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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on Natural Resources and
Transportation...**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Stefanie Rose (LRB) (June 2012)

Senate

Record of Committee Proceedings

Committee on Natural Resources and Transportation

Senate Bill 240

Relating to: special or seasonal weight limitations for certain vehicles transporting agricultural crops.

By Senators Kedzie, A. Lasee, Roessler, Olsen, Breske and Brown; cosponsored by Representatives Petrowski, Gronemus, Albers, Ballweg, Davis, Gunderson, Hahn, Hines, Krawczyk, LeMahieu, Loeffelholz, Lothian, McCormick, Mursau, Musser, Nerison, Ott, Pettis, Strachota, Towns, Boyle, Van Roy, Townsend and Owens.

June 14, 2005 Referred to Committee on Natural Resources and Transportation.

October 20, 2005 **PUBLIC HEARING HELD**

Present: (5) Senators Kedzie, Stepp, Kapanke, Wirch and Breske.
Absent: (0) None.

Appearances For

- Neal Kedzie — Senator, 11th Senate District
- Jerry Petrowski — Representative, 86th Assembly District
- Ron Kuehn — WI Pork Association, WI Cattlemen's Association
- John Petty — Wisconsin Agri Service Association
- Jeff Lyon — Wisconsin Farm Bureau
- David Vieth — Wisconsin Department of Transportation

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- Ed Huck — Wisconsin Alliance of Cities

November 3, 2005 **EXECUTIVE SESSION HELD**

Present: (5) Senators Kedzie, Stepp, Kapanke, Wirch and Breske.
Absent: (0) None.

Moved by Senator Kapanke, seconded by Senator Breske that **Senate Bill 240** be recommended for passage.

Ayes: (4) Senators Kedzie, Stepp, Kapanke and Breske.
Noes: (1) Senator Wirch.

PASSAGE RECOMMENDED, Ayes 4, Noes 1

Matt Phillips
Committee Clerk

Vote Record

Committee on Natural Resources and Transportation

Date: November 3, 2005

Bill Number: Senate Bill 240

Moved by: Kapanke Seconded by: Breske

Motion: Passage

Committee Member

Senator Neal Kedzie, Chair

Senator Cathy Stepp

Senator Dan Kapanke

Senator Robert Wirch

Senator Roger Breske

<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
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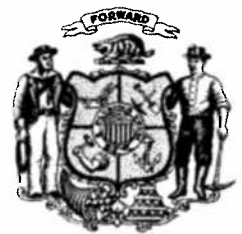
Totals: 4-1

Motion Carried

Motion Failed



WISCONSIN STATE LEGISLATURE



**Chairman's Notes: Senate Committee on
Natural Resources and Transportation
Public Hearing – October 20, 2005**

- Welcome to today's hearing of the Senate Committee on Natural Resources and Transportation. Today we are having a public hearing on a number of Transportation related bills. We will also be entering into executive session to vote on a number of Natural Resources bills that the Committee has previously held a public hearing on.
- Committee Clerk will take Attendance. The roll will be left open for members who have yet to arrive.
- I would like to remind individuals wishing to testify to fill out a hearing slip and give it to the member of the Sergeant's Staff.
- Also, because of the number of bills before the committee today, I would encourage everyone to limit their comments to 5 minutes or less. For those that have written testimony, I would encourage you to summarize instead of reading it verbatim.
- It is my intent to take up the items in the order listed on the hearing notice, and will take up Companion bills at the same time.

Senate Bill 240/Assembly Bill 510 (Kedzie/Petrowski)

Relating to: special or seasonal weight limitations for certain vehicles transporting agricultural crops.

Summary: Under this bill, from September 1 to November 30 of each year, a vehicle or combination of vehicles that has a registered gross weight of 50,000 pounds or more or is a specified type of commercial motor vehicle that is transporting certain agricultural crops from the field to storage on the grower's owned or leased land, from the field to initial storage at a location not owned or leased by the grower, or from the field to initial processing may, without a permit, exceed weight limits by not more than 15 percent. This exception does not apply on Class "B" highways or on highways designated as part of the national system of interstate and defense highways, except for that portion of I 39 between USH 51 and I 90/94.

Fiscal Effect: Fiscal estimates prepared by the Department of Transportation and the Department of Agriculture, Trade, and Consumer Protections indicate that passage of this bill will have no fiscal impact.

Questions:

- How often does the state declare an agricultural emergency under current law, allowing these vehicles to exceed weight limitations?
- Do you have any data to indicate how far these vehicles will be traveling on Wisconsin highways? (Just a few miles or halfway across the state)
- Why is it difficult for trucks hauling harvested crops to meet existing weight requirements.

