

No. 85, A.]

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CHAPTER 214

AN ACT to repeal 100.05 and 100.06 (1) (b); and to amend 100.06 (5), (6) and (7) and 100.26 (5) of the statutes, relating to dairy products dealers' licenses.

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

SECTION 1. 100.05 of the statutes is repealed.

SECTION 2. 100.06 (1) (b) of the statutes is repealed.

SECTION 3. 100.06 (5), (6) and (7) of the statutes are amended to read:

100.06 (5) When any dairy plant or receiving station shall employ or retain a sales agent or commission dealer to market and distribute its dairy products, and such sales agent or commission dealer shall sell such dairy products to a * * * dairy products dealer, such dairy products dealer shall directly remit or transmit all moneys due thereunder to such dairy plant operator or to the trustee thereof, as the case may be. The dairy plant or receiving station shall be responsible for the payment of any commission or salary that may be due to such sales agent or commission dealer. Such payment by the dairy products dealer shall be considered as in full release, payment and discharge of any obligation thereunder.

(6) Compliance with this section shall be an additional requirement for the license and noncompliance shall be ground for denial, suspension or revocation of license, under * * * s. 97.04 * * *. S. 97.04 (9), (10) and (11) shall apply to this section.

(7) The whole claim of any person against any licensee under s. 97.04 * * * on account of milk, cream or dairy products sold or delivered to such licensee and any judgment therefor shall be entitled to the same preference in any insolvency or other creditor's proceedings as is given by any law of this state to claims for labor. One claim may be filed for any number of producers and when so filed the preference shall be allowed on the amount due each producer. Such preference shall also be given in bankruptcy proceedings to the extent permitted by the federal law. This section shall not affect or impair any other lien, security or priority for said claim or judgment.

SECTION 4. 100.26 (5) of the statutes is amended to read:

100.26 (5) Any person violating * * * ss. 100.03 * * * or 100.06 or any order or regulation of the department thereunder, or s. 100.13 (7), shall be fined not less than \$25 nor more than \$1,000, or imprisoned * * * *for* not more than one year * * * or both. Each day shall constitute a separate offense.

Approved May 29, 1953.
