



# AALA Agricultural Law Symposium 2013

## Conference Agenda

### Thursday Evening, October 31

7:00—9:00 pm                      **Welcome Reception and Registration**                      Madison Ballroom

### Friday Morning, November 1

7:00—8:30 am                      **Registration and Continental Breakfast**                      Madison Ballroom

**7:55—11:45 am                      General Session                      Wisconsin Ballroom**

7:55    **Welcome**                      Peggy Kirk Hall, AALA President

8:00    **Annual Updates in Agricultural Law**                      **Session 1**

*Moderator: Jesse J. Richardson, West Virginia U. College of Law*

- Agri-finance Law*    Jeffrey Peterson, Gray Plant Mooty, St. Cloud, Minnesota
- Tax Law*                Philip E. Harris, U. of Wisconsin Dept. of Ag. & Applied Economics
- Food Law*             Susan Schneider, U. of Arkansas College of Law
- Resource Law*        Jesse J. Richardson, West Virginia U. College of Law
- Environmental Law*    Anthony Schutz, U. of Nebraska College of Law
- Farm Bill*              David P. Grahn, USDA Office of General Counsel

10:15—10:35 am

Break

**Sponsored by Lawler and Swanson P.L.C., Parkersburg, Iowa**

10:35    **Uncommon Prosperity in Agriculture**                      **Session 2**

*Moderator: Neil Hamilton, Drake University Law School*

Dr. Michael Duffy, Iowa State University Dept. of Economics

**11:45—1:00 pm                      Luncheon and Keynote Address                      Madison Ballroom**

### ***Ag and the Environment: A Troubled Dance***

*The Honorable David R. Minge*

*Lawyer, Professor, Congressman and Judge*

**Luncheon sponsored by Farm Credit Services**

## Friday Afternoon, November 1

| 1:00—3:00 pm | Concurrent Session  | Session 3          |
|--------------|---|--------------------|
| A            | <p><b><i>Estate Tax Issues for Agriculture</i></b><br/> <i>Moderator: Amy Swanson, Lawler &amp; Swanson PLC, Parkersburg, Iowa</i><br/>                     Neil Harl, Iowa State University, Emeritus Professor of Economics<br/>                     Philip E. Harris, U. of Wisconsin Dept. of Agricultural &amp; Applied Economics</p>  | Capitol Ballroom B |
| B            | <p><b><i>Certifying Bio Energy Products for Market Access – Developments in Sustainable Law and Policy</i></b><br/> <i>Moderator: Jody Endres, U. of Illinois Energy Biosciences Institute</i><br/>                     Keith Kline, Oak Ridge National Laboratory, “<i>International Organization for Standardization (ISO) Standard Development for Sustainable Biomass</i>”<br/>                     Tat Smith, U. of Toronto Faculty of Forestry, “<i>Emerging European Union Standards for Wood Pellets</i>”<br/>                     Michael Waugh, California Air Resources Board, “<i>The California Low Carbon Fuel Standard: Status Update</i>”<br/>                     Rayane Aguiar, U. of Illinois European Union Center, “<i>Brazilian Forest Code: Opportunities and Challenges in Achieving Environmentally Sustainable Biofuels</i>”<br/>                     Sponsored By: U. of Illinois Energy Biosciences Institute</p> | Capitol Ballroom A |
| C            | <p><b><i>Got Milk? Whether Raw, Supported, Exported or in Distress, Quench Your Thirst with Current Dairy Issues</i></b><br/> <i>Moderator: Patricia Jensen, St. Thomas University</i><br/>                     Mark Stephenson, U. of Wisconsin Center for Dairy Profitability<br/>                     Brandy Sargent, Stoel Rives LLP, Portland, Oregon<br/>                     Doug Spanier, Minnesota Dept. of Agriculture</p>  | Wisconsin Ballroom |

