

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: **06/25/99**

Received By: **traderc**

Wanted: **As time permits**

Identical to LRB:

For: **Assembly Democratic Caucus**

By/Representing: **Mielke**

This file may be shown to any legislator: **NO**

Drafter: **traderc**

May Contact: **LFB**

Alt. Drafters:

Subject: **Agriculture - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Eliminate the milk marketing board

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	traderc 06/28/99	chanaman 06/28/99		_____			
/1			mclark 06/28/99	_____	lrb_docadmin 06/29/99	lrb_docadmin 06/29/99	

FE Sent For:

<END>

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No specific pre topic given

Topic:

61071

Eliminate the milk marketing board

Instructions:

Sec Attached

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1?	traderc	cmh 6/28	MRC 6/28	cmh WJ			
FE Sent For:		11					

<END>

ADC

Wisconsin State Assembly
71st Assembly District



Serving Portage &
Waushara Counties

JULIE LASSA
STATE REPRESENTATIVE

Democratic Caucus Amendment

**Included is a copy of a draft written by Leg Council's Dave Stute. It does not include the items in the use of the \$12 million dollars which must be included. Any questions please call Rep. Lassa at 715-342-0526 or 7-9649

(838-8802 on Sunday)
JFL *1/2 the along w/ the second page of this proposal*
Eliminate the Wisconsin Milk Marketing Board. Use the \$12 million in their reserve fund to:

- Create a \$10 million loan program based upon the structure of the CROP loan program
 - Maximum loan would be \$100,000
- Provide \$1 million from the WMMB reserve to fund existing dairy marketing in DATCP such as the Board of Development and Promotion
- Provide \$700,000 from the WMMB reserve to the DATCP Agricultural Development & Diversification Program for new products using dairy
- Provide \$200,000 from the WMMB reserve to the UW – Madison College of Agriculture and Living Science's, Center for Integrated Agricultural Systems for research and promotional material.
- Provide \$100,000 from the WMMB reserve to the DATCP Farm Link program for promotional materials
- The funds received from the liquidation and other funds of MMB shall be placed in an endowment fund where the interest will be used for agriculture education scholarships

Replace the annual \$2.55 million GPR currently spent on funding existing dairy research and marketing programs within DATCP and the UW System with funds annually collected for the WMMB (\$23 million currently). Require the Secretary of DATCP to gather the information necessary to compute the refund of these GPR dollars to dairy farmers through a prorated distribution formula.

Require the formation of a commission to decide how the remaining funds currently going to the WMMB should be allocated to DATCP, Commerce, and the UW System for research and marketing of new and existing dairy products. Members of this commission would consist of a representative of DATCP, a representative of Commerce, a representative of the UW System, two representatives appointed by the Governor both being practicing dairy farmers, and two members (one majority and one minority) of each of the legislatures agriculture committees being appointed by the committee chair.

Require the DATCP Secretary to submit annually to the Governor, legislature, and dairy farmers a report on the research and marketing efforts being undertaken by DATCP, Commerce and the UW System.

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT ,
TO 1999 ASSEMBLY BILL 133**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page __, line __: after that line insert:

3 "SECTION __. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the
4 following amounts for the purposes indicated:

	1999-00	2000-01
5		
6 20.115		
7 Agriculture, trade and consumer protection,		
8 department of		
9 (3) MARKETING SERVICES		
10 (k) Dairy promotion	PR	A
	-0-	-0-".

11 **2.** Page __, line __: after that line insert:

12 "SECTION __. 20.115 (3) (k) of the statutes is created to read:

13 20.115 (3) (k) Dairy promotion. The amounts in the schedule for dairy promotion
14 activities under ss. 93.40 and 93.405. All amounts received under s. 93.405 (2) shall be
15 credited to this ^{appropriation} promotion account."

16 **3.** Page __, line __: after that line insert:

17 "SECTION __. 93.405 of the statutes is created to read:

93.405 Dairy promotion funding.

subsection

1 (1) The department shall ensure that its program under s. 93.40 is eligible for
2 certification as a qualified state dairy product promotion and research program under 7 CFR
3 s. 1150.153 and shall apply for such certification no later than 180 days after the effective date
4 of this act (revisor inserts date).

5 (2) Effective with the receipt of certification under sub. (1), each person engaged in the
6 business of purchasing or receiving milk from milk producers shall forward to the department
7 10 cents per hundredweight of all milk purchased or received, which shall be assessed against
8 the milk producer producing *the* milk.

9 (3) The department, in administering *the* program under s. 93.40 and this section, shall
10 fund dairy product research by the University of Wisconsin system and shall fund individual
11 farmers' dairy promotion activities to the maximum extent possible."

