

1975 Assembly Bill 766

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**CHAPTER 308, Laws of 1975**

AN ACT to repeal 97.32 (2); to amend 93.23 (1) (a) 1 and (e), 94.45 (6) (d), 95.17, 95.26 (5), 95.34, 97.01 (13), 97.42 (2) (b), 97.44 (2), 98.07 (1), 98.245 (5) and 100.20 (6); and to create 94.38 (24) and 94.39 (7) (b) of the statutes, relating to revising certain agricultural laws (suggested as remedial legislation by the department of agriculture).

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

SECTION 1. 93.23 (1) (a) 1 and (e) of the statutes are amended to read:

93.23 (1) (a) 1. To each county, and any such organized agricultural society, association, or board in the state, 80% of the first \$5,000 actually paid in net premiums and 50% of all net premiums paid in excess of \$5,000 at its annual fair upon livestock, articles of production, educational exhibits, agricultural implements and tools, domestic manufactures, mechanical implements and productions, ~~for which premium lists have been submitted to the department not later than May 1 of each year; but no one premium so paid shall exceed the sum of \$35 to a single person, or \$75 for any township or other group premium. No fair, association, or board shall receive state aid unless its premium list, entry fees, and charges shall have been submitted to the department on or before May 1, and approved by it in writing conform to uniform premium lists and other rules established under subd. 2, both as to premiums offered, amounts to be paid, entry fees to be charged, and all other charges for exhibiting.~~

(e) Not later than 30 days after the close of the fair each year the county clerk, or the person appointed therefor by the county board, agricultural society, association or board claiming state aid, shall file with the department, on blanks provided by it, an itemized statement verified on oath, showing net premiums actually paid or to be paid at the preceding fair, which premiums must correspond with ~~the list approved by the department, as required by uniform premium lists and other requirements under par.~~

(a). This report shall also include a statement that at such fair all gambling devices whatsoever, the sale of intoxicating liquors excepting fermented malt beverages, and exhibitions of immoral character were prohibited and excluded from the fairgrounds and all adjacent grounds under their authority or control; and on or before December 31 of the year in which the fair is held, he shall furnish the department a statement of receipts and disbursements, attendance and such other information as the department requires. Upon receipt of the required report, each fair shall be paid 100%, or the prorated percentage, of the aid due the preceding year.

SECTION 2. 94.38 (24) of the statutes is created to read:

94.38 (24) "Relative maturity", as applied to field corn, means the relative time required from emergence of the seedling from the soil to the production of mature ears of corn as determined by rules of the department.

SECTION 3. 94.39 (7) (b) of the statutes is created to read:

94.39 (7) (b) The relative maturity according to the schedule of relative maturities established by rules of the department.

SECTION 4. 94.45 (6) (d) of the statutes, as affected by chapter 39, laws of 1975, is amended to read:

94.45 (6) (d) Providing standards for relative maturities, certification of seed and the effectiveness of inoculum applied to preinoculated seed.

SECTION 5. 95.17 of the statutes is amended to read:

**95.17 (title) Animal diseases; cooperation with United States.** Whenever it is determined by the department and the state constitutional officers that it is necessary to combat dangerous diseases among domestic animals in this state in ~~co-operation~~ cooperation with ~~the bureau of animal industry of the United States U.S.~~ department of agriculture and to destroy animals affected with or which have been exposed to any such disease or to destroy property in the disinfection of the premises or to do any other act or incur any other expense reasonably necessary in suppressing or combating such disease, the department may accept, on behalf of the state, the rules and

regulations prepared by the ~~United States~~ U.S. department of agriculture under authority of an act of congress relating to the suppression of any such disease and ~~co-operate~~ cooperate with the authorities of the ~~United States~~ U.S. in the enforcement of their provisions; or it may follow such procedure as to inspection, vaccination, condemnation, appraisal, disinfection and other acts reasonably necessary in the suppression of such diseases as may be agreed upon and adopted by the department and the state constitutional officers with the representatives of the ~~United States~~ U.S. department of agriculture. Within the amount which may, subsequent to March 23, 1915, be appropriated for this purpose, the state shall pay such proportion of the expense incurred in suppressing or combating any such disease and in compensating owners of animals slaughtered under this section as shall be determined by and mutually agreed upon with the ~~United States~~ U.S. department of agriculture.

