

**BOARD OF AGRICULTURE, TRADE AND CONSUMER PROTECTION  
MINUTES**

**July 23, 2020**

The Board of Agriculture, Trade and Consumer Protection (Board) met via videoconference on **July 23, 2020**. The meeting was preceded by public notice as required by Wis. Stat. § 19.84.

**Call to Order**

Board Chair Miranda Leis called the meeting to order at 9:04 a.m.

**Members Present**

Miranda Leis, Paul Bauer, Andy Diercks, Patty Edelburg, Kurt Hallstrand, Paul Palmby, Doug Rebut, Dan Smith and Carla Washington.

**Minutes**

**Motion**

A motion was made by Paul Bauer and seconded by Paul Palmby to approve the May 14, 2020 DATCP Board minutes. Motion was approved unanimously.

**Public Appearances**

No public appearances.

**Wisconsin Agricultural Statistics Survey Update**

**Greg Bussler**

Greg Bussler, State Statistician from the USDA National Agricultural Statistics Service presented his July 23, 2020 agricultural statistics on 2020 corn planting June acreage, milk production, May prices received, maple syrup production, winter wheat, crop progress as of July 5, 2020, chicken and eggs, August crop production report, and the upcoming NASS survey's in fall 2020. See Mr. Bussler's report which is included in the Board meeting packet for more specific details.

**Secretary and CEO Missy Hughes**

**Wisconsin Economic Development Corporation**

Secretary Randy Romanski introduced the Wisconsin Economic Development Corporation (WEDC) Secretary Missy Hughes to the Board. Ms. Hughes stated that she has been working at WEDC for the last 8 months, and has spent her first months traveling around the state and learning what WEDC does. Since COVID has hit things have been turned upside down. She is now focusing on relief efforts for Wisconsin businesses by deploying 40 million dollars in resources and 31,000 grants. WEDC has also been involved with essential v. non-essential businesses and navigating the safer at home order.

Ms. Hughes stated that we have to find a way to work together and move forward. The following are critical priorities to consider:

1. We need to help the unemployed get back to work. Before COVID there was only a 3% unemployment rate.
2. Broadband is critical for the economic development of the economy and it is something we can solve.
3. Supporting innovation where we create jobs and leap forward.

WEDC created the Office of Rural Prosperity under the Governor's direction. The intention behind this Division is to provide an avenue for businesses to come to the state to access resources as efficiently as possible. This Division will be focusing on broadband expansion, access to rural healthcare, housing, and more. The Governor has also created the Blue Ribbon Commission on Rural Prosperity. This group consists of a community of voices, a banker, teacher, farmers, and leaders in the rural communities. Together, these members will travel around the state learning about agricultural issues and will advise the Governor and Legislature on agricultural and rural economic solutions. This commission's expertise will help rural Wisconsin move forward.

COVID has presented an opportunity for WEDC to understand rural Wisconsin and the diversity it offers. We need to support it going forward and leave the past behind.

### **Alice in Dairyland Division of Agricultural Development**

Secretary Randy Romanski presented the Governor's Commendation to Abigail Martin for her service as the 72<sup>nd</sup> Alice in Dairyland.

Abigail Martin presented her year in review to the Board. One of the highlights was the Wisconsin State Fair which was the best 11 days of summer and a great opportunity for Alice to connect with the public. Ms. Martin also went on many tours and learned about the diversity of the agriculture industry. She participated in 603 radio interview impressions, 111 TV interview impressions, 92 print articles/interviews, 282 speeches, and attended 131 events. In the last year, Ms. Martin reached 1,508,009 people in State of Wisconsin.

Jayne Krull, Bureau Director in the Division of Agricultural Development, introduced Julia Nunes as the 73<sup>rd</sup> Alice in Dairyland to the Board and summarized the following program initiative changes:

1. A change in the yearly cycle of Alice. Alice will now be selected in mid-May and not begin their service until July so that the more experienced Alice can be involved in June dairy month.
2. The Agriculture Marketing and Communications Certificate. Due to the Alice selection process having many different components and is a lot of work to apply to, we will be giving the top 6 candidates a certificate at the Alice finals.
3. To make the Alice selection easier for candidates, we are moving the preliminary interviews to a Saturday.
4. We will be changing the Ag business tours to a vlog.

