, simply call us or send an email to info@serconline.org with "remove fax" in the subject line.

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A Critical Juncture for Wisconsin Agriculture.

AGRICULTURE is deeply rooted in Wisconsin's heritage, culture and traditions. Many of Wisconsin's towns and cities grew up around the farms that provide nourishment and a source of income for farmers, food processors, food retailers, the farm service industry, farm implement and equipment manufacturers and others.

Wisconsin's farms contribute upwards of two billion dollars to Wisconsin's economy each year. In 1997, an estimated 24.4 percent of jobs in non-metropolitan areas were farm or farm-related.

Tourists flock to Wisconsin to enjoy outdoor recreation, to dine on wholesome farm raised foods and also to view our pastoral countryside and, especially, the many beautiful farms that dot the landscape.

WISCONSIN IS LOSING ITS FAMILY FARMS.

Unfortunately, we've lost twenty percent of our farms in the past quarter century and many of the remaining farms no longer derive their sole income from farming. Wisconsin's key agricultural industries have suffered severe setbacks since 1994. In just seven years Wisconsin lost one-third of its dairy farms.

THE FAMILY FARM STEWARDSHIP CAMPAIGN

is bringing together farm, environmental, consumer and faith-based organizations to seek a solution. We agree that Wisconsin government should:

- Invest in a future for Wisconsin family farms including financial assistance to farm entrepreneurs, research on low-cost strategies for modernization or expansion and support for direct marketing to consumers.
- Level the playing field so small to moderate-scale farms – the majority of Wisconsin farms – can be economically viable.
- Ensure adequate environmental protection.

Promoting A

Fair Economy...

CONSOLIDATION IN THE FOOD PROCESSING AND

FOOD RETAIL INDUSTRIES are the main cause of the loss of family farms. Wisconsin's dairy and other livestock farmers find fewer buyers for their products and are increasingly at the mercy of corporate processors that use anti-competitive practices to drive down prices for farm commodities like milk, meat and grain. Consolidation has resulted in more centralized food processing, fewer opportunities for farmers to market their own products, and limited retail shelf space for farmer-owned brands. These strategies depress the overall farm economy while a few corporations become wealthy.



STATE GOVERNMENT can and should get active to

strengthen our family farms. State government should serve as a watchdog to ensure that Wisconsin farmers are not being disadvantaged by anti-competitive practices. State assistance to farms should be directed at the thousands of small to moderate-scale farms, not just the largest ones. Research and grant programs should be focused on strategies for improving the economic viability of thousands of independent farm operations, not a few big operators.

...And A Clean Environment.

CONSERVATION CONCERNS ARE OFTEN

PLACED ON THE BACK BURNER when family farms confront financial crises. Family farming has always been difficult, with weather, pests and floods to worry about. Depressed prices make it even harder. Overplanting, overspreading of manure and inappropriate control of hazardous materials are all common symptoms of a struggling small farm. State water quality reports consistently single out agricultural pollution as a primary source of both surface and groundwater contamination. Recognizing the responsibility of both farmers and consumers to maintain a quality environment, state programs should focus on assistance with low-cost, low-tech solutions to water quality problems, such as grazing and manure management planning.



INDUSTRIAL-SCALE FARMS have been proposed

as a replacement for Wisconsin's many smaller family farms. Unfortunately, research suggests that "mega-farms" or "mega-herds" have a negative effect on local property values and may actually reduce meaningful employment opportunities in the area. Also, air and water quality degradation due to industrial farms and feedlots have been in the news in every state of the Union, including Wisconsin.

The Benefits of Family Farms for Wisconsin

A HEALTHY AND DIVERSE FOOD SYSTEM

Do you know where your meat, dairy and produce come from? Do you know whether they have been produced using pesticides, anti-biotics, growth hormones, or genetically engineered ingredients? Do you know whether farm workers were treated with respect and dignity? Do you know if the farm where your food was produced meets environmental standards. Wisconsin farms have always been some of the cleanest, safest, most wholesome farms in the country. We are a national leader in sustainable agriculture. By keeping our farms in business we ensure a healthy and diverse food system for our state.

A STRONG ECONOMY

Studies of the spending habits of livestock operations confirm that family farms support their local economy not only by purchasing supplies locally and paying local taxes but also by re-investing farm profits back into the community. The largest operations tend to purchase many of their supplies from outside the local area, the state or even the country.

A CLEAN ENVIRONMENT

Wisconsin's thousands of small to moderate-scale family farms are rapidly adaptable to new low-cost technologies and strategies for protecting the environment. Most industrial scale farms are reliant on capital intensive manure storage lagoons that store millions of gallons of manure.

Learn More Get Involved

These Wisconsin organizations invite you to learn more and get involved in the campaign to protect Wisconsin's agriculture and agricultural communities:

WI Farmers Union

Family Farm Defenders

WI Public Interest Research Group

**The Churches Center For Land
and People**

Sierra Club - John Muir Chapter

Lutheran Office on Public Policy

Wisconsin Stewardship Network

Wisconsin Citizen Action

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The Family Farm Stewardship Campaign

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