

ABF69 22

Assembly Hearing Slip

(Please print plainly)

Date: 2/8/46

Bill No. MR 869

Or Subject _____

(Name) Rep. Mark Green

P.O. Box 8952

(Street Address or Route Number) Madison WI 53708

(City & Zip Code)

(Representing)

Speaking *In favor:*

Speaking *against:*

Registering *In favor:*

Registering *against:*

Speaking for *Information only:*
Neither for nor *against:*

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/8/76

Bill No. AB 869

Or Subject _____

(Name) NICK WETHER + Ned Zwihsberg

(Street Address or Route Number)

(City & Zip Code)

(Representing) WIS DEPT OF AG

Speaking *In favor:*
TRADE & CONSUMER PROTECTION
with modifications

Speaking *against:*

Registering *In favor:*

Registering *against:*

Speaking for *Information only:*
Neither for nor *against:*

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-8-96

Bill No. AB 869

Or Subject Pesticide Reg. Fee

(Name) Tom Kuehn

(Street Address or Route Number) Z E. M. Flinn St. #600

(City & Zip Code) MADISON, WI 53703

(Representing) Chemical Manufacturers

Speaking *In favor:*

Speaking *against:*

Registering *In favor:*

Registering *against:*

Speaking for *Information only:*
Neither for nor *against:*

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

X
Assembly Hearing Slip

(Please print plainly)

Date: 2-8-96

Bill No. AB869

Or Subject ACCP Fund

(Name) Russ Wisconsin

(Street Address or Route Number) 2317 Fnt. Hwy #108

(City & Zip Code) Madison 53704

(Representing) WI Ag Bus Am. Chop Protection Assn

Speaking in favor:

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

X
Assembly Hearing Slip

(Please print plainly)

Date: Feb 8-1996

Bill No. AB 869

Or Subject _____

(Name) John Manste

(Street Address or Route Number) 300 M. Flynn Sutrker

(City & Zip Code) Madison, WI

(Representing) WI Federation of Co-ops

Speaking in favor:

Speaking against: Substrate

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 210 West
State Capitol
Madison, WI 53702

Kim: Primarily for
"Q & A" - Call up
Dave Wiantland, GROW MARK
with me please.

X
Assembly Hearing Slip

(Please print plainly)

Date: 2-8-96

Bill No. AB869

Or Subject ACCP Funds AB86

(Name) Jim Karmireck

(Street Address or Route Number) 109646 Richards Rd

(City & Zip Code) Hold WI 53555

(Representing) Sold & WAAA

Speaking in favor: change

Speaking against:

Registering in favor:

Registering against:

Speaking for information only:

Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/8/96

Bill No. AB869

Or Subject Ag Chem Cleanup Prog. Funding

(Name) Dave Chantland

(Street Address or Route Number) 1701 Towanda Ave

(City & Zip Code) Bloomington, IL 61702

(Representing) GRONIMARK, Inc.

Speaking In favor: 33

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Available for Question & Answer with John Manske if needed.

Assembly Hearing Slip

(Please print plainly)

Date: Feb 8, 1996

Bill No. AB869

Or Subject RAY "GAMMA" DENNIS

(Name) RAY "GAMMA" DENNIS

(Street Address or Route Number) 6200 GISHWAT DR, SUITE 204

(City & Zip Code) WISCONSIN AREA - VERDUE ASSN

(Representing) WISCONSIN AREA - VERDUE ASSN

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2-8-96

Bill No. AB869

Or Subject Betsy Ahner

(Name) Betsy Ahner

(Street Address or Route Number) 1270 Prairie Ave

(City & Zip Code) Beloit, WI

(Representing) Wisconsin Fertilizer & Chemical Assn.