12 4. Page __, line __: after that line insert:

13 "SECTION __. 96.21 of the statutes is created to read:

14 **96.21 Termination of milk marketing order.**

15 *in per* (1) TERMINATION. Notwithstanding ss. 96.05 (7) and 96.08, the secretary shall by order
16 terminate the milk marketing board created under this chapter no later than 180 days after the
17 effective date of this act (revisor inserts date).

18 (2) REFUNDS. Section 96.13 (3) shall apply *to the* moneys held by the milk marketing
19 board."

20 (END)

6/28

Lassa - Divide up money -

Ensure Fed cert.

Seg fund - DATCP

10% to UW rd of new prod

7% to Commerce - marketing

§ 39, DATCP - marketing & rd

7-9649 talk to Dave - he was a help

* Annual report leg. gave to dairy farmers

Today (ADC)

ASSEMBLY AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 133

DN

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 99, line ¹⁰⁰16: after that line insert:

3	g	research and	SEG	C	-0-	-0-	u
	PR	Dairy promotion	PR	AR	23,000,000	23,000,000	

4
5 2. Page 282, line 20: after that line insert:

6 "SECTION 181e. 20.115 (3) ^g(~~im~~) of the statutes is created to read:

7 20.115 (3) ^g(~~im~~) Dairy promotion. ~~The account in the schedule for dairy~~

8 ^gresearch and promotion activities under ss. 93.40 and 93.405. ^gAll moneys received under s. 93.405

9 (2) shall be credited to this appropriation account." ^g

10 3. Page 991, line 19: after that line insert:

11 "SECTION 1932s. 93.405 of the statutes is created to read:

Insert
1-9

From the dairy Research and promotion fund,

1 **93.405 Dairy promotion funding.** (1) The department shall ensure that the
 2 program under ^{sub. (3) and} s. 93.40 is eligible for certification as a qualified state dairy product
 3 promotion and research program under 7 CFR 1150.153 and shall apply for such
 4 certification no later than the 180th day after the effective date of this subsection ...
 5 [revisor inserts date].

6 (2) Effective on the date that the department receives the certification under
 7 sub. (1), each person engaged in the business of purchasing or receiving milk from
 8 milk producers shall forward to the department a fee of 10 cents per 100 pounds of
 9 all milk purchased or received. A person engaged in the business of purchasing or
 10 receiving milk from milk producers shall collect the fee from the milk producer
 11 producing the milk.

12 (3) The department ~~in administering the program under s. 93.40 and this~~
 13 ~~section~~ shall fund dairy product research by the University of Wisconsin System and
 14 shall fund ~~individual farmers~~ dairy promotion activities ^{to the maximum extent}
 15 possible ^{by the department of commerce}

15
 Insert
 2-15

16 **4.** Page 1012, line 20: after that line insert:

17 “SECTION 1946m. 96.21 of the statutes is created to read:

18 **96.21 Termination of milk marketing order.** Notwithstanding ss. 96.05
 19 (7), 96.07 (1) and 96.08 (1) (c) and (2) (b), the milk marketing order created under this
 20 chapter that is in effect on the effective date of this section ... [revisor inserts date],
 21 is terminated on the 180th day after the effective date of this section ... [revisor
 22 inserts date].”

23 (END)

#. Page 464, line 2: after that line insert:

Section 697c. CR; 25.17(1)(cm)

25.17(1)(cm) Dairy research and promotion fund

s. (25.52); "

↑ semi-colon



Insert 1-9, p 2
✓

#, Page 469, line 6: after that line insert:

^(B)
"Section 717c: CR; 25.52

^(B) ^(CS)
25.52 Dairy research and promotion fund. There
is established a separate nonlapsible trust fund known as
the dairy research and promotion fund consisting of all
all revenues received from fees under s. 93.405."

end of insert

Insert 2-15

(9) (4) The secretary shall annually prepare a report on the ^{dairy} research and promotion activities ~~being~~ conducted under sub. (3) and s. 93.40. The secretary shall submit the report to the legislature under s. 13.172(2) ^{and} to the governor and shall distribute the report to dairy producers."

(END OF INSERT)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

1296/1
LRBb1071/1dn
RCT:cmh:kjf

June 27, 1999

This draft terminates the current milk marketing order on the 180th day after the budget act takes effect. Section 96.13 (3) of the statutes applies when the marketing order is terminated, so the money that the milk marketing board has on that date must be returned to milk producers.

This draft does not prevent a new milk marketing order from being created using the procedures in chapter 96 of the statutes.

If you have any questions or want any changes in this draft, please contact me.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: Becky.Tradewell@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb1296/1dn
RCT:cmh:mrc

June 28, 1999

This draft terminates the current milk marketing order on the 180th day after the budget act takes effect. Section 96.13 (3) of the statutes applies when the marketing order is terminated, so the money that the milk marketing board has on that date must be returned to milk producers.

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