SECTION 6. 95.26 (5) of the statutes is amended to read:

95.26 (5) When reactors to any brucellosis test are disclosed in a herd of cattle the department shall quarantine the entire herd, ~~with the exception of steers and spayed heifers,~~ by serving written notice thereof, either personally or by mail, on the owner or person in charge, but such quarantine shall not be imposed if the department, upon the basis of the clinical history of the herd with respect to brucellosis and the recommendation of the attending veterinarian, determines it is improbable that the cattle will contract brucellosis. No cattle subject to the quarantine shall be removed from the premises where the cattle are quarantined, except upon written permit of the department. The quarantine shall remain in full force until removed by the department. Such retests shall be conducted as the department finds necessary to eliminate all reactors or other evidence of infection in the herd.

SECTION 7. 95.34 of the statutes is amended to read:

**95.34 Slaughter on premises.** The slaughter of diseased animals on the premises of the owner shall be made under the supervision and direction of the department or an assistant. If upon inspection of the carcass it is found, according to rules of inspection of the ~~United States bureau of animal industry~~ U.S. department of agriculture, to be unfit for human food, the inspector shall destroy it or cause it to be buried and covered with a sufficient quantity of lime to destroy it. The hide shall be disinfected and otherwise cared for according to said rules. If the carcass is fit to be used for human food it may be disposed of in accordance with the provisions made by the department.

SECTION 8. 97.01 (13) of the statutes is amended to read:

97.01 (13) "Milk" means the whole, fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows. Milk shall contain not less than 3% of milk fat, and not less than 8.25% of milk solids not fat. Milk may be standardized by the addition or removal of cream or by the addition of skim milk. When so standardized milk sold in final package form shall contain not less than ~~3.3%~~ 3.25% of milk fat, and not less than 8.25% of milk solids not fat.

SECTION 9. 97.32 (2) of the statutes is repealed.

SECTION 10. 97.42 (2) (b) of the statutes is amended to read:

97.42 (2) (b) Paragraph (a) shall not apply to persons processing meat or poultry products, or meat or poultry food products for sale directly to consumers at retail on the premises where such products were processed if only inspected meat is permitted on the premises, and sales to restaurants and institutions are restricted to 25% of the volume of meat sales or ~~\$10,000~~ \$18,000 annually, whichever is less. No person exempt from license under this paragraph shall sell any cured, smoked, seasoned, canned or cooked meat food products produced by him to restaurants or institutions.

SECTION 11. 97.44 (2) of the statutes is amended to read:

97.44 (2) Animal feed manufacturers and operators of fur farms, exempt from s. 95.72, shall register their names and business locations with the department if they engage in slaughtering animals or in buying dead animals or parts of the carcasses of such animals ~~from other than state or federally inspected slaughtering establishments.~~ The department, by rule, may require that they keep records of their purchase and disposition of such animals and carcass parts.

SECTION 12. 98.07 (1) of the statutes is amended to read:

98.07 (1) No commodity which is marked, tagged or labeled, or for which a sign is displayed, with a selling price, shall be sold unless the weight, measure or count of the commodity is conspicuously declared on the commodity or its tag, label or sign, but a declaration of count is not required if the selling price is for a single unit, or a set or combination of commodities customarily sold to and understood by consumers as a single unit, or if the commodity is packaged prior to sale and the package contains ~~less than~~ 6 units or less which can be easily counted without opening the package.

SECTION 13. 98.245 (5) of the statutes is amended to read:

98.245 (5) SALES TICKETS TO SHOW QUANTITY SOLD. Sales tickets or invoices shall show the quantity of liquefied petroleum gas sold, expressed in pounds, or gallons as set forth in sub. (4), or cubic feet, or other unit approved by the department. When vapor meters reading in approved units other than cubic feet are used, the invoice shall clearly indicate to the purchaser a factor to convert to gallons cubic feet.

SECTION 14. 100.20 (6) of the statutes is amended to read:

100.20 (6) The department may commence an action in circuit court in the name of the state to restrain by temporary or permanent injunction the violation of any order issued under this section. The court may in its discretion, prior to entry of final judgment make such orders or judgments as may be necessary to restore to any person any pecuniary loss suffered because of the ~~uses~~ acts or practices involved in the action, provided proof thereof is submitted to the satisfaction of the court. The department may use its authority in ss. 93.14 and 93.15 to investigate violations of any order issued under this section.

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