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

X

Assembly Hearing Slip

(Please print plainly)

Date: 2-8-96

Bill No. AB 869

Or Subject AGRICULTURE CASHMERE

CLARA CP PROGRAM

(Name) JR ROBER

(Street Address or Route Number) 1431 BROOKHAVEN WAY

(City & Zip Code) FLORISS WISCONSIN 54467

(Representing) WISCONSIN AGRICULTURE AVIATION ASSOCIATION

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: February 08, 1996

Bill No. LRB 4387

Or Subject PESTICIDE FEES

(Name) Robert C. Harris

(Street Address or Route Number) 2976 TRIVERTON FINE ROAD

(City & Zip Code) MADISON WI 53711

(Representing) WI CORN GROWERS ASSOC.

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: February 08, 1996

Bill No. LRB 4387

Or Subject PESTICIDE FEES

(Name) Robert C Harris

(Street Address or Route Number) 2976 TRIVERTON FINE ROAD

(City & Zip Code) MADISON WISCONSIN 53711

(Representing) WI Soybean Association

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.

Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/18/96

Bill No. AB 869

Subject City Cleaned Clean-Up Program

(Name) Paul Zimmerman

(Street Address or Route Number) 1212 Deming Way

(City & Zip Code) Neboon WI 53705

(Representing) Wisconsin Farm Bureau

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/18/96

Bill No. AB 869

Subject REP. VICKY HUSMAN

(Name) REP. VICKY HUSMAN

(Street Address or Route Number)

(City & Zip Code)

(Representing)

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Hearing Slip

(Please print plainly)

Date: 2/8/96

Bill No. DATE ACT

Subject AGOP FEES CHANGES

(Name) DAVID FLETCHER

(Street Address or Route Number) 22 BISHOPS HILL CIR

(City & Zip Code) MADISON WI

(Representing) CIBA CROP PROTECTION

Speaking In favor:

Speaking against:

Registering In favor:

Registering against:

Speaking for Information only:

Neither for nor against:

Please return this slip to a messenger promptly.
Assembly Sergeant at Arms
Room 411 West
State Capitol
Madison, WI 53702

Assembly Committee on Agriculture

DATE Feb 22 1996

Moved by Gronemus Seconded by OH

AB 869 SB _____ Clearinghouse Rule _____

AJR _____ SJR _____ Appointment _____

A _____ SR _____ Other _____

A/S Amdt _____

A/S Amdt _____ to A/S Amdt _____

A/S Sub Amdt 1

A/S Amdt _____ to A/S Sub Amdt _____

A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

- Be recommended for:
- Passage
 - Introduction
 - Adoption
 - Rejection
 - Indefinite Postponement
 - Tabling
 - Concurrence
 - Nonconcurrence
 - Confirmation

	Committee Member	Aye	No	Absent	Not Voting
1.	Ott, Alvin (Chair)	X			
2.	Ward, David (Vice-Chair)	X			
3.	Ainsworth, John	X			
4.	Zukowski, Robert	X			
5.	Otte, Clifford			X	
6.	Skindrud, Richard	X			
7.	Hahn, Eugene			X	
8.	Olsen, Luther	X			
9.	Gronemus, Barbara	X			
10.	Baldus, Al			X	
11.	Reynolds, Martin	X			
12.	Springer, Thomas			X	
13.	Wilder, Michael			X	
14.	Dueholm, Robert	X			
15.					
16.					
17.					
18.					
Totals		9	0	5	0

MOTION CARRIED

MOTION FAILED

Assembly Committee on Agriculture

DATE 2/22/96

Moved by Gronemus Seconded by OH

AB 869 SB _____ Clearinghouse Rule _____

AJR _____ SJR _____ Appointment _____

A _____ SR _____ Other _____

A/S Amdt _____

A/S Amdt _____ to A/S Amdt _____

A/S Sub Amdt 1

A/S Amdt _____ to A/S Sub Amdt _____

A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:

Passage

Introduction

Adoption

Rejection

Indefinite Postponement

Tabling

Concurrence

Nonconcurrence

Confirmation

	Committee Member	Aye	No	Absent	Not Voting
1.	Ott, Alvin (Chair)	X			
2.	Ward, David (Vice-Chair)	X			
3.	Ainsworth, John	X			
4.	Zukowski, Robert	X			
5.	Otte, Clifford			X	
6.	Skindrud, Richard	X			
7.	Hahn, Eugene			X	
8.	Olsen, Luther	X			
9.	Gronemus, Barbara	X			
10.	Baldus, Al			X	
11.	Reynolds, Martin	X			
12.	Springer, Thomas			X	
13.	Wilder, Michael			X	
14.	Dueholm, Robert	X			
15.					
16.					
17.					
18.					
Totals		9	0	5	0

MOTION CARRIED

MOTION FAILED

Assembly Committee on Agriculture

DATE 2/22/96

Moved by Gronemus Seconded by Zukowski

AB 869 SB _____ Clearinghouse Rule _____

AJR _____ SJR _____ Appointment _____

A _____ SR _____ Other _____

A/S Amdt _____

A/S Amdt _____ to A/S Amdt _____

(A)/S Sub Amdt 1

A/S Amdt _____ to A/S Sub Amdt _____

A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:

Passage w/sub

Introduction

Adoption

Rejection

Indefinite Postponement

Tabling

Concurrence

Nonconcurrence

Confirmation

	Committee Member	Aye	No	Absent	Not Voting
1.	Ott, Alvin (Chair)	X			
2.	Ward, David (Vice-Chair)	X			
3.	Ainsworth, John	X			
4.	Zukowski, Robert	X			
5.	Otte, Clifford			X	
6.	Skindrud, Richard	X			
7.	Hahn, Eugene			X	
8.	Olsen, Luther	X			
9.	Gronemus, Barbara	X			
10.	Baldus, Al			X	
11.	Reynolds, Martin	X			
12.	Springer, Thomas			X	
13.	Wilder, Michael			X	
14.	Dueholm, Robert	X			
15.					
16.					
17.					
18.					
Totals		9	0	5	0

MOTION CARRIED

MOTION FAILED

<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> UPDATED <input type="checkbox"/> CORRECTED <input type="checkbox"/> SUPPLEMENTAL		1995 Session LRB or Bill No./Adm. Rule No. AB 869 Amendment No. if Applicable Substitute #1
FISCAL ESTIMATE DOA-2048 (R 10/94)		
Subject Agrichemical Management Fund Fees		
Fiscal Effect State: <input type="checkbox"/> No State Fiscal Effect Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation		
<input type="checkbox"/> Increase Existing Appropriation <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Appropriation <input checked="" type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Create New Appropriation		<input checked="" type="checkbox"/> Increase Costs - May be possible to Absorb Within Agency's Budget <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
Local: <input type="checkbox"/> No local government costs		
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Governmental Units Affected: <input type="checkbox"/> Towns <input type="checkbox"/> Villages <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> VTAE Districts
Fund Sources Affected <input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEG-S		Affected Ch. 20 Appropriations 20.115(7)(e), 20.115(7)(w)
Assumptions Used in Arriving at Fiscal Estimate The proposed substitute amendment for AB 869 contains four primary revisions to the statutes: 1. This bill restructures the current fees to include a "base fee" and "agricultural chemical cleanup surcharge." The total fee is not changed by this restructuring. 2. This bill implements a one year "fee holiday" on the agricultural chemical cleanup surcharges. This one year fee holiday would reduce the agrichemical management fund balance by \$2,161,000 in FY 96/97 and \$600,000 in FY 97/98. 3. This bill creates a new category of "industrial pesticides" under the fee structure in s. 94.68, Stats. These industrial pesticides are exempted from the agricultural chemical cleanup surcharge and eligibility for reimbursement of cleanup costs under the agricultural chemical cleanup program. This change will reduce revenues to the agrichemical management fund by \$350,000 each year, beginning in FY 96/97. These reductions are in addition to those mentioned above. 4. This bill decreases the co-pay percentages for spillers on agricultural chemical cleanup reimbursements from 25% to 20% on amounts less than \$100,000 and from 20% to 15% on amounts from \$100,000 to \$300,000. This revision will have a one-time cost of \$100,000 in FY 95/96 for past reimbursements, and will increase annual expenditures for agricultural chemical cleanup reimbursements by five percent. The estimated impact of this provision for the next three fiscal years is: FY 96/97, \$105,000; FY 97/98, \$140,000; and FY 98/99, \$175,000. These amounts will be paid from existing continuing appropriations, 53% from the agrichemical management fund and 47% from GPR. The department believes the current balance in the agrichemical management fund allows the revenue reductions identified in points 2. and 3. above. The department believes the increased expenditures under point 4. can be accomplished under the existing continuing appropriations for agricultural chemical cleanup reimbursements.		
Long-Range Fiscal Implications The bill reduces revenues to the Agrichemical Management Fund by \$350,000 per year. Additional reimbursements resulting from the change in co-pay percentage are estimated at FY 97-98, \$140,000 and FY 98-99, \$175,000. The bill also requires the department to recommend revisions to the fees and surcharges for the agrichemical management fund and submit their recommendations by December 31, 1996.		
Agency/Prepared by: (Name & Phone No.) DATCP Paul Morrison 224-4512	Authorized Signature/Telephone No. <i>Barbara Knapp</i> Barbara Knapp	Date 224-4746 02/15/96

