

2019 DRAFTING REQUEST

Bill

For: **André Jacque (608) 266-3512** Drafter: **kpaczusk**
 By: **Bill** Secondary Drafters:
 Date: **12/2/2019** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email: **Sen.Jacque@legis.wisconsin.gov**
 Carbon copy (CC) to: **mary.pfotenhauer@legis.wisconsin.gov**
konrad.paczuski@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Reciprocity for bulk milk weighers and samplers

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kpaczusk 12/3/2019	swinder 12/4/2019			
/P1			mbarman 12/4/2019		State
/1			mbarman 12/4/2019	mbarman 12/4/2019	State

FE Sent For: *2*
at
intro

<END>

Paczuski, Konrad

From: Cosh, Bill <Bill.Cosh@legis.wisconsin.gov>
Sent: Monday, December 02, 2019 2:15 PM
To: Pfothenauer, Mary <Mary.Pfothenauer@legis.wisconsin.gov>
Subject: here is the third drafting request

Mary,

Here is the third drafting request. Senator Jacque would like to have Recommendation #39 (on page 33) drafted.

Thanks!

Bill

From: Jacque, Andre <Andre.Jacque@legis.wisconsin.gov>
Sent: Monday, December 2, 2019 6:49 AM
To: Cosh, Bill <Bill.Cosh@legis.wisconsin.gov>
Subject: RE: Please work up some options to address recommendation #28

Also, recommendation 39 (page 33)

From: Jacque, Andre
Sent: Sunday, December 01, 2019 11:53 PM
To: Cosh, Bill <Bill.Cosh@legis.wisconsin.gov>
Subject: FW: Please work up some options to address recommendation #28

The document isn't entirely sequential... #28 is explained on the bottom of page 8. We should also put recommendation #48 (on page 35) in for drafting.

From: Jacque, Andre
Sent: Sunday, December 01, 2019 11:47 PM
To: Cosh, Bill <Bill.Cosh@legis.wisconsin.gov>
Subject: Please work up some options to address recommendation #28

<https://datcp.wi.gov/Documents/ApprovedRecommendationsFinal.pdf>

This can be accomplished by adding FMP to Wisconsin Statute s348.27(9m) covering Raw Forest and Agricultural Products Weight Limitations.

4. **Exempt trucks transporting FMP from spring thaw frost laws on Class "A" highways which would be similar to the forest products exemptions.**
5. **Support potential new legislation that would create a new annual permit allowing an increase in weight of CMVs up to 91,000 pounds on six (6) axles on roads up to 15 miles departure off of the state highway system.**

Include CMVs transporting FMP at increased permitted weights.

6. **Require local municipalities, towns, and counties to work with businesses transporting products to and from the farms.**

Determine safe, efficient routing to and from farms

Recommendation #39

Bulk Milk Weighers and Samplers license reciprocity

Sub-committee: Regulatory Certainty

Submitted by: Jerry Schroeder

Problem Statement: Currently licensed Bulk Milk Weighers and Samplers must have licenses in multiple states. This imposes an unnecessary regulatory burden of paperwork on milk haulers moving product across multiple states.

Recommended Solution:

That Wisconsin recognizes and passes occupational licensing reciprocity dealing with agricultural services which would include, but not be limited to, Bulk Milk Weighers and Samplers.



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-5013/Dep1
KP: ...
SKW

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

IN: 12/3/2019
OUT: 12/4/2019

generate catalog

1 **AN ACT ...; relating to:** reciprocity for bulk milk weighing and sampling licenses.

Analysis by the Legislative Reference Bureau

This bill allows a person who is licensed by an agricultural agency of another state to take weights and samples of milk in bulk tanks. Current law generally requires a person to hold a license granted by the Department of Agriculture, Trade and Consumer Protection to take weights and samples of milk held in a bulk tank on the farm where the milk is produced.

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:

2 **SECTION 1.** 98.146 (1) of the statutes is amended to read:

3 98.146 (1) All persons except licensed cheesemakers and buttermakers taking
4 weights and samples of milk in bulk tanks or measuring milk in bulk tanks to
5 determine weight, on the farm premises where such milk is produced, shall be
6 licensed by the department under this section or by an equivalent regulatory agency
7 in another state, and no person who is not so licensed shall engage in such activities.

1 **SECTION 2.** 98.146[✓] (2) of the statutes is renumbered 98.146 (2)[✓] (a) and amended
2 to read:

3 98.146[✓] (2) (a) Each application for a license under this section or license
4 renewal shall be made on forms provided by the department and shall be
5 accompanied by the license fee required under sub. (4), except that an individual who
6 is eligible for the veterans fee waiver program under s. 45.44 is not required to pay
7 the fee. The license shall expire biennially on September 30 of the 2nd year
8 commencing after the date of issuance or renewal. The applicant shall not have an
9 arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335, and shall give
10 proof of ability to engage in such weighing and sampling to the satisfaction of the
11 department by satisfactorily passing a written examination pertaining to such
12 activities.