Assembly Action:

- Passed the Assembly Committee on Transportation on a 13-1 (Nelson) vote.
- Passed the Assembly on a voice vote.

**Executive Session Notes
November 3, 2005**

Senate Bill 178

Relating to: allowing the operation of certain 2-vehicle combinations on certain highways without a permit, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures and from rule-making procedures, and granting rule-making authority.

- MOTION FOR PASSAGE
- SECOND
- DISCUSSION
- ROLE CALL

Assembly Bill 315 (Companion bill to SB 178)

Relating to: allowing the operation of certain 2-vehicle combinations on certain highways without a permit, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures and from rule-making procedures, and granting rule-making authority.

- MOTION FOR CONCURRENCE
- SECOND
- DISCUSSION
- ROLE CALL

Senate Bill 240

Relating to: special or seasonal weight limitations for certain vehicles transporting agricultural crops.

- MOTION FOR PASSAGE
- SECOND
- DISCUSSION
- ROLE CALL

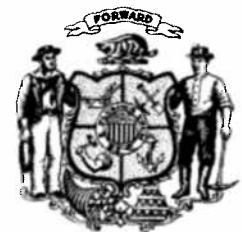
Assembly Bill 510 (Companion bill to SB 240)

Relating to: special or seasonal weight limitations for certain vehicles transporting agricultural crops.

- MOTION FOR CONCURRENCE
- SECOND
- DISCUSSION
- ROLE CALL



WISCONSIN STATE LEGISLATURE





DEWITT
ROSS & STEVENS^{SC}
LAW FIRM

MEMORANDUM

TO: Senate Committee on Natural Resources and Transportation

FROM: Wisconsin Agri-Service Association (and other Wisconsin agriculture producers)

By: Ron Kuehn and John Petty

DATE: October 20, 2005

RE: Support for Senate Bill 240 and Assembly Bill 510, Seasonal Weight Limitations for Certain Vehicles Transporting Agricultural Crops

On behalf of the **Wisconsin Agri-Service Association** (grain dealers), **Wisconsin State Cranberry Growers Association**, **Wisconsin Potato & Vegetable Growers Association**, **Wisconsin Muck Farmers Association**, **Wisconsin Pork Association**, **Wisconsin Cattlemen's Association** and **Wisconsin Soybean Association**, we would like to express **support for Assembly Bill 510**, seasonal weight limitations for certain vehicles transporting agricultural crops.

At the request of the Department of Agriculture, Trade and Consumer Protection, several commodity groups, DATCP and the Department of Transportation met periodically for about 18 months to craft a statutory functional equivalent to the fall harvest agricultural emergency, which has been issued to speed the harvest of certain crops for the past 10 to 12 years. Senator Kedzie's bill, SB 240 and Representative Jerry Petrowski's bill, AB 510, is the embodiment of this work and we sincerely thank Representative Petrowski for his leadership on this issue. Accordingly, these bills will codify a seasonal weight allowance for corn, soybeans, potatoes, cranberries and vegetables.

Each fall for the past 10-12 years, DATCP and DOT have worked together to declare an agricultural emergency to give temporary relief to certain commodities that need to be harvested during a short period of time and that

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LAW FIRM

TO: Senate Committee on Natural Resources
FROM: Wisconsin Agri-Service Association ...
DATE: October 20, 2005

present difficulty in estimating actual harvest weight due to varying water contents. These bills make this temporary weight increase allowance statutory such that, if this is passed, the weight allowance will be in effect from September 1 through November 30 each year and will not require any additional DATCP or DOT action.

Specifically, the bill provides a limited 15% overweight allowance for a vehicle, or combination of vehicles, with a gross vehicle weight of over 50,000 pounds that are carrying corn, soybeans, potatoes, cranberries or vegetables.

This overweight allowance *only* applies to trips from the field to the initial point of storage, or from the field to the initial point of harvest.

The allowance *does not* apply to posted roads or to implements of husbandry.

If this legislation is enacted, the current provision for declaring an agricultural emergency would not be necessary. Therefore, this legislation repeals current law related to declaring an agricultural emergency. However, the bill *does not* affect the authority of DOT to issue certain overweight permits; the authority of DATCP to request DOT to issue an agricultural emergency for overweight permits; or the authority of the Governor to declare a transportation emergency.

The commodity groups listed above strongly support this legislation. AB 510 will provide certainty during the fall harvest and will provide some leeway with regard to weight estimates when farmers are harvesting crops with varying water contents.

If you have any questions, we would be happy to answer them. You can contact John Petty directly at (608) 223-2111 and Ron Kuehn directly at (608) 252-9325.