FISCAL ESTIMATE WORKSHEET

Detailed Estimate of Annual Fiscal Effect

DOA-2047(R 10/94)

Subject

ORIGINAL
 CORRECTED

UPDATED
 SUPPLEMENTAL

1995 SESSION

LRB or Bill No/Adm.Rule No.

AB 869

Amendment No.

Substitute 1

Agrichemical Management Fund Fees

I. One-time Costs or Revenue Fluctuations for State and/or Local Government (do not include in annualized fiscal effect):

The one-time "fee holiday" reduces revenues to the agrichemical management fund by a total of \$2,761,000 over FYs 96/97 and 97/98. A one-time cost of \$100,000 will result from the change in co-pay on prior year reimbursements.

II. Annualized Costs:		Annualized Fiscal Impact on State funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations-Salaries and Fringes	\$		\$ -
(FTE Position Changes)	(FTE)		(- FTE)
State Operations-Other Costs			-
Local Assistance			-
Aids to Individuals or Organizations	105,000		-
TOTAL State Costs by Category	\$		\$ -
B. State Costs by Source of Funds			
GPR	\$ 49,350		\$ -
FED	\$		\$ -
PRO/PRS	\$		\$ -
SEG/SEG-S	\$ 55,650		\$ -
III. State Revenues- Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fees, etc.)			
GPR Taxes	\$	Increased Rev.	Decreased Rev.
GPR Earned			\$ -
FED			-
PRO/PRS			-
SEG/SEG-S			- 350,000
TOTAL State Revenues	\$		\$ -

NET ANNUALIZED FISCAL IMPACT

	STATE	LOCAL
NET CHANGE IN COSTS	\$ 105,000	\$
NET CHANGE IN REVENUES	\$ (350,000)	\$

Agency/Prepared by: (Name & Phone No.)
Agriculture, Trade & Consumer Protection
Paul Morrison 224-4512

Authorized Signature/Telephone No.
Barbara Knapp 224-4746

Barbara Knapp

Date
02/15/96

Make copy for
al's file



Wisconsin Crop Improvement Association

554 Moore Hall, UW • 1575 Linden Dr. • Madison, WI 53706-1597
(608) 262-0167 • FAX (608) 262-0210

Resolution passed at WCIA Annual Membership Meeting, February 5, 1996:

ACCP FUNDING

WHEREAS, In 1993 Wisconsin agriculture accepted the highest pesticide registration fees in the U.S. to fund our ACCP (Agricultural Chemical Cleanup Program), and

WHEREAS, these exorbitant fees were accepted because they were matched with GPR (General Purpose Revenue) from the State, and

WHEREAS, funds in the ACCP have greatly exceeded the cost of this program, and

WHEREAS, the State Legislature withdrew \$3.1 million GPR allocated for the ACCP during the 1995 State budget deliberations, and

WHEREAS, the DNR has a proposal to allow municipalities access to ACCP funds for pesticide site cleanup.