3:00—3:20 pm

Break

**Sponsored by Beving, Swanson & Forrest P.C., Des Moines, Iowa**

| 3:20—5:00 pm | Concurrent Session   | Session 4          |
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| A            | <p><b><i>Food Safety and Technology</i></b><br/> <i>Moderator: Drew L. Kershen, U. of Oklahoma College of Law</i><br/>                     Shawn Stevens, Gas Weber Mullins, Milwaukee, Wisconsin, “<i>Safe Foods Require More than Wishful Thinking: The Impact of FSMA and Technology on Food Safety</i>”<br/>                     William Oemichen, Cooperative Network, Madison, Wisconsin, “<i>Raw Milk – The Legal, Regulatory and Policy Debate in Wisconsin</i>”<br/>                     Drew L. Kershen, U. of Oklahoma College of Law, “<i>Food Irradiation – Law, Regulation and Policy for Food Safety</i>”</p> | Capitol Ballroom A |
| B            | <p><b><i>Crop Insurance</i></b><br/> <i>Moderator: Robert Serio, Serio &amp; Bishop PLLC, Clarendon, Arkansas</i><br/>                     David P. Grahm, USDA Office of General Counsel<br/>                     Anne Hazlett, U.S. Senate Agriculture Committee<br/>                     Harrison M. Pittman, National Agricultural Law Center<br/>                     Greg James, Law Office of Greg James, Clarendon, Arkansas<br/>                     Kurt Henke, Henke Bufkin, Lyon, Mississippi<br/>                     Grant Ballard, Banks Law Firm PLLC, Little Rock, Arkansas</p>                             | Wisconsin Ballroom |

**3:20—5:00 pm** **Concurrent Session** **Session 4, continued**

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| C | <p><b><i>From Hops to Headaches: Legal and Finance Issues in the Craft Beer Industry</i></b><br/> <i>Moderator:</i> Jeffrey A. Peterson, Gray Plant Mooty, St. Cloud, Minnesota<br/>                 James W. Mathis, Husch Blackwell LLP, St. Louis, Missouri<br/>                 Angela O’Neill, Associated Bank, St. Paul, Minnesota</p>  | University Room    |
| D | <p><b><i>Local Food Systems – Legal Challenges in Local Food Systems</i></b><br/> <i>Moderator:</i> A. Bryan Endres, U. of Illinois College of Ag’l, Consumer and Env’l Sciences<br/>                 Rachel Armstrong, Farm Commons, “<i>CSA and Community Labor: Preserving the Ability of Volunteer and Employer to Unite for Change</i>”<br/>                 Teresa Engel, Wisconsin Dept. of Ag., Trade &amp; Consumer Protection, “<i>Wisconsin Support for Local Foods</i>”<br/>                 Laurie Beyranevand, Vermont Law School, “<i>The New Food Movement</i>”<br/>                 Ed Cox, Drake University Law School, “<i>Land Access and Use Issues for Local Farmers</i>”<br/>                 Rusty Rumley, National Agricultural Law Center, “<i>Common Legal Issues in Direct Marketing</i>”</p> | Capitol Ballroom B |

**6:00—7:30 pm** **Social Reception** **Madison Ballroom**

**Saturday Morning, November 2**

7:00—8:15 am **Continental Breakfast and Breakfast Discussion Groups** Madison Ballroom  
 Join an informal discussion for Private/Corporate, Organization, Government or Academia attorney groups

**8:30—10:00 am** **Concurrent Session** **Session 5**

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| A | <p><b><i>Biotechnology – Coexistence and Labeling Issues</i></b><br/> <i>Moderator:</i> A. Bryan Endres, U. of Illinois College of Ag’l, Consumer and Env’l Sciences<br/>                 Allison Peck, West Virginia U. College of Law, “<i>Does Regulation Chill Democratic Deliberation? The Case of GMOs</i>”<br/>                 Margaret Rosso Grossman, U. of Illinois College of Ag’l, Consumer and Env’l Sciences, “<i>Labeling GM Foods: Current Law and Recent Developments</i>”<br/>                 Jonathan Coppess, U.S. Senate Agriculture Committee, “<i>Making Waves: Congress Begins Wading Into the Biotechnology Debate</i>”<br/>                 Thomas Redick, Global Env’l Ethics Counsel LLC, “<i>Coexistence: North American Style</i>”</p> | Capitol Ballroom A |
| B | <p><b><i>You Call it Fracing, I Call it Fracking . . .</i></b><br/> <i>Moderator:</i> Theodore A. Feitshans, North Carolina State University<br/>                 Robert Moore, Wright Law Co. LPA, Dublin, Ohio, “<i>Representing Landowners in Oil and Gas Transactions</i>”<br/>                 Terence J. Centner, U. of Georgia College of Ag. and Env’l Sciences, “<i>Disclosure of Toxic Substances Associated with Fracturing for Oil and Gas</i>”<br/>                 Ross H. Pifer, Penn State Dickinson School of Law</p>   | Wisconsin Ballroom |
| C | <p><b><i>Estate and Business Planning</i></b><br/> <i>Moderator:</i> L. Leon Geyer, Virginia Tech. Dept. of Ag’l and Applied Economics<br/>                 Mark Monson, Ruder Ware LLSC, Wausau, Wisconsin, “<i>Medical Assistance</i>”<br/>                 L. Leon Geyer, Virginia Tech. Dept. of Ag’l and Applied Economics, “<i>Minority Discounts and Lack of Marketability in Agricultural Assets and Entities</i>”</p>   | Capitol Ballroom B |

