

Senate Bill 191 relating to: Representations made regarding wild rice sold or offered for sale in this state, granting rule-making authority, and providing a penalty.

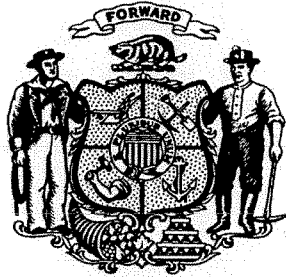
BILL SPONSORS	Introduced by: JOINT LEGISLATIVE COUNCIL.
BILL HISTORY	<p>Senate Bill 191 was introduced on 06-05-03 and referred to the Committee on Agriculture, Financial Institutions and Insurance.</p> <p>A public hearing was held on 07-29-03.</p> <p>Executive Session was held on 07-29-03</p> <p>The committee recommended SB 191 for passage on a vote Ayes 5, Noes 0.</p>
LRB ANALYSIS	<p>This bill was prepared for the joint legislative council's special committee on state-tribal relations. It is based on 2001 Assembly Bill 773, which was introduced by the council at the request of the 2000-02 committee. It repeals and recreates the existing statute relating to the labeling of wild rice offered for sale in this state.</p> <p>Current Law: A wholesaler or supplier is required to label cultivated wild rice as being "paddy-grown" unless the wild rice is blended with wild-grown wild rice. In addition, a wholesaler or supplier is prohibited from labeling wild rice as "100% natural wild rice" unless it is 100% wild-grown wild rice.</p> <p>Proposed Changes: This bill requires that the label of any wild rice that is sold or offered for sale in this state, at retail or wholesale, and any sign, advertisement, or other representation regarding such wild rice, inform consumers if the wild rice is cultivated, if it is a blend of wild-grown and cultivated wild rice, and if it is machine harvested. If the wild rice is a blend, the label must indicate the proportions making up the blend. If the wild rice is in a packaged food product that contains at least 40% other food products and that is labeled or marketed as a wild rice product, the label must indicate the proportion of the product that is wild rice. Wild rice that is identified as cultivated or blended and packaged wild rice products are not required to be identified as machine harvested. The bill also requires that labels and representations regarding wild rice clearly indicate the state or province in which the wild rice was grown. The bill does not make any requirements regarding the labeling of or representations regarding wild rice that is 100% wild-grown or that is harvested by traditional methods except to require that the state or province of origin be identified. The bill requires the department of agriculture, trade and consumer protection to promulgate rules for implementation of the requirements created by the bill. The bill provides that a person who violates the labeling and advertising requirements that the bill creates shall forfeit not less than \$50 nor more than \$500 for the first violation and not less than \$200 nor more than \$1,000 for subsequent violations.</p> <p>Major Impact: None</p>
FISCAL EFFECT	The estimated fiscal effect: None
SUPPORT	<p>The following persons appeared in favor of this bill: Rep. Gary Sherman, Rep. Terry Musser</p> <p>The following persons registered in favor of this bill: Ms. Keely Moll, DATCP</p> <p>The Oneida Tribe of Indians of Wisconsin registered support for the bill with the State Ethics Board, but did not testify or registered at the public hearing.</p> <p>The Menominee Indian Tribe of Wisconsin registered their intention to lobby on SB 191 but took no position on the bill:</p>
OPPOSITION	<p>No one appeared in opposition to this bill.</p> <p>No one registered in opposition to this bill.</p> <p>No one registered his or her opposition for the bill with the State Ethics Board, but did not testify or register at the public hearing.</p>
CONTACT	John O'Brien, Committee Clerk, Senate Committee on Agriculture, Financial Institutions and Insurance. (608) 266-0703
DATE	August 8th, 2003

State of Wisconsin
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TO: MEMBERS OF THE SENATE COMMITTEE ON AGRICULTURE,
FINANCIAL INSTITUTIONS, AND INSURANCE

FROM: Terry C. Anderson, Director *TCA*

RE: Hearing on 2003 Senate Bill 191

DATE: July 15, 2003

Enclosed, for your information, is a copy of Wisconsin Legislative Council Report to the Legislature, RL 2003-08, dated June 18, 2003.

The following recommendation of the Special Committee on State-Tribal Relations has been referred to your committee:

2003 Senate Bill 191, relating to representations made regarding wild rice sold or offered for sale in this state, granting rule-making authority, and providing a penalty.

Senate Bill 191 is scheduled to be considered by your committee at its meeting which will be held on **Tuesday, July 29, 2003, beginning at 10:00 a.m., in Room 330 Southwest, State Capitol.**

If you have any questions relating to the above report or bill, please feel free to contact Joyce Kiel, Senior Staff Attorney, at 266-3137.

TCA:wu;ksm

Enclosure

Vote Record

Committee on Agriculture, Financial Institutions and Insurance

Date: 7/29/03

Bill Number: 191

Moved by: Brown Seconded by: Kedzie

Motion: _____

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Dale Schultz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ronald Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Neal Kedzie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator David Hansen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Julie Lassa	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>5</u>	<u>0</u>	<u> </u>	<u> </u>

Assembly Companion = AB-400 Had public hearing
LAST WEEK 7-24-02 OTT'S COMMITTEE
Assembly Committee Record Attached →

SB191

SENATE BILL 191

An Act to repeal and recreate 97.57 of the statutes; relating to: representations made regarding wild rice sold or offered for sale in this state, granting rule-making authority, and providing a penalty. (FE)
2003

06-05-03.	S.	Introduced by JOINT LEGISLATIVE COUNCIL.
06-05-03.	S.	Read first time and referred to committee on Agriculture, Financial Institutions and Insurance 216
06-11-03.	S.	Fiscal estimate received.