NOW, THEREFORE, Be It Resolved that the Wisconsin Crop Improvement Association urges that a cap be placed on the ACCP fund balance, and that product fees be reduced to more realistically equal the annual cost of this program; and

Be It Further Resolved, that ACCP cost-sharing funds continue to be made available only to farm and business sites.



Member of Association of Official Seed Certifying Agencies



Date: February 7, 1996

To: Representative Al Ott,
Chairman, Assembly Agriculture Committee

From: Ray "Cardie" Schmitt
Executive Vice President
Wisconsin Agri-Service Association

Reference: AB 869, PESTICIDES MANUFACTURERS AND LABELERS; FEES PAID.

The Wisconsin Agri-Service Association urges the enactment of AB 869 as the interim solution to the inherent problems that presently exist under the current law. It provides for a moratorium on the collection of the surcharges which are among the highest in the nation. The fund balance brought about by the collection of these funds is more than adequate to carry Agricultural Chemical Cleanup Fund during the period of the moratorium. Furthermore, this moratorium will give the Industry and the Department of Agriculture, Trade, and Consumer Protection time to re-examine and revise the fees and surcharges to a more reasonable and equitable level.

The Board of Directors of Wisconsin Agri-Service Association at their February 4, 1996 board meeting adopted the following resolution in regard to the Agricultural Chemical Cleanup Fund;

WHEREAS, In 1993 Wisconsin agriculture accepted the highest pesticide registration fees in the nation to fund the Wisconsin Agricultural Chemical Cleanup Program (ACCP) and

WHEREAS, these exorbitant fees were accepted because they were matched with General Program Revenue (GPR) from the State, and

WHEREAS, funds in the ACCP have greatly exceeded the cost of the program, and

WHEREAS, the State Legislature withdrew \$3.1 million GPR allocated for the ACCP during the 1995 State budget deliberations, and

WHEREAS, the Department of Natural Resources has a proposal to allow municipalities access to the ACCP funds for pesticide site cleanup.

NOW, THEREFORE, Be It Resolved that the Wisconsin Agri-Service Association urges that a cap be placed on the ACCP fund balance, and that product fees be reduced to more realistically equal the annual cost of the program; and

Be It Further Resolved, that the ACCP cost-sharing funds continue to be made available only to farm and business sites.

Thank you.



WISCONSIN FEDERATION OF COOPERATIVES • 30 West Mifflin Street, Suite 401 • Madison, WI 53703 • Phone (608) 258-4400

DATE: February 8, 1996
TO: Members, Assembly Committee on Agriculture
FROM: John Manske, Director of Government Relations
RE: Support for Substitute Amendment to Assembly Bill 869

Among the members of the Wisconsin Federation of Cooperatives (WFC) are around 100 local farm supply cooperatives and the regional farm supply cooperatives CENEX/Land O'Lakes, Growmark, and Farmland Industries. **On behalf of WFC's farm supply members, I request your support for the substitute amendment to Assembly Bill 869, which will be presented by DATCP at the request of the Agrichemical Management Fund Fee Review Committee.** The substitute amendment and bill make some funding and structural adjustments to the Agrichemical Management (ACM) Fund and additional modifications to the Agricultural Chemical Cleanup Program (ACCP). These changes, which received the consensus support of members of the "Fee Review Committee," include the following:

- Creation of a definition of "industrial pesticide" which is aimed at eliminating fees on products which were not the primary reason for creating the ACCP. This would eliminate the current law's provisions where some of these products pay "ACCP surcharges" into the ACM even though they are ineligible for receiving any reimbursement from the account for site cleanups.
- Creation of a one year "ACCP fees" holiday, in order to start the process of reducing the large positive balance in the ACM fund, and to help insure that the annual \$2 million GPR "contribution" for ACCP reimbursement is utilized.
- A modest increase in the co-pay provisions in the ACCP from the current 75% fund/25% site owner split for site expenditures up to the \$100,000 level, to a 80%/20% split. For sites with expenditures over \$100,000 and up to \$300,000, the co-pay would increase from the current 80% fund/20% site owner to 85% fund/15% site owner. (The original bill proposing an ACCP, 1992 Assembly Bill 1003, proposed that "the fund" cover a 95% share of eligible cleanup expenses. Also, most of the petroleum cleanup sites covered by the PECFA program cover about 95% of eligible expenses, after a deductible is paid by the site owner.)

-over-

Additional changes to the ACM fund and the ACCP will be considered by the Agrichemical Management Fund Fee Review Committee as it continues to meet this spring and beyond. **The ACCP, in its "youth," is proving to be a vital program to farm supply businesses and some farmers who have submitted cleanup costs to DATCP, and will be equally vital to the many more who will.** The program will see more activity as DATCP continues to actively sample and oversee farm supply mixing and loading sites across Wisconsin. Among WFC's members who are actively participating in the ACCP through submissions of cleanup expenses to DATCP to date are:

- Cottage Grove Cooperative, which submitted expenses over \$250,000.
- Bay Lakes Cooperative, Oconto Falls, which submitted almost \$80,000.
- Cooperative Services Inc., Poynette, which submitted over \$200,000.
- New Richmond Farmers Union Cooperative, which submitted almost \$110,000.
- Tomorrow Valley Cooperative, Manawa, which submitted over \$62,000.
- Arcadia Cooperative, which submitted almost \$55,000.
- Pulaski-Chase Cooperative, which submitted over \$150,000.
- Green Rock FS Cooperative, which has submitted over \$150,000 for multiple sites.

WFC looks forward to continue working with other interested organizations, DATCP, and the Legislature to help ensure that the ACCP is benefiting those it was intended to help, and that the ACM fund is not taking excessive fees from the farming community. The Legislature can help restore credibility to the program by not replicating what was done last year, when the JFC moved \$3.1 million of GPR ACCP reimbursement spending authority into the general fund.



REABE Spraying Service, Inc.



P.O. BOX 24

Waupun 414-324-3519

WAUPUN, WISCONSIN 53963

Plainfield 715-335-6810

February 8, 1996

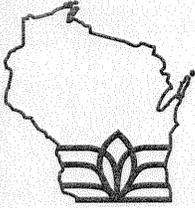
Dear Committee members;

My name is JR Reabe and I am the President of the Wisconsin Agricultural Aviation Association. My brothers and I operate an aerial application business in this state, and we would like to thank you for the opportunity to share our views concerning the Agricultural Chemical Clean-up Program.

We support the increase of fund co-pay. During the debate involved with setting up this program, the major concern was that we would not be able to adequately fund this program. We levied steep surcharges on agricultural chemicals and license fees; and we imposed high deductibles and co-pay plans on the participants. We also disallowed many legitimate clean-up expenses in the effort to keep the program's expenses within anticipated funding. According to DATCP figures, the average claimant will receive 70% of their allowable expenses in expenses. One of our association members has conducted a clean-up and received his reimbursement. His deductible was \$7,500, his co-pay was about \$10,000, and his unallowed expenses were about \$6,500. In this case, the ACCP fund only reimbursed him for about 56% of his actual clean-up cost. This man's actual share of the clean-up was about 44%, not the 25% that one would assume at first glance.

We support the suspension of collection of the Agricultural Chemical Clean-up Program surcharges for one year. If this fund's balance is so high that the legislature feels that it should withdraw a year and a half's worth of funds that it submitted, then we feel that farmers should be able to take at least one year off too. Although the surcharges are assessed to manufacturers, dealers, and applicators of agricultural chemicals, it is the end user (the farmer) who actually pays the bill.

