

1969 Assembly Bill 175

Date published:  
November 18, 1969

**CHAPTER 209, LAWS OF 1969**

AN ACT to repeal 94.66 (1) (a); to amend 94.66 (2), (5) and (7); to repeal and recreate 94.66 (6); and to create 94.66 (1) (am) and (9) of the statutes, relating to the regulation of liming material.

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

SECTION 1. 94.66 (1) (a) of the statutes is repealed.

SECTION 2. 94.66 (1) (am) of the statutes is created to read:

94.66 (1) (am) "Liming material" includes all or any form of limestone, quicklime, hydrated lime, marl, paper mill refuse lime, blast furnace slag, mine tailings, barn lime or other material manufactured, prepared, sold or distributed for soil amendment purposes or use in barns.

SECTION 3. 94.66 (2) and (5) of the statutes are amended to read:

94.66 (2) No person shall engage in the business of selling or distributing ~~agricultural lime~~ *liming material* in this state without first obtaining a license therefor from the department of agriculture unless he is engaged in the business of selling or distributing such product produced by another already licensed to do business under this section.

(5) Licenses to engage in the selling or distribution of ~~agricultural lime~~ *liming material* shall expire on December 31 next following date of issue.

SECTION 4. 94.66 (6) of the statutes is repealed and recreated to read:

94.66 (6) (a) Every person engaged in the business of selling or distributing liming material shall furnish each purchaser on final delivery of a lot or order of liming material a written statement showing total amount delivered in tons and the grade thereof as defined in par. (b). A written statement setting forth the grade of the liming material being transported shall accompany each vehicle when making delivery. All liming material shall be distributed on a scale weight basis, except that where no weighing facilities are readily available and on prior approval of the department, liming materials may be distributed by volume if each vehicle transporting liming materials is accurately and conspicuously marked to show cubic yard capacity from which the seller must guarantee a ton weight equivalent based on rules established by the department. This paragraph does not apply to marl or paper mill refuse lime as these materials are distributed on an equivalent cubic yard basis as prescribed by department rule.

(b) 1. "Neutralizing index" means the effectiveness of liming material to change soil acidity expressed as a whole number calculated by the following method. The summation of the following 3 quantities is obtained:

a. The percentage of material passing a U.S. standard 8 mesh sieve, but retained by a U.S. standard 20 mesh sieve is multiplied by 0.2;

b. The percentage of material passing a U.S. standard 20 mesh sieve, but retained by a U.S. standard 60 mesh sieve is multiplied by 0.6; and

c. The percentage of material passing a U.S. standard 60 mesh sieve is multiplied by 1.0.

2. This summation is multiplied by the calcium carbonate equivalent of the liming material under consideration to obtain the neutralizing index. The formula is: Neutralizing =  $[(\%8-20 \text{ mesh} \times 0.2) + (\%20-60 \text{ mesh} \times 0.6) + (\% \text{ finer than } 60 \text{ mesh} \times 1.0)] \times \% \text{ calcium carbonate equivalent.}$

3. "Index zones" means the classification of liming material into numerical ranges of neutralizing indices.

(c) All weights as called for under par. (a) shall be expressed on the basis of not more than 8% of moisture. For the purposes of the specifications in par. (b), "calcium carbonate equivalent" means the acid neutralizing capacity of oven-dried materials expressed as the percentage by weight of calcium carbonate. In addition to the grade designation, the actual screen analysis and neutralizing value may be given. Any misleading representation on the written statement of guarantee is unlawful.

SECTION 5. 94.66 (7) of the statutes is amended to read:

94.66 (7) The department shall enforce the provisions of this section by inspectors, chemical analyses and other appropriate methods, ~~but all samples shall be taken from the operating mill,~~ and for such purposes employes and agents of the department shall have free access during business hours to all places of business, buildings and vehicles used in the manufacture, transportation, sale or storage of ~~agricultural lime~~ *liming material*.

SECTION 6. 94.66 (9) of the statutes is created to read:

94.66 (9) A fee of three-quarters of a cent per ton on all liming materials (or the equivalent amount on marl and paper mill refuse lime) sold within the state, with a minimum fee of \$1 shall be paid annually, for the preceding calendar year, on or before February 1 each year to the department by the licensee. These fees shall be used for research on liming materials or crop response thereto by the university of Wisconsin college of agricultural and life sciences, for the dissemination of the results of such research, and for other activities which will tend to promote the correct usage of liming materials. In case the university of Wisconsin college of agricultural and life sciences is unable to carry on the recommended program the department may contract with another appropriate institution or agency.

Approved November 7, 1969.

---