

2007 SENATE BILL 89

March 12, 2007 – Introduced by Senators LASSA, WIRCH, BRESKE, SCHULTZ, PLALE, COGGS, HANSEN, OLSEN, VINEHOUT, JAUCH and MILLER, cosponsored by Representatives A. OTT, TAUCHEN, JORGENSEN, HINTZ, ZEPNICK, SHERIDAN, SEIDEL, SHILLING, BLACK, MOLEPSKE, ALBERS, HUBLER, VOS, HILGENBERG, GUNDERSON, M. WILLIAMS, HRAYCHUCK, NELSON, GARTHWAITE and HIXSON. Referred to Committee on Economic Development, Job Creation, Family Prosperity and Housing.

1 **AN ACT** *to create* 20.115 (4) (am), 93.45 and 93.48 of the statutes; **relating to:**
 2 marketing agricultural products, a grant program to promote purchase of food
 3 produced locally, providing an exemption from emergency rule procedures,
 4 granting rule-making authority, and making appropriations.

Analysis by the Legislative Reference Bureau

Various provisions in current law require the Department of Agriculture, Trade and Consumer Protection (DATCP) to promote the agricultural products of this state.

This bill requires DATCP to conduct a program to increase awareness and consumption of locally produced foods and related products and to increase the production and improve the distribution of foods and related products for local consumption. The bill also creates a grant program under which DATCP provides grants for regional food and cultural tourism trails and for promoting the development of regional food systems through activities such as creating or expanding facilities for the processing and distribution of food for local consumption.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

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1 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

	2007-08	2008-09
20.115 Agriculture, trade and consumer		
protection, department of		

6 (4) AGRICULTURAL ASSISTANCE

7 (am) Buy local grants	GPR	B	225,000	225,000
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8 **SECTION 2.** 20.115 (4) (am) of the statutes is created to read:

9 20.115 (4) (am) *Buy local grants.* Biennially, the amounts in the schedule for
10 buy local grants under s. 93.48.

11 **SECTION 3.** 93.45 of the statutes is created to read:

12 **93.45 Buy local, buy Wisconsin.** The department shall conduct a program
13 to increase awareness and consumption of locally produced foods and related
14 products and to increase the production and improve the distribution of foods and
15 related products for local consumption. In the program, the department shall
16 emphasize the development of regional food and cultural tourism trails and the
17 development of regional food systems through activities such as creating or
18 expanding facilities for the processing and distribution of food for local consumption;
19 creating or supporting networks of producers; and strengthening connections
20 between producers, retailers, institutions, and consumers and nearby producers.

21 **SECTION 4.** 93.48 of the statutes is created to read:

22 **93.48 Buy local grant program. (1)** The department may award grants from
23 the appropriation under s. 20.115 (4) (am) to individuals or organizations to fund
24 projects that are designed to increase the sale of agricultural products grown in this

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1 state that are purchased in close proximity to where they are produced. The
2 department shall promulgate rules for the program under this section.

3 (2) The department may make grants under this section for any of the following
4 purposes:

5 (a) To create, promote, and support regional food and cultural tourism trails.

6 (b) To promote the development of regional food systems through activities
7 such as creating or expanding facilities for the processing and distribution of food for
8 local consumption; creating or supporting networks of producers; and strengthening
9 connections between producers, retailers, institutions, and consumers and nearby
10 producers.

11 **SECTION 5. Nonstatutory provisions.**

12 (1) EMERGENCY RULES. The department of agriculture, trade and consumer
13 protection may promulgate emergency rules under section 227.24 of the statutes
14 implementing section 93.48 of the statutes, as created by this act. Notwithstanding
15 section 227.24 (1) (c) and (2) of the statutes, emergency rules promulgated under this
16 subsection remain in effect until the first day of the 19th month beginning after the
17 effective date of this subsection or the date on which permanent rules take effect,
18 whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the statutes,
19 the department of agriculture, trade and consumer protection is not required to
20 provide evidence that promulgating a rule under this subsection as an emergency
21 rule is necessary for the preservation of public peace, health, safety, or welfare and
22 is not required to provide a finding of emergency for a rule promulgated under this
23 subsection.

24 **SECTION 6. Fiscal changes.**

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1 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
2 to the department of agriculture, trade and consumer protection under section
3 20.115 (3) (a) of the statutes, as affected by the acts of 2007, the dollar amount is
4 increased by \$325,000 for fiscal year 2007–08 and the dollar amount is increased by
5 \$325,000 for fiscal year 2008–09 to increase the authorized FTE positions for the
6 department by 2.0 GPR positions and for related costs for agricultural product
7 promotion and administering a buy local grant program.

SECTION 7. Effective date.

8 (1) This act takes effect on the day after publication or on the day after
9 publication of the 2007–09 biennial budget act, whichever is later.
10

11 (END)