10:00—10:20 am  
 Break

| 10:20–11:45 am |   | Concurrent Session | Session 6          |
|----------------|---|--------------------|--------------------|
| A              | <p><b>Animal Law – Industry and Government Responses</b><br/> <i>Moderator: Beth Crocker, Clemson University Office of General Counsel</i><br/> M. Victoria Taylor, Charlotte School of Law, “Animal Law and Responses to Animal Law”<br/> Ray Starling, North Carolina House of Representatives and Tina Hlabse, North Carolina Dept. of Agriculture &amp; Consumer Services, “Liability for Zoonotic Disease Transfers”</p>   |                    | Wisconsin Ballroom |
| B              | <p><b>Beyond the USDA Civil Rights Settlements: Legal Challenges and Opportunities for Success</b><br/> <i>Moderator: Susan Schneider, U. of Arkansas School of Law</i><br/> Janie Hipp, Indigenous Food &amp; Agriculture Initiative, U. of Arkansas, “Update on Resolution of Discrimination Cases” and “What’s Next: Tribal Food and Agriculture Initiatives”<br/> Stephen Carpenter, Farmers’ Legal Action Group, “Comments on <u>In re Black Farmers Settlement</u>”<br/> Susan Stokes, Farmers’ Legal Action Group, “The Hmong Food &amp; Agricultural Experience”<br/> Daniel Cornelius, Intertribal Agriculture Council, “Tribal Food Initiatives in the Great Lakes and Upper Midwest”</p> |                    | Capitol Ballroom A |
| C              | <p><b>Student and Practitioner Conclave</b><br/> <i>Moderator: David Waggoner, Waggoner Law Firm, Hillsboro, Texas</i></p>  |                    | Capitol Ballroom B |

| 11:45—1:15 pm | Luncheon | Madison Ballroom |
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AALA Business Meeting, Awards and Recognition Program

| 1:15—2:15 pm |  | Concurrent Session | Session 7          |
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| A            | <p><b>Ethics and Professional Responsibility: Confidentiality, Common Interests and Professional Conflicts of Interest with Multiple Clients</b><br/> <i>Moderator: Patrick Costello, Costello, Carlson &amp; Butzon LLP, Lakefield, Minnesota</i><br/> Margaret Raymond, U. of Wisconsin Law School</p> |                    | Capitol Ballroom A |
| B            | <p><b>Technology and Research Roundtable</b><br/> <i>Moderator: Robert Moore, Wright Law Co. LPA, Dublin, Ohio</i><br/> Cari B. Rincker, Rincker Law PLLC, New York, New York<br/> Kent Jorgensen, Wright Law Co. LPA, Dublin, Ohio</p>  |                    | Capitol Ballroom B |
| C            | <p><b>The FDA and Food Safety</b><br/> <i>Moderator: Terence J. Centner, U. of Georgia College of Ag. and Env’l Sciences</i><br/> Shawn Stevens, Gass Weber Mullins LLC, Milwaukee, Wisconsin<br/> John Dillard, Olson Frank Weeda Terman Matz P.C., Washington DC</p>                                   |                    | Wisconsin Ballroom |

| 2:15—3:45 pm | General Session | Madison Ballroom |
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**Fate of the 2013 Farm Bill – Conservation, Crop Insurance, and the Future of Farm Policy**  
*Moderator: Jesse J. Richardson, AALA President-Elect*  
Neil Hamilton, Drake University Law School

**3:45 pm — Adjourn**

**See you next October 2-4, 2014, in Albuquerque, New Mexico!**