



State of Wisconsin
1997 - 1998 LEGISLATURE

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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1997 ASSEMBLY BILL 392**

November 6, 1997 – Offered by Representatives OTT, KRUG and ALBERS.

1 **AN ACT** *to renumber and amend* 93.51; *to amend* 20.115 (4) (d), 93.50 (1) (d),
2 93.50 (2) (a), 93.50 (2) (am) and 93.50 (3) (f); *to repeal and recreate* 93.51 (1),
3 (2) (title) and (c) and (3); and *to create* 93.52 and 904.15 of the statutes;
4 **relating to:** the farm mediation and arbitration program, the farmer
5 assistance program, exit from and entry into the dairy industry and granting
6 rule-making authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

7 **SECTION 1.** 20.115 (4) (d) of the statutes, as created by 1997 Wisconsin Act 27,
8 is amended to read:

9 20.115 (4) (d) *Farmer tuition assistance grants.* Biennially, the amounts in the
10 schedule for farmer tuition assistance grants under s. 93.51 (2) (b).

11 **SECTION 2.** 93.50 (1) (d) of the statutes is amended to read:

1 93.50 (1) (d) "Farmer" means a farmer, as defined in s. 102.04 (3), who owns
2 or leases a total of 60 acres or more of land that is agricultural property and whose
3 gross sales of farm products for the preceding year equaled \$20,000 or more or
4 exceeded the product of 2,088 multiplied by the federal minimum hourly wage under
5 29 USC 206 (a) 1., except that the department may waive the gross sales requirement
6 if the department determines that extraordinary personal circumstances warrant
7 waiver.

8 **SECTION 3.** 93.50 (2) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
9 is amended to read:

10 93.50 (2) (a) *Selection of mediators.* The department shall select as mediators
11 ~~who are residents of this state, persons~~ who have the character and ability to serve
12 as mediators and who have knowledge of financial or agricultural matters or of
13 mediation processes. The department shall ensure that each mediator receives
14 sufficient training in mediation processes, resolving conflicts, farm finance and
15 management and the farm credit system and practices to enable the mediator credit
16 and other subjects to develop or maintain the skills necessary to perform his or her
17 functions under this section.

18 **SECTION 4.** 93.50 (2) (am) of the statutes, as affected by 1997 Wisconsin Act 27,
19 is amended to read:

20 93.50 (2) (am) *Selection of arbitrators.* The department shall select as
21 arbitrators ~~who are residents of this state, persons~~ who have the character and
22 ability to serve as arbitrators and who have knowledge of financial or agricultural
23 ~~matters or of arbitration~~ or other conflict resolution processes. The department shall
24 ensure that each arbitrator receives sufficient may provide training in arbitration
25 processes, resolving conflicts, farm finance and management and the farm credit

1 ~~system and practices to enable the arbitrator or agricultural issues as part of process~~
2 ~~of selecting arbitrators or to arbitrators selected by the department to enable~~
3 ~~arbitrators to maintain the skills necessary to perform his or her their functions~~
4 under this section.

5 **SECTION 5.** 93.50 (3) (f) of the statutes is amended to read:

6 93.50 (3) (f) *Mediation.* The function of the mediator is to encourage a
7 voluntary settlement among the parties. The mediator may not compel a settlement.
8 The mediator shall schedule meetings of the parties, direct the parties to prepare for
9 the meetings, attempt to achieve a mediated resolution to the issues among the
10 parties and, if the parties request, assist the parties in preparing a written
11 agreement. All mediation meetings shall be held in this state and be conducted
12 under the laws of this state.

13 **SECTION 6.** 93.51 of the statutes is renumbered 93.51 (2) (a) and amended to
14 read:

15 93.51 (2) (a) The department may provide consultation and assistance to
16 distressed farmers, which may include but is not limited to providing employment
17 and retraining counseling for farmers needing employment other than farming,
18 operating a program in which volunteers advise or counsel farmers about financial
19 matters and other concerns and operating a crisis hotline for farmers. ~~In addition,~~
20 the

21 (b) The department may make grants to low-income farmers for the purpose
22 of paying all or part of the tuition for a farmer who enrolls in a course on farm and
23 business management techniques offered by a technical college.

24 **SECTION 7.** 93.51 (1), (2) (title) and (c) and (3) of the statutes are created:

25 93.51 (1) DEFINITIONS. In this section:

1 (a) "Farmer" has the meaning given in s. 93.50 (1) (d).

2 (b) "Farming" has the meaning given in s. 102.04 (3).

3 **(2)** (title) ASSISTANCE PROGRAM. (c) The department may promulgate rules
4 necessary to implement this section.

5 **(3)** ADVISORS. (a) The department may select volunteers to provide advice and
6 counseling services to distressed farmers. Advisors shall have expertise and
7 experience in relevant areas of knowledge.

8 (b) The department shall provide any necessary training to advisors.

9 (c) Advisors shall be compensated for travel and other necessary expenses in
10 amounts approved by the department.

11 (d) Advisors and the department shall keep confidential all information
12 obtained in the process of providing advice or counseling. Any such information
13 contained in a record is not subject to the right of public inspection and copying under
14 s. 19.35 (1). This paragraph does not apply to information relating to possible
15 criminal misconduct.

16 **SECTION 8.** 93.52 of the statutes is created to read:

17 **93.52 Dairy farmer exit-entry program.** The department shall administer
18 a program to assist in the transfer of farm operations from persons exiting the dairy
19 industry to persons wishing to enter the industry, including assistance in negotiating
20 the financial and legal aspects of farm transfers. The department shall keep
21 confidential information obtained under the program. Any such information
22 contained in a record is not subject to the right of public inspection and copying under
23 s. 19.35 (1).

24 **SECTION 9.** 904.15 of the statutes is created to read:

