



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-5178/1
KP:skw

2019 ASSEMBLY BILL 748

January 16, 2020 - Introduced by Representatives TRANEL, TAUCHEN, PLUMER, KULP, QUINN, GUNDRUM, VANDERMEER, FELZKOWSKI, OLDENBURG, PETRYK, EDMING, MURSAU and SKOWRONSKI, cosponsored by Senators JACQUE, OLSEN, RINGHAND and KOOYENGA. Referred to Committee on Agriculture.

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

ASSEMBLY BILL 748**SECTION 1**

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)