each year. In the event of any change in vehicle usage or other data specified under sub. (2) during the period for which approval was granted, the department shall be notified of such fact and a supplemental request for approval shall be submitted within 15 days after such change. All temporary replacement vehicles used shall be marked to show cubic yard capacity as required by s. 94.66, Stats.

(4) The ton weight equivalent per cubic yard of each different liming material shall be determined by weighing one or more loads of known cubic volume of such material. The total weight is then divided by the cubic yards weighed to arrive at the ton weight equivalent per cubic yard.

History: Cr. Register, July, 1970, No. 175, eff. 8-1-70; am. (3), Register, December, 1985, No. 360, eff 1-1-86.

Ag 28.06 Licensing of sellers and distributors; research fees. (1) LICENSE REQUIREMENT. No person may engage in the business of selling or distributing liming material in this state without first obtaining a license from the department, as provided under s. 94.66 (2), Stats. No license is required of persons engaged solely in the sale or distribution of liming materials obtained from a licensee, except that persons who commingle liming materials having different neutralizing indexes, or which are obtained from two or more licensees, shall not sell or distribute the commingled materials without a license from the department. The department shall grant or deny a license application within 20 business days after the application is filed with the department, provided that the application is accompanied by all requisite information and documentation.

(2) RESEARCH FEES. (a) Persons subject to licensing under s. 94.66, Stats., shall be responsible for the filing of tonnage reports and the payment of research fees under s. 94.66 (9), Stats. Research fees shall be computed on the basis of confidential annual tonnage reports setting forth the number of net tons of liming materials, or equivalent amounts of marl and paper mill refuse lime, sold or distributed in this state during the preceding calendar year and for which the payment of research fees is required. The report shall be filed with the department on or before February 1 of each year, and be accompanied by the payment of research fees in the required amount, with a minimum fee of $1. Records upon which the tonnage report is based shall be subject to department inspection and audit.

(b) If more than one distributor or seller is involved in the chain of distribution, the person who first sells or distributes liming material for further sale is responsible for the payment of research fees on that material. If responsibility for the payment of research fees has been assumed by a previous distributor or seller in the chain of distribution, as evidenced by an invoice or sales receipt for the liming material, no further payment of fees is required. No fee payment is required on commingled materials, to the extent that responsibility for the payment of fees on the component materials has been assumed by previous distributors or sellers of those materials, as evidenced by invoices or sales receipts.

History: Cr. Register, October, 1981, No. 310, eff. 11-1-81; am. (1), Register, December, 1985, No. 360, eff 1-1-86.

Ag 28.07 Authority; enforcement. This chapter is adopted under authority of ss. 93.07 (1) and 94.66, Stats. Any person violating this chapter may be punished as provided in s. 94.77, Stats.

History: Cr. Register, October, 1981, No. 310, eff. 11-1-81.