

1973 Assembly Bill 1033

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CHAPTER 311, Laws of 1973

AN ACT to renumber 96.21; to amend 96.23; and to create 96.21 of the statutes, relating to price stabilization of milk used for manufacturing purposes.

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

SECTION 1. 96.21 of the statutes is renumbered 96.24.

SECTION 2. 96.21 of the statutes is created to read:

96.21 Milk stabilization provisions. (1) **POLICY.** It is the intent of the legislature to protect the health and welfare of the people of this state; to promote an adequate supply of milk for dairy product manufacture by assuring orderly marketing at reasonable prices for producers; and to provide a method whereby producers of milk for manufacturing purposes may by voluntary action initiate a statewide marketing order which, on a complementary basis, would enable pricing stability for milk not regulated as to price under federal marketing orders.

(2) **DEFINITIONS.** Under this section "milk" means milk produced and sold for manufacturing dairy products, other than Grade A milk subject to federal price regulations under 7 USC 601-674, as amended.

(3) **PROVISIONS.** (a) Upon petition by 5% or 100, whichever is less, of the milk producers in the marketing area proposed in the petition to be affected by a marketing order under this section and after notice and hearing under ss. 96.04 and 96.05, the secretary may issue a marketing order establishing minimum prices at which milk may be purchased from milk producers in the affected area. Different minimum prices may be established for various marketing areas in the state.

(b) In establishing minimum prices for milk purchased from producers the following economic factors shall be taken into consideration:

1. The differing methods by which milk is produced and transported.
2. Reasonable and necessary costs of production and transportation, including a reasonable return on investment;
3. Quantities of dairy products consumed; and
4. Other economic factors which substantially and directly affect supply and demand of milk and dairy products.

(c) Section 96.07 (1) (a) does not apply to marketing orders issued under this section.

SECTION 3. 96.23 of the statutes is amended to read:

96.23 Price fixing. Nothing contained in this chapter shall permit fixing of prices not otherwise permitted by law or any limitation on production, and no marketing order or agreement, or any rule thereunder, shall contain any such provision, except as permitted under s. 96.21.