An important change that needs to be done is to eliminate the penalties for responsible parties who apply for assistance in a second clean-up. The assumption of the drafters was that repeat claimants would probably be a little sloppy and less careful than the average claimant. We now believe that the high expenses the claimant will bear, will be incentive enough to make people try to avoid a second clean-up. We believe that the 50% co-pay is discouraging people from conducting a clean-up until they are "caught." These people are afraid that if they do a clean-up now, they will have to bear the 30% co-pay penalty (80%-50%) if they ever have another accidental spill.



Wisconsin Agribusiness Council

2317 International Lane Suite 109 • Madison, WI 53704-3129 • (608) 249-2323 Fax (608) 249-2797

February 8, 1996

To: Assembly Committee on Agriculture
Fm: Russ Weisensel, Director, Legislative Affairs

43869

Statement in strong support for DATCP's substitute amendment for ~~LRB 4387~~
relating to the Agricultural Chemical Cleanup Program (ACCP) and its surcharges.

Today I wear a series of hats - As a lobbyist, I'm representing both the Wisconsin Agribusiness Council and the American Crop Protection Association (ACPA). I'm also a member of the ACCP Advisory Council which has statutory authority to advise DATCP on the fees for this program, and I serve as a member of the new Agrichemical Management (ACM) Fee Advisory Committee to DATCP.

When Governor Thompson vetoed the ACCP in the 1991 budget he did so stating this fund relied too heavily on fertilizer and pesticide fees. The ACCP as passed in the 1993 budget contained even higher fees which were reluctantly accepted by agriculture since the state also allocated GPR for this fund. As you know \$3.1 million of un-spent GPR was lapsed from the ACCP during last year's budget deliberations.

While the Wisconsin Agribusiness Council was in strong support of the establishment of the ACCP, we seriously questioned the wisdom of collecting fees for this program in December of 1993 when it was apparent no cleanup grants could be paid until early 1995. We noted at that time that these fees were a retroactive tax and the equivalent of an annual \$2 million, interest-free loan to the State of Wisconsin from our farmers. We were concerned the fund could be raided, and that the GPR might be stripped from this program.

The ACCP advisory council, on May 31, 1995 strongly urged the legislature, if adjustments were to be made in this fund, that both the fees and GPR be reduced equally. That did not happen.

The bill before you today does accomplish what was recommended by the ACCP advisory council. The concepts contained in this bill were also strongly recommended by DATCP's new ACM fee advisory committee yesterday. This bill re-establishes the trust which was violated during the 1995 budget deliberations. While the DATCP advisory committee will continue to meet to make further recommendations for next year's state budget, this bill is the first step in balancing the ACCP surcharge income with the cleanup expenditures. It should receive prompt action by your committee and the legislature.

A brief history of Wisconsin pesticide registration fees also supports the need for this bill:

Fiscal year	1990-1991	\$ 431,000 (DATCP funding from GPR & fees)
Fiscal years	1991-1993	\$ 2,642,500 annually (DATCP funding only from fees)
Fiscal years	1993-1995	\$ 4,820,000 annually (ACCP added to DATCP programs)

As you can see we had a 10-fold increase in pesticide registration fees in just four years!

I have for your information a comparison of state registration fees as published this summer by the Southern Crop Protection Association. You may also find the comparison of Illinois and Wisconsin fees of interest. Perhaps this is not a fair comparison since Illinois does not presently contribute to a site remediation fund. However it is also important to note Illinois farmers can grow 3 times the Wisconsin corn acreage for just 0.125% of our crop protection cost!

Minnesota does have a site cleanup program somewhat similar to ours. Their fund has a \$5 million cap. They have just reached that cap and are cutting their fees in half. Their pesticide cleanup surcharge will now be just 0.1% of sales compared to the present Wisconsin surcharge of 1.3%.