5. We will be strengthening the Alice partnerships to maintain support from current partners.
6. Alice will be going in a virtual direction by using a home TV and radio studio.
7. This year the Alice finals were delayed until June 19<sup>th</sup> and downsized to 10 or less people in the room, but they were also live streamed to the public. This event turned out better than we hoped we had over 300 people watching live and 14,000 watching after the fact.

Debbie Gegare, Staff Specialist from the Division of Agricultural Development introduced Julia Nunes as the 73<sup>rd</sup> Alice in Dairyland to the Board. Ms. Nunes thanked Abigail Martin for mentoring her into the position. She is from Chippewa Falls, Wisconsin and grew up on a dairy farm. Ms. Nunes attended college at the University of Minnesota and graduated with degrees in animal science and marketing. Most recently Ms. Nunes worked for a hemp company and is excited to start her year as Alice in Dairyland.

**VE 1-11 – Veterinarians and Veterinary Technicians  
Preliminary Public Hearing  
Division of Animal Health**

Dr. Darlene Konkell, Division Administrator from the Division of Animal Health presented the Preliminary Public Hearing Notice for Wis. Admin. Code chs. VE 1-11, to the Board. Dr. Konkell gave a brief overview and requested the Board approve the Preliminary Public Hearing Notice.

**Motion**

A motion was made by Andy Diercks and seconded by Paul Palmby to approve the Preliminary Public Hearing Notice for Wis. Admin. Code chs. VE 1-11. Motion was approved unanimously.

**ATCP 16 – Dog Sellers  
Preliminary Public Hearing  
Division of Animal Health**

Dr. Darlene Konkell, Division Administrator from the Division of Animal Health presented the Preliminary Public Hearing Notice for Wis. Admin. Code ch. ATCP 16, to the Board. Dr. Konkell gave a brief overview and requested the Board approve the Preliminary Public Hearing Notice.

**Motion**

A motion was made by Paul Bauer and seconded by Patty Edelburg to approve the Preliminary Public Hearing Notice for Wis. Admin. Code ch. ATCP 16. Motion was approved unanimously.

**ATCP 134 – Residential Rental Practices  
Draft Rule Hearing  
Division of Trade and Consumer Protection**

David Woldseth, Policy Analyst from the Division of Trade and Consumer Protection presented the Hearing Draft for Wis. Admin. Code ch. ATCP 134, to the Board. Mr. Woldseth gave a brief overview and requested the Board approve the Hearing Draft.

**Motion**

A motion was made by Andy Diercks and seconded by Paul Bauer to approve the Hearing Draft for Wis. Admin. Code ch. ATCP 134. Motion was approved unanimously.

### **DATCP Boards and Councils Appointments Office of Secretary**

Deputy Secretary Angela James, presented the Department's Standing Advisory Council appointments to the Board. Ms. James requested the Board confirm appointments for the Department's Standing Advisory Councils which were created by DATCP under the general authority of s. 15.04 (1)(c), Stats., to advise the Department. Members on these standing councils are appointed by the Secretary with the approval of the DATCP Board.

#### **Motion**

A motion was made by Paul Palmby and seconded by Carla Washington to approve the Department's Standing Advisory Councils appointments. Motion was approved unanimously.

### **DATCP Communications Update Office of the Secretary**

Grace Atherton, Communications Director in the Office of the Secretary, presented a communication update to the Board. Ms. Atherton joined the Department in January last year. She worked in campaign finance in the 81<sup>st</sup> Assembly District before that.

What we do and how we do it: The communications team informs the public, maintains consistent focused messaging and serves as a resource. The team participates in media interviews, writes press releases, newsletters, maintains social media, the DATCP website and blog, interacts with stakeholders and participates in events, such as the State Fair.

Where we have been: The communications team works extensively with governor's office and other state agencies to coordinate messaging, institute regular internal communications, modernized agency's public presence, handles over 1,000 media contacts, and prepares agency leadership and staff for hundreds of media interviews and dozens of speaking engagements.

What we have been doing during COVID-19: We continue working extensively with the Governor's Office and other agencies to coordinate messaging, but pivoted to phone and virtual interviews. We have distributed 40 plus email bulletins to stakeholders and customers, began weekly conference calls with ag media, prepared weekly internal email updates from the Secretary, managed communications for \$65 million in state COVID aid, and partnered with NASDA on messaging regarding federal COVID aid.

What's next: We will be supporting the next rounds in the farm support program, food security initiative, and farmer wellness program. Also, we will be communicating with stakeholders to monitor supply chain and spot issues.

