



**Thank you for joining us in New Orleans, Louisiana, for the 43rd Annual  
AALA Agricultural Law Educational Symposium!**

## **2022 AALA Annual Agricultural Law Educational Symposium Sessions**

## Thursday, November 10, 2022

**8:00 am: Registration in Le Salon Prefunction**

**10:00 - 11:30 am: State Agency Attorneys Meeting** (invitation only; not a public session)

**Hosted by the National Association of State Departments of Agriculture**

**Room: Pelican I**

**1:00 - 4:00 pm: Farm Bureau LINC Meeting** (invitation only; not a public session)

**Room: Pelican II**

**Thursday sessions will be at the Port of New Orleans 1350 Port of New Orleans Place  
(You will be responsible for your own transportation. Directions will be available at registration. There will not be a separate registration at the Port.)**

**12:30 - 1:30 pm: Session #1: Labor, Transportation and Trade: Managing the Impact of Potential Modifications to Agricultural Transportation Wage Rates**

**Speakers:** *Brandon Davis, Phelps Dunbar, New Orleans, LA*

*Jim Simon, American Sugar Cane League, Thibodaux, LA*

**1:30 - 2:30 pm: Session #2: Supply Chain Disruptions: Protect Against Unique Challenges in the Ag Industry**

**Speaker:** *Daniel Brown, Dorsey & Whitney, Minneapolis, MN*

**2:30 - 2:45 pm: Networking Break**

**Sponsored by Phelps Dunbar, Port of New Orleans and Port of South Louisiana**

**2:45 - 3:45 pm: Session #3: Secured Lending in Mexico for Agricultural Production: Perils and Pitfalls**

**Speakers:** *Kip Martin, Coogan & Martin, P.C., Nogales, AZ*

*Daniel Coogan, Coogan & Martin, P.C., Nogales, AZ*

*Miguel Tapia, Tapia & Associates, Hermosillo, Sonora*

**3:45 - 5:00 pm: Session #4: Tour of Port of New Orleans. Participants should expect to walk for much of the tour, and the Port may allow participants to enter various climate-controlled areas. Participants should dress accordingly.**

**5:00 – 6:00 pm: New Member and Student Welcome – How to Get the Most From the Symposium**

**Room: Algiers A (second floor)**

**Sponsored by Waggoner Law Firm**

**6:00 – 7:30 pm: Reception at InterContinental**

**Room: LaSalle BC / Le Salon**

Program Key			
Policy Track	Private Practitioner Track	Food Law Track	In-House / Corporate Counsel Track
Ethics			

## Friday, November 11, 2022

7:00 am: Registration in Le Salon Prefunction  
 7:00 am: Breakfast in Le Salon Prefunction  
*Sponsored by National Pork Board and American Egg Board*

**All morning sessions will be in LaSalle AB**  
 8:00 – 8:15 am: Introduction and Welcome  
*Speakers: Jeff Peterson, Lathrop GPM LLP, St. Cloud, MN  
 Mike Strain, Louisiana Commissioner of Agriculture and Forestry, Baton Rouge, LA*

8:15 - 9:15 am: **Session #5: General Session with Louisiana Leadership**  
*Speakers: Deidre Robert, USDA  
 Paul Matthews, Port of South Louisiana*

9:15 - 9:45 am: **Session #6A: Land Use and Resource Law Update**  
*Speaker: Jesse Richardson, West Virginia University College of Law, Morgantown, WV*

9:45 - 10:15 am: **Session #6B: Ag Policy Update**  
*Speaker: David Grahn, USDA, Washington, DC*

10:15 - 10:30 am: **Networking Break**

10:30 – 11:30 am: **Session #7: Keynote Speaker**  
*Speakers: Jason Brown, Henderson, NC*

11:30 am- 1:00 pm: **Lunch on Own. New attendees and law school students will have an opportunity to join scheduled lunches off site.**

1:00 - 4:00pm **Student Trivia Competition**  
*Room: Tremé (second floor)*

## 1:00 – 2:00 pm: Session #8: Ethics - Developing Diverse Talent in Agricultural Law and Policy: Be Part of the Solution

**Speakers:** Neil Fulton, University of South Dakota, Vermillion, SD  
Regan McGill, National Pork Board, East Lansing, MI  
Mike Traxinger, Agtegra Cooperative, Houghton, SD  
**Moderator:** Angie Krieger, Sustainable Environmental Consultants, Clive, IA