Comparison of 1994 Registration Fees for Major Corn and Potato Crop Protection Products

Crop ¹	Type ²	% of Crop Protected ³	Name	Total Amount Applied (lbs.)	Illinois Fee	Estimated Wisconsin Fee*
C	H	7	2,4-D	130,000	\$50.00	\$8,690.00
C	H	2	Acetochlor (Harness, Surpass)	137,000	\$50.00	\$20,280.00
C	H	13	Alachlor (Lasso)	796,000	\$50.00	\$67,860.00
C	H	52	Atrazine (AAtrex)	1,626,000	\$50.00	\$64,150.00
C	H	3	Bromoxynil (Buctril)	33,000	\$50.00	\$14,090.00
C	H	26	Cyanazine (Bladex)	1,593,000	\$50.00	\$133,780.00
C	H	42	Dicamba (Banvel)	663,000	\$50.00	\$161,760.00
C	H	6	Dimethenamid (Frontier)	283,000	\$50.00	\$54,080.00
C P	H	9 (C) 6 (P)	Glyphosate (Roundup)	306,000	\$50.00	\$48,000.00
C P	H	26 (C) 18 (P)	Metolachlor (Dual)	1,868,000	\$50.00	\$185,070.00
C	H	19	Nicosulfuron (Accent)	22,000	\$50.00	\$12,460.00
C P	H	11 (C) 26 (P)	Pendimethalin (Prowl)	549,000	\$50.00	\$56,850.00
C	H	3	Primisulfuron (Beacon)	3,000	\$50.00	\$4,190.00
C	I	9	Chlorpyrifos (Lorsban)	357,000	\$50.00	\$55,970.00
C P	I	3 (C) 7 (P)	Phorate (Thimet)	131,000	\$50.00	\$18,220.00
C	H	7	Terbufos (Counter)	293,000	\$50.00	\$46,670.00
P	H	10	Linuron (Lorox)	5,000	\$50.00	\$4,300.00
P	H	85	Metribuzin (Sencor)	34,000	\$50.00	\$154,000.00
P	I	12	Carbofuran (Furadan)	10,000	\$50.00	\$4,880.00
P	I	54	Edosulfan (Thiodan)	36,000	\$50.00	\$7,650.00
P	I	48	Esfenvalerate (Asana)	2,000	\$50.00	\$7,950.00
P	I	57	Methamidophos (Monitor)	45,000	\$50.00	\$12,140.00
P	I	36	Permethrin (Pounce)	5,000	\$50.00	\$6,160.00
P	F	77	Chlorothalonil (Bravo)	244,000	\$50.00	\$28,430.00
P	F	43	Copper hydroxide	57,000	\$50.00	\$6,690.00
P	F	85	Mancozeb	471,000	\$50.00	\$19,750.00
P	F	13	Maneb	53,000	\$50.00	\$5,080.00
P	F	57	Metalaxyl (Ridomil)	13,000	\$50.00	\$4,500.00
P	F	48	Triphenyltin hydroxide	9,000	\$50.00	\$6,040.00
P	O	80	Diquat	27,000	\$50.00	\$9,640.00

* Based On Flat Fee Plus 1.3 Percent of Estimated Sales In Wisconsin

The fee difference is compounded by the fact that Illinois uses many times the amount of corn protection products.

\$1,200,000.00

1. C = Corn
P = Potato

2. H = Herbicide
I = Insecticide
F = Fungicide
O = Other

3. Source: Wisconsin Farm Reporter 4/17/95
Wisconsin Ag Statistics Service

State Pesticide Registration Fees for 1995

State	Product Fee	Fee on Sales	SLN Submission Fee	SLN Yearly Fee*	EUP Fee*†	Comments
AK						No program
AL	\$ 100			\$ 100		
AR	\$ 150			\$ 150		
AZ	\$ 100					
CA	\$ 200				\$ 200	
CO	\$ 70					Also a dealer license fee
CT	\$ 60					Registration period 5 years; Don't mail fee with