### **Legislative Update Office of the Secretary**

Bradford Steine, Legislative Liaison in the Office of the Secretary, presented a legislative update to the Board. The Assembly is adjourned for the year, but following the March 5<sup>th</sup> board meeting the Senate came in to session to take up some veto overrides, but not outstanding legislation. All of the bills that had the potential to pass, for example, the ag special session, water quality, food labeling, tractor rollover protection, and call spoofing, all died at that time.

The Governor's executive and emergency orders, EO 72 and EmR 2002 were in response to COVID-19. EO 72 authorized DATCP to enforce prohibitions against price gouging during an emergency and proclaimed a period of abnormal economic disruption. DATCP explored opening an emergency rule on price gouging, but pulled it back, but continue to investigate instances of price gouging even through the economic disruption officially ended July 3<sup>rd</sup>.

The Governor's Emergency Order 8 on March 20<sup>th</sup>, directed DATCP to enact EmR 2002, regarding residential rental late fees during the pandemic. JCRAR voted down the emergency rule. JCRAR also stated they will introduce legislation in the next session that will prevent DATCP from promulgating a future emergency rule during an emergency for barring rental fees.

We are beginning the process now for the 2021-2023 budget. The budget request will have to be submitted on September 15<sup>th</sup> to the Governor. DATCP received a budget letter from Governor on June 5<sup>th</sup>, directing state agencies to not request GPR expenditures, not seek any new positions, and repurpose existing vacancies where feasible.

### **Secretary's Office Update**

Secretary Randy Romanski presented the Secretary's Office Update to the Board.

Hello and good bye. Welcome Doug Rebut, our newest DATCP Board member and to Julia Nunes our 73<sup>rd</sup> Alice in Dairyland. Farewell to Abigail Martin, our 72<sup>nd</sup> Alice.

Thanks to Secretary Missy Hughes for joining us today. We work with Missy and her team on a weekly basis by focusing on rural prosperity with DATCP's mission of serving as a resource to the State of Wisconsin.

Broadband. The Broadband Task Force was introduced by the Governor to show the importance of access to healthcare, education, and agriculture. We can do better. The Governor's budget gave dollars to help the task force to give areas access to quality broadband.

Operational: DATCP is currently in a modified phase 2. There are a few more people that have transitioned back into the DATCP building who are not able to work at home. By policy everyone is required to wear a mask and the agency makes masks available. The building is not open to public access yet. Our field staff are out in the field, more so than before and we make sure they have the appropriate PPE to do their jobs safely.

**Budget:** In addition to the previous budget lapses, the Governor requested a \$250 million cost savings to be spread out amongst all state agencies. That will provide agencies to experience cost saving measures throughout the year. DATCP will address the savings measures asked of us.

**Farm Support Program:** The Governor made \$50 million available to farmers. Payments were mailed and direct deposited into accounts last Thursday. This was a quick turnaround for our partners at DOR. There were about 12,000 recipients for the funding, and all applicants received \$3,500, totaling \$41.6 million spent. Our goal is to spend all available funding provided by the Governor, so a second application period will begin next month. We again will be working with DOR and organizations representing farmers. The application window will be August 10-24<sup>th</sup>, with payments expected to go out in mid-September. The overall payments will not be as large as first round because there is less funding available.

**Food Security Initiative:** The \$15 million we received from the Governor to help support Wisconsin agriculture during COVID-19 was split into two grants to help food banks. The applications for the first grant of \$5 million closed yesterday with a total of 25 applications submitted. The applications for the second round of grants, totaling \$10 million, will close on July 29<sup>th</sup>. Our goal is to focus on partnerships and making connections between farmer, processor and food bank.

**Federal programming:** In the USDA AMS Food Box Program Wisconsin was underrepresented in the first round. We continue to have productive talks with them to make sure Wisconsin gets opportunities in future.

CVAP is the direct payment program from USDA that has paid out \$6 billion so far. Wisconsin is number 4 in payments provided, Iowa is number 1. The total payments received for Wisconsin farmers is over \$374 million out of the \$6.2 billion.

**Wisconsin Agriculture Youth Council.** This council is working to encourage young people to engage with state government and increase their roll in Wisconsin agriculture. Agriculture is part of our future whether it is continuing on their family farm, working in a government agency, or at an agriculture business. This council will consist of 15 Wisconsin high school seniors across the state who will meet virtually every month beginning in September. The students will serve a one year term and applications are open now through August 21<sup>st</sup>.