As ag lawyers, we find ourselves mentoring or otherwise supervising non-lawyers.....if we are using these non-lawyers in our practices or businesses, what duties do we have with respect to the non-lawyers? Rule 5.3 of the Model Rule of Professional Conduct provides guidance, which includes not only the appropriate amount of instruction needed regarding ethical aspects of the employment but also the level of responsibility for the non-lawyers work product. More broadly, however, the session will discuss the need for more ag lawyers to be willing to engage in these non-lawyer supervisory roles as guided by Rule 5.3., and to challenge ourselves to support the next generation of ag lawyers and policy leaders.

Law students have myriad opportunities for traditional internships and clerkships, but do we provide enough opportunities to learn about key issues in modern agriculture (especially animal agriculture)? NALC does a great job providing information to students who know they are interested in ag, but what about those who don't know where to look? Or those who look for information and only see one side of the issues (i.e. <https://thebrooksinstitute.org/> or [https://law.lclark.edu/centers/animal\\_law\\_studies/](https://law.lclark.edu/centers/animal_law_studies/))?

We need to challenge ourselves to start thinking outside the box about how we support development of the next generation of ag law and ag policy leaders. This starts with broadening our search beyond traditional sources of ag law students and then giving those we find a great experience, all while keeping in mind the MRPC.

**Track:** Ethics

**Room:** LaSalle AB

**Session 8**

## 2:05 – 3:05 pm: Session #9: Concurrent Breakouts

### Sackett v EPA - Future of Clean Water Act

**Speakers:** Charles Yates, Pacific Legal Foundation, Sacramento, CA  
Tim Bishop, Mayer Brown, Chicago, IL  
Jonathan Adler, Case Western Reserve University School of Law, Cleveland, OH  
James May, Widener University Delaware Law School, Chester, PA

This session, headlined by the *Sackett* litigation team, will address possible outcomes in *Sackett v EPA* (drawing on oral argument and court briefings) and include a robust discussion on the impact of the case as it relates to the future of the Clean Water Act.

Additionally, the panel of litigators and legal scholars will use *Sackett* as a vehicle to examine the 50-year legacy of the Clean Water Act – with particular emphasis on the act's impact on American agriculture.

**Track:** Policy

**Room:** LaSalle C

**Session 9A**

### Representing Farmers in USDA's National Appeals Division (NAD)

**Speakers:** Frank "Max" Woods, Director, National Appeals Division, Alexandria, VA  
Kyla Kaplan, Olsson Frank Weeda Terman Matz PC, Washington, DC  
Robert Slaughter, Slaughter & Lupton Law, PLLC, Edenton, NC

This session will discuss representing farmers who appeal adverse USDA decisions to NAD. The session will provide important background information on how a farmer could end up appealing adverse USDA decisions to NAD; address key statutes, regulations, NAD decisions, and federal court decisions; and give practice pointers.

**Track:** Private Practitioner

**Room:** Pelican I&II

**Session 9B**

### PFAS - A Huge Liability Come Home to Roost

**Speakers:** Mark McDaniel, Jr., AlterEcho, Denver, CO  
Thomas Redick, Global Environmental Ethics Counsel LLC, Spring Lake, MI  
William Beck, Lathrop GPM, Kansas City, MO  
**Moderator:** Christopher Dalbom, Tulane, New Orleans, LA

This session will describe the unfortunate history of PFAS (a catch-all for many fluoridated compounds used for waterproofing-etc.), which are increasingly being found in the environment, posing a serious challenge for many farmers. In the near future, entire dairy herds could be sent to Superfund sites in many states, as the first dairies in New Mexico, Michigan and New Hampshire to be afflicted with PFAS contamination point toward the future. Because plants, particularly corn, are known to take up PFAS from soil, recalls of food loom ahead. Regulators are trying to set safe levels for compounds that have never been subject to adequate testing. While known to be toxic since the 1980s, they are not yet listed as hazardous under Superfund (Congress may finally fix this omission). Major agricultural groups have been meeting with the EPA and FDA and hoping to resolve how best to handle this impending crisis.

