



## 2007 SENATE BILL 177

1     **AN ACT** *to amend* 96.17 (1); and *to create* 96.11 (3) of the statutes; **relating to:**  
2             an assessment on growers that sell corn.

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*Analysis by the Legislative Reference Bureau*

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

3             **SECTION 1.** 96.11 (3) of the statutes is created to read:  
4             96.11 (3) (a) 1. Except as provided under par. (c), a corn producer who sells corn  
5             that is subject to the assessment levied under sub. (1) under the marketing order for  
6             corn shall pay an additional assessment of 0.4 cents per bushel, to be collected and  
7             remitted to the marketing board in the manner provided in the marketing order for  
8             the assessment under sub. (1).  
9             2. If the marketing order for corn provides for rebates under s. 96.13 (2), a  
10            producer to whom subd. 1. applies may obtain a rebate of the assessment paid under

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1 subd. 1. in the manner provided in the marketing order for obtaining a rebate of the  
2 assessment levied under sub. (1).

3 (b) The marketing board for corn shall use the moneys received under par. (a)  
4 for the purposes of the marketing order for corn.

5 (c) 1. The department shall conduct a referendum on whether to terminate the  
6 assessment under par. (a) if after June 30, 2011, and before January 1, 2012, 10  
7 percent of the producers who sell corn that is subject to the assessment levied under  
8 sub. (1) petition for a referendum. The assessment under par. (a) does not apply after  
9 June 30, 2012, if a referendum to terminate the assessment is approved by affected  
10 producers.

11 2. If the marketing order for corn is terminated, pars. (a) and (b) do not apply.

12 **SECTION 2.** 96.17 (1) of the statutes is amended to read:

13 96.17 (1) Any due and payable assessment levied under a marketing order or  
14 under s. 96.11 (3) (a) and every sum due under either a marketing order or agreement  
15 in a specified amount shall constitute a personal debt of every person so assessed or  
16 who is otherwise liable and the same sum shall be due and payable to the secretary  
17 or the marketing board according to the terms and conditions of the marketing order  
18 or agreement. In the event any person fails to pay the full amount of such assessment  
19 or such other sum on or before the due date, the secretary may add to such unpaid  
20 assessment or sum an amount not exceeding 10% of the amount due to defray the cost  
21 of enforcing collection. In the event any person fails to pay any due and payable  
22 assessment or sum, the secretary may bring a civil action against such person for  
23 collection, together with the above specified 10%.

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(END)