DATCP staff. I am grateful for the hardworking and professional DATCP staff. Whether in the field, working remotely or in the building, they act, respond, work hard, and navigate COVID-19 challenges professionally.

## **Board Member Update**

**Carla Washington:** It is with a great sense of pride being part of the DATCP Board since COVID has started. The staff at DATCP was able to pivot quickly to put policies and grants in action. She has seen the benefit to individuals in her area.

**Andy Diercks:** Thanks to Abigail Martin as Alice in Dairyland, welcome Doug to the Board. Also thanks to Randy and the whole DATCP staff. On the farm things haven't changed much, the bars are open, no masks here, it is almost two different worlds from Madison. The potato crop in Wisconsin is good generally, but the potato industry across the country is impacted differently. French fries are back doing well. We are trying to keep employees happy and healthy and keep jobs up.

**Paul Bauer:** He echoes the fact that everything is tossed upside down. Milk prices are up relative to three months ago and probably the largest in his career. Weather is perfect for growing crops, lots of milk also coming in. The Board of Directors is wanting them to proceed in building in Menomonee. Hopefully that will provide more certainty for us. Everyone knows that the plant in Burnett was on fire and caused uncertainty for everyone else. We are looking for workers and it is tough to get people to apply, but are rolling with the punches.

**Patty Edelburg:** Not a lot going on in her world. Everything is zoom and virtual calls now, beyond that she is figuring out how to work in a virtual world. She is trying to keep membership interested and engaged at the Farmers Union level. On the farm, not much has changed, but we are watching milk prices go up.

**Kurt Hallstrand:** He thanked Abigail Martin for her tour as Alice in Dairyland and what she has done for the State this past year. On the business side, the logging industry has been hit right now due to COVID. On the cattle side things have been flip flopping, up and down too due to COVID.

**Paul Palmby:** As the case everywhere, this is an unprecedented time with a different challenge every day. In the plant we have spent countless hours and dollars to ramp up for the seasonal hacks and have been reasonably successful in dealing with infections. The challenge we face now is getting the number of workers that are required, seasonal or even the full time workforce. We have been told that people aren't ready to get back to work until August, and we are doing what we can to work through this. He would like to commend the Evers' administration of the challenges relating to testing. The Evers' administration had the foresight to take money from the CARES Act to test all seasonal workers coming into the state. Everyone in the vegetable industry has taken advantage of that and it is a night and day difference in Wisconsin compared to other states. Welcomed Doug to the board.

**Dan Smith:** At Cooperative Network we are dealing with the same challenges as all businesses, adjusting to the new normal. Throughout the summer we have been changing events, conferences and education programs to virtual platforms. We are working across the board on broadband collation, and looking at workforce safety and availability especially with seasonal workers. Looking ahead we will be feeling the effects of COVID for some time. We are helping cooperatives with the risks and how to plan for those. We are also adjusting day by day and are helping members through that uncertainty.

**Doug Rebout:** He is honored to be on Board. He farmed 4000 acres, with 280 Holsteins by Janesville in Rock County with his two brothers and mother. He also raised custom heifers for a neighboring farm. On March 1<sup>st</sup>, they sold their dairy herd due to an employee leaving. Doug has been married 28 years and has a 27 years old daughter. He is President of the Wisconsin Corn Growers, on the Governor's Task Force for Climate Change, and involved with the Farm Bureau. He is busy trying to get wheat put up and the second crop of hay. Everything is looking beautiful and hoping for a good year.

**Miranda Leis:** She doesn't have much to add, it is the same story everywhere by trying to adjust to the uncertainty in 2020. The organic market wasn't impacted quite as severely at the initial COVID onset because they are heavily retail based and not in food service. Retail remains strong and inventory levels are coming back into balance. She's been watching milk prices carefully and where they are pulling milk and balance expenses. Otherwise they have been spending hours of work on contingency plans for the next 12-18 months.

### **Future Agenda Items**

Secretary Romanski stated that the WEDA Executive Director for Rural Housing will be joining our next board meeting.

General Counsel Landretti stated that Jason Gherke will have a budget update at the next board meeting.

### **Adjournment**

#### **Motion**

A motion to adjourn was made by Andy Diercks and seconded by Paul Palmby, motion approved unanimously. The Board adjourned at approximately 11:35 p.m.

All reports and any associated documents presented during a Board meeting can be accessed by contacting the Office the Secretary, Legal Counsel at (608) 224-5029.