**Track: Food**

**Room: Poydras**

**Session 9C**

### **100th Anniversary Capper Volstead Act: Recent Developments**

**Speakers:** Jack Huerter, Dorsey & Whitney, Minneapolis, MN

Mike Traxinger, Agtegra Cooperative, Houghton, SD

The current environment of heightened antitrust scrutiny of the agriculture industry brings added emphasis to the need for the Capper-Volstead Act limited antitrust exemption. This exemption enables members of agricultural cooperatives to collaborate and set prices for the products marketed through the cooperative without running afoul of the Sherman Act. Courts have strictly construed the statute's elements, however, yielding harsh results for cooperatives failing to qualify for the exemption. This session will present the Capper Volstead Act, its elements, the case law interpreting those elements, and recent cases that cooperatives should be aware in assessing their antitrust exposure.

**Track: In-House**

**Room: Acadian I&II**

**Session 9D**

**3:05 - 3:15pm: Networking Break – Ice Cream Social**

**Sponsored by Brick Gentry (with special thanks to Eldon McAfee and Julie Vyskocil)**

**3:15 – 4:15 pm: Session #10: Concurrent Breakouts**

### **Solutions for Heirs Property Owners**

**Speaker:** Jesse Richardson, West Virginia University of Law, Morgantown, WV

Amber Miller, Crenshaw, Dupree & Milam, L.L.P., Lubbock, TX

Laura Vaught, Kious Rodgers Barger Holder & King, PLLC, Murfreesboro, TN

Heirs property is a growing problem across the United States. The 2018 Farm Bill allows farm operators to obtain an FSA farm number, but the rules don't apply to every heirs property situation, and the clouded title issues still remain. In addition, heirs property owners still lack access to credit and other federal and state programs and services. This session will briefly review the causes and effects of heirs property, then focus on how private practitioners or public interest attorneys can best address and minimize the negative impacts of heirs property. Policy solutions will be discussed.

**Track: Policy**

**Room: LaSalle C**

**Session 10A**

### **Lions, Tigers, Cows... Oh My! - Emerging Issues in Animal Law**

**Speakers:** Jake Parker, North Carolina Farm Bureau, Raleigh, NC

Caroline Lobdell, Western Resources Legal Center, Portland, OR

Mike Dye, Law Office of Michael B. Dye, Salem, OR

This session will discuss the latest developments in Animal Law and the implications those developments may have on animal agriculture. The session will discuss various subject matter areas, including animal welfare, animal rights, and animal personhood, and explore the intriguing intersection between criminal and animal law. This session is intended to complement the later Session 11C.

**Track: Private Practitioner**

**Room: Pelican I&II**

**Session 10B**

## **Rural - Urban Reintegration and Food Resiliency**

*Speakers: Jessica Guarino, University of Illinois, Urbana-Champaign, Urbana, IL  
Malerie Ma Roddy, ArentFox Schiff LLP, Chicago, IL  
Jonathan Coppess, University of Illinois, Urbana-Champaign, Urbana, IL*

Social and environmental challenges require the U.S. food system to redevelop production and distribution channels to achieve greater resiliency and alignment with evolving consumer perspectives. One means is re-integration of local and regional producers into the food supply. This session will explore the legal, economic, and equity issues involved in rerouting food system networks to both draw food production to the urban environment and to pull the urban population to the focus of food production. The goal is to provide practitioners and policy professionals tools to facilitate food system re-integration with a focus on the urban edge.

**Track: Food**

**Room: Poydras**

**Session 10C**

## **Perspectives on the Future of PACA: Recent Cases and Opportunities for Modernization**

*Speakers: Karen Carr, ArentFox Schiff LLP, Washington, DC  
Ben Kahrl, Produce Pay Inc., Los Angeles, CA  
Rebeckah Adcock, International Fresh Produce Association, Washington DC  
Bruce Summers, US Department of Agriculture, Washington, DC*

The Perishable Agricultural Commodities Act (PACA) was enacted during the Great Depression to promote fair trade in the fresh fruit and vegetable industry and has slowly evolved through court decisions and legislative and regulatory updates. This session will discuss developments in the recent case law and provide insights from USDA and private practitioners representing produce industry and AgTech perspectives. This session will also discuss regulatory proposals to modernize PACA to account for emerging technologies.

**Track: In-House**

**Room: Acadian I&II**

**Session 10D**

**4:15 - 4:30 pm: Networking Break**

**4:30 – 5:30 pm: Session # 11: Concurrent Breakouts**

## **Restrictions, Reportings and Rules: The Regulatory Landscape Applicable to “Foreign” and Corporate Owners and Lessees of U.S. Agricultural Land**

*Speaker: Kari Larson, K&L Gates LLP, Seattle, WA  
Marisa Bocci, K&L Gates LLP, Seattle, WA  
Laurie Bink Purpuro, K&L Gates, Washington, DC*

This session will be an overview of the regulatory landscape applicable to foreign owners and lessees of U.S. agricultural land including a discussion of (i) the Agricultural Foreign Investment Disclosure Act of 1978 (AFIDA) and similar state statutory equivalents, (ii) anti-corporate farming rules; and (iii) recent legislation with respect to each of the foregoing.

**Track: Policy**

**Room: LaSalle C**

**Session 11A**

## **The Digitalization of Grain Contracts and Trading**

*Speakers: Todd Janzen, Janzen Schroeder Agricultural Law LLC, Indianapolis, IN  
Mike Bowman, Zen Noh Grain Corporation, Covington, LA  
Brittany Batz, Demeter Logistics, Louisville, KY  
Adam Lazarov, Indigo Ag, Memphis, TN*

This session will cover the efforts made to transform grain trading from using paper contracts to moving to online digital platforms. The discussion will start at the farm level and explain how farmers are embracing new platforms that allow grain contracting online. The next portion will discuss the Barge Digital project that is moving barge trading to NGFA’s online platform. Finally, the panel will discuss international shipping of grain and how it is revolutionized by digital grain trading.

**Track: Private Practitioner**

**Room: Pelican I&II**

## **Session 11B**

### **Prop 12, Question 3, and Beyond: Recent State Legislation Targeting Animal Raising Practices**

**Speakers:** John Dillard, OFW Law, Washington, DC  
Brianna Schroeder, Janzen Schroeder Agricultural Law LLC, Indianapolis, IN  
Chelsea Good, Livestock Marketing Association, Overland Park, KS

In 2018, California's voters approved Proposition 12, a ballot initiative mandating minimum animal raising standards for animals that produce pork, veal, and eggs for the California market, regardless of where the animals are raised. Massachusetts voters approved a similar ballot initiative, Question 3, in 2016. In addition, several state bills that would significantly restrict common animal raising practices are under consideration. This session will provide an update on the implementation of Prop 12 and Question 3, review recent court challenges to the legislation and the precarious state of the Dormant Commerce Clause doctrine, and review similar legislative proposals under consideration. This session is intended to complement the earlier Session 10B.

**Track:** Food

**Room:** Poydras

## **Session 11C**

### **Grow North: Understanding the Landscape to Help Your Clients Build Their Agribusinesses in Canada**

**Speaker:** Julia Schatz, Bennett Jones LLP, Toronto, ON  
Lorelei Graham, Bennett Jones LLP, Toronto, ON  
Kristos Iatridis, Bennett Jones LLP, Calgary, AB

This session will provide an overview of considerations for agribusiness and food companies doing business in Canada, including corporate and tax structures, regulatory schemes that govern those businesses and protecting those businesses' assets. It will be a primer to understanding the key requirements for conducting agribusiness in Canada.

**Room:** Acadian I&II

## **Session 11D**

**6:00 - 7:30 pm: Reception – Phelps Dunbar, 365 Canal Street, Suite 2000, New Orleans, LA 70130 (One Canal Place Tower)**

**Sponsored by Phelps Dunbar, Port of New Orleans and Port of South Louisiana**

**8:00pm: Walking Tour of Bourbon Street**

**Hosts:**

**Paul Goeringer, University of Maryland, College Park, MD**

**Austin Vincent, Colorado Farm Bureau, Centennial, CO**

**Interested participants may follow (and catch-up) to the tour through the symposium app chat room by going to [Agenda \ Nov 11 \ Walking Tour \ Chat].**

## Saturday, November 12, 2022

**7:15 am: Registration in Le Salon Prefunction**

**7:15 am: Breakfast in Le Salon Prefunction**

**Sessions 12 & 13 will be in LaSalle AB**

**7:45 – 8:15 am: Session 12A: Food Law Update**

**Speaker:** *Susan Schneider, University of Arkansas School of Law, Fayetteville, AR*

**8:15 - 8:45 am: Session 12B: Tax Law Update**

**Speaker:** *Kristine Tidgren, Center for Agricultural Law & Taxation, Iowa State University, Ames, IA*

**8:45 - 9:15 am: Session 12C: Environmental Law Update**

**Speaker:** *Anthony Schutz, Nebraska College of Law, Lincoln, NE*

**9:15 - 9:45 am: Session 12D: Ag Finance Update**

**Speaker:** *Jeff Peterson, Lathrop GPM, St. Cloud, MN*

**9:45 - 10:00 am: Networking Break**

**10:00 - 10:30 am: Session 13: A Conversation with USDA**

**Speakers:** *Janie Hipp, General Counsel, USDA, Washington, DC*

*David Grahn, USDA, Washington, DC*

**Moderator:** *Jake Parker, North Carolina Farm Bureau, Raleigh, NC*

**10:30 - 11:00 am: AALA President's Address**

**11:00 am – 12:00 pm: Session #14: Concurrent Breakouts**

**Right to Farm: The North Carolina Experience Updated**

**Speakers:** *Jake Parker, North Carolina Farm Bureau, Raleigh, NC*

*Tiffany Dowell Lashmet, Texas A&M Department of Agricultural Economics, Amarillo, TX*

*Nate Huff, K&L Gates, Morrisville, NC*

This session will provide an update on North Carolina's farm nuisance litigation/right-to-farm saga with an emphasis on state court litigation challenging recent amendments to the State's right-to-farm statute under the North Carolina Constitution. Huff and Parker, who represent separate but cooperating defendants in the litigation, will discuss the litigation and its path through the trial court and appellate levels. Lashmet will review how other state legislatures are responding to North Carolina's experience and forecast possible developments in nuisance law and right-to-farm defenses in general.

**Track:** *Policy*

**Room:** *LaSalle C*

**Session 14A**

**Hunting Leases and Landowner Liability: Providing Protection and Opportunity for Clients**

**Speakers:** *Nathaniel Gilbert, The Law Office of Nathaniel Gilbert, LLC, San Antonio, TX*

*Rusty Rumley, National Agricultural Law Center, Fayetteville, AR*

Drafting hunting leases to provide interest protection and land stewardship for landowners and recreational opportunity for outfitters and hunters. By using creative drafting solutions and hunting industry specific language, attorneys can help farmers and ranchers avoid the issues common to leasing their property for hunting. Understanding the intersection of custom-tailored liability waivers and statutory protection in protecting the interests of farmers and ranchers who lease their property for hunting. Legislation limiting personal liability of landowners only goes so far, and lawyers helping to shield their clients from liability must understand liability waiver requirements and common law approaches.

**Track:** *Private Practitioner*

**Room:** *Pelican I&II*

**Session 14B**



## **The Local: Partnerships With Artisanal Alcohol Producers and Sellers and Their Agricultural Suppliers**

**Speaker:** John Szymankiewicz, Beer Law Center, Raleigh, NC

**Moderator:** Jennifer Zwagerman, Director of the Drake Agricultural Law Center, Des Moines, IA

Agriculture Law attorneys have seen a seismic shift in the value proposition of niche commodity crops. As artisanal, “local”, and heritage/heirloom products command a premium and alcohol producers and sellers look to capitalize on the impact of the business on the local level, understanding the needs of the different groups is critical to capitalizing on market opportunities. This session will dive into the needs of alcohol producers and sellers and how agricultural suppliers can create a value position just by being themselves. We'll also touch on critical legal aspects of the quasi-partnerships that develop and how/when craft and art can become argument and litigation.

**Track:** Food

**Room:** Poydras

**Session 14C**

## **Pesticide Litigation and Regulation: Roundup, Dicamba and Beyond**

**Speakers:** Brigit Rollins, National Agricultural Law Center, Fayetteville, AR

Don Downing, Gray Ritter Graham, St. Louis, MO

Tracey George, Davis George Mook LLC, Kansas City, MO

This session will provide an overview of recent events in the world of pesticide regulation and litigation. The current status of chlorpyrifos, dicamba, and glyphosate all will be discussed, including the status of on-going litigation and any changes or proposed changes to regulation. The legal issues surrounding this topic will be discussed so that attendees can walk away with understanding where we're at and how we got here.

**Track:** In-House

**Room:** Acadian I&II

**Session 14D**

**12:00 - 1:30pm: Awards Luncheon and Trivia Winners in LaSalle AB**

**Sponsored by National Cattlemen's Beef Association and Mayer Brown**

**1:30 – 2:30 pm: Session #15: Concurrent Breakouts**

## **Preserving Depleting Water Resources: A Review of Selected State Conservation Programs**

**Speakers:** Gage Hart Zobell, Dorsey & Whitney, Salt Lake City, UT

Isaac Potter, AgReserves Inc., Salt Lake City, UT

This session will provide an overview of current groundwater resources in agriculturally rich areas (i.e., Central Valley, Ogallala Aquifer, Mid-West, Montana, Arizona) and the state regulatory regimes controlling groundwater usage (i.e., right of capture, prior appropriation, modified riparian permit, etc.). This session will then focus on current, and proposed, statewide regulations and initiatives that allowed agricultural users greater flexibility with groundwater resources while promoting efficiency and reduction in groundwater usage. Among these programs are the recharge systems in Nevada and Arizona, in-stream flow leasing in Montana, water management areas in Kansas, and others.

**Track:** Policy

**Room:** LaSalle C

**Session 15A**

## **Title Issues in Ag Real Estate: Beyond the Basics**

**Speaker:** Jen Modjeska, First American Title Insurance Company, Seattle, WA

Jonathan Buss, First American Title Insurance Company, Salt Lake City, UT

Kari Larson, K&L Gates LLP, Seattle, WA

This session will start with an overview of title insurance coverages, including recent changes to the ALTA form policy jackets, then explore more advanced ag title topics through the different perspectives of (i) the attorney representing the buyer, seller, or lender, and (ii) the title insurer. The presenters (consisting of an agribusiness attorney and underwriting counsel for a title insurer) will delve into more advanced topics that arise in agribusiness real estate transactions, including: (a) insuring appurtenant easements; (b) railroad access issues; (c) oil, gas, and mineral leases and reservations; and (d) leasehold title insurance.

**Track:** Private Practitioner

**Room:** Pelican I&II

## **Session 15B**

### **The Future of Food: Issues Related to FDA's Role in Food Regulation**

**Speakers:** Amy Costello, Director, Food Safety, Casey's General Stores, Ankeny, IA

Marnie Jensen, Partner, Husch Blackwell, Omaha, NE

Kelly Nuckolls, Assistant Director and Visiting Assistant Professor of Law for the LL.M. Program in Agricultural and Food Law, Fayetteville, AR

Alli Condra, Davis Wright Tremaine, Portland, OR

**Moderator:** Jennifer Zwagerman, Director of the Drake Agricultural Law Center, Des Moines, IA

This panel takes a look at the current topics and issues making FDA a key focus in food regulation and supply at the moment – and not for positive reasons. These include issues tied to food inspections and assuring standards are met, communication and reporting concerns both within the agency and with regulatory partners, the role of standards of identity in the modern food system, and consumer understanding of FDA's role when it comes to safety and nutrition policy.

These FDA-related issues impact all within food and agriculture and it is important to understand what these and other potential regulatory changes, consumer demands, and litigation impacts may mean. Our panel will highlight key issues, discuss the legal and regulatory ramifications, and look into the crystal ball as to what may happen next.

**Track:** Food

**Room:** Poydras

## **Session 15C**

### **Working With State Agency Attorneys**

**Speakers:** Teena Gunter, Oklahoma Department of Agriculture, Food and Forestry, Oklahoma City, OK

Carole Briggs, Connecticut Department of Agriculture, Hartford, CT

Cort Jensen, Montana Department of Agriculture, Helena, MT

**Moderator:** Brad Deacon, Michigan Department of Agriculture and Rural Development, Lansing, MI

Attorneys within state departments of agriculture fill varied roles based on statutes, state constitutions, and history. Three states, representing different structures, will discuss their roles as attorneys in state governments, both internally and externally, including coordination with other state agencies, local and federal governments, and private practice attorneys working with the food and agriculture industry.

**Track:** In-House

**Room:** Acadian I&II

## **Session 15D**

### **2:30 - 2:45 pm: Networking Break**

### **2:45 – 3:45 pm: Session #16: Concurrent Breakouts**

#### **State Trends in Agricultural Labor Legislation**

**Speakers:** Austin Vincent, Colorado Farm Bureau, Centennial, CO

TBD

Throughout the country, more State legislatures are discussing and passing bills concerning agricultural labor laws. While California has had ag labor laws and regulations in place for decades, now states like Colorado, New York, Oregon, and Washington state are expanding their own agriculture labor laws and regulations. This session will discuss the trending laws and regulations that are being discussed and enacted across the nation, which includes overtime, unionization, hand-weeding regulations, heat illness regulations, access to employees, and others. It is a primer for ag policy and agricultural attorneys who will need this information for clients who have employees and what they need to do to comply with these laws.

**Track:** Policy

**Room:** LaSalleC

## **Session 16A**

### **Economic and Legal Considerations With Carbon Markets**

**Speakers:** Paul Goeringer, University of Maryland, College Park, MD

Tiffany Dowell Lashmet, Texas A&M Department of Agricultural Economics, Amarillo, TX

Shannon Ferrell, Oklahoma State University, Stillwater, OK

Justin Benavidez, Texas A&M AgriLife Extension, Amarillo, TX

Agricultural operators across the country are being presented with new opportunities related to carbon sequestration. Because these markets are new and developing, there are several economic and legal considerations that producers need to consider. This session will discuss the various legal questions and economic considerations that Extension faculty have been receiving and addressing. Topics to be discussed will be an overview of carbon markets, economic considerations when adopting carbon sequestration practices on-farm or rangeland, legal considerations of which agricultural operators need to be aware, and key challenges for market development.

**Track: Private Practitioner**

**Room: Pelican I&II**

**Session 16B**

### **Building Local Food Sovereignty**

**Speakers:** April Jones, Pinehurst Community Action/Pinehurst Farmer Market, Columbia, SC

Alexia Kulwicz, Farm-to-Consumer Legal Defense Fund and University of Wisconsin-Madison, Madison, WI

How can we enhance current efforts toward community-wide access to healthy, local food year-round? Pinehurst Community Action is part of a worldwide movement building resiliency from the ground up. In this session, there will be a dialog exploring how we can better prepare ourselves for future instabilities, such as labor and produce shortages, and transportation issues.

**Track: Food Law**

**Room: Poydras**

**Session 16C**

### **Surviving & Thriving Under ESG: A Regulatory Update on ESG and the “Dos” and “Don’ts” for Your Sustainability Program**

**Speakers:** Gage Hart Zobell, Dorsey & Whitney LLP, Salt Lake City, UT

Megan Houdeshel, Dorsey & Whitney LLP, Salt Lake City, UT

Brandon Neuschafer, Bryan Cave Leighton Paisner LLP, St. Louis, MO

Nora Faris, Bryan Cave Leighton Paisner LLP, St. Louis, MO

In nearly every ag-dependent industry, sustainability claims are front and center, and while marketers love to make these claims, class action plaintiffs love to break them. This session addresses the opportunities and challenges associated with sustainability and Environmental Social Governance (“ESG”) claims and discusses how food & ag companies can quantify ESG metrics to maximize their ESG credentials while minimizing litigation risk. This session will also introduce the background and regulatory framework upon which ESG is based, review the recent Securities & Exchange Commission rulemaking on ESG and implementation of voluntary disclosures, and discuss market opportunities to capitalize on ESG, including: (i) carbon farming contracts; (ii) carbon sequestration; and (iii) water conservation measures.

**Track: In-House**

**Room: Acadian I&II**

**Session 16D**

**3:45 - 4:45 pm: Board Listening Session**

**Room: LaSalle AB**

AALA will submit sessions deemed eligible for continuing legal education (CLE) credits to symposium registrants’ states. CLE credits are granted based on individual attendance records and state CLE rules. **Note that approvals will vary** because each state has different CLE requirements and rules. For example, not every state calculates CLE credits based on the clock hour. Not every state will grant CLE credits for each session submitted by AALA. In all events, AALA is committed to providing top-quality, relevant CLE that will be approved for most states.

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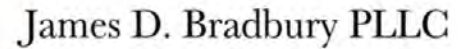
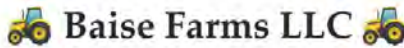




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