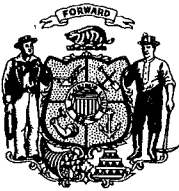
13 **(b)** If the department conducts a reinspection of any measurement by a person
14 ~~licensed under this subsection~~ authorized to take weights and samples or to measure
15 under sub. (1) due to any violation of any federal or state law which the department
16 determines in a regularly scheduled inspection of that measurement, the
17 department shall charge the ~~holder of that license~~ person the reinspection fee
18 required under sub. (4) for that reinspection.

History: 1977 c. 216; 1981 c. 380; 1981 c. 391 s. 211; 1987 a. 27; 1991 a. 39; 2011 a. 209.

19 **SECTION 3.** 98.146[✓] (3) of the statutes is amended to read:

20 98.146[✓] (3) No dairy plant shall receive any milk required to be weighed and
21 sampled by a ~~licensee under this section~~ person authorized to take weights and
22 samples under sub. (1) unless it has been so weighed and sampled.

History: 1977 c. 216; 1981 c. 380; 1981 c. 391 s. 211; 1987 a. 27; 1991 a. 39; 2011 a. 209.



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-5013/P1
KP:skw

No change

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to renumber and amend* 98.146 (2); and *to amend* 98.146 (1) and
2 98.146 (3) of the statutes; **relating to:** reciprocity for bulk milk weighing and
3 sampling licenses.

Analysis by the Legislative Reference Bureau

This bill allows a person who is licensed by an agricultural agency of another state to take weights and samples of milk in bulk tanks. Current law generally requires a person to hold a license granted by the Department of Agriculture, Trade and Consumer Protection to take weights and samples of milk held in a bulk tank on the farm where the milk is produced.

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:

4 **SECTION 1.** 98.146 (1) of the statutes is amended to read:
5 98.146 (1) All persons except licensed cheesemakers and buttermakers taking
6 weights and samples of milk in bulk tanks or measuring milk in bulk tanks to
7 determine weight, on the farm premises where such milk is produced, shall be

1 licensed by the department under this section or by an equivalent regulatory agency
2 in another state, and no person who is not so licensed shall engage in such activities.

3 **SECTION 2.** 98.146 (2) of the statutes is renumbered 98.146 (2) (a) and amended
4 to read:

5 98.146 (2) (a) Each application for a license under this section or license
6 renewal shall be made on forms provided by the department and shall be
7 accompanied by the license fee required under sub. (4), except that an individual who
8 is eligible for the veterans fee waiver program under s. 45.44 is not required to pay
9 the fee. The license shall expire biennially on September 30 of the 2nd year
10 commencing after the date of issuance or renewal. The applicant shall not have an
11 arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335, and shall give
12 proof of ability to engage in such weighing and sampling to the satisfaction of the
13 department by satisfactorily passing a written examination pertaining to such
14 activities.

15 (b) If the department conducts a reinspection of any measurement by a person
16 ~~licensed under this subsection~~ authorized to take weights and samples or to measure
17 under sub. (1) due to any violation of any federal or state law which the department
18 determines in a regularly scheduled inspection of that measurement, the
19 department shall charge the holder of that license person the reinspection fee
20 required under sub. (4) for that reinspection.

21 **SECTION 3.** 98.146 (3) of the statutes is amended to read:

22 98.146 (3) No dairy plant shall receive any milk required to be weighed and
23 sampled by a licensee ~~under this section~~ person authorized to take weights and
24 samples under sub. (1) unless it has been so weighed and sampled.

25 (END)

Barman, Mike

From: LRB.Legal
To: Sen.Jacque
Subject: Draft review: LRB -5013/1
Attachments: 19-5013/1

**State of Wisconsin - Legislative Reference Bureau
One East Main Street - Suite 200 - Madison**

The attached draft was prepared at your request. Please review it carefully to ensure that it satisfies your intent. If you have any questions concerning the draft or would like to have it redrafted, please contact Konrad Paczuski, Legislative Attorney, at (608) 504-5814, at Konrad.Paczuski@legis.wisconsin.gov, or at One East Main Street, Suite 200.

We will jacket this draft for introduction in the Senate.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will submit a request to DOA when the draft is introduced. You may obtain a fiscal estimate on the draft prior to introduction by contacting our program assistants at LRB.Legal@legis.wisconsin.gov or at (608) 266-3561. If you requested a fiscal estimate on an earlier version of this draft and would like to obtain a fiscal estimate on the current version before it is introduced, you will need to request a revised fiscal estimate from our program assistants.

Please call our program assistants at (608) 266-3561 if you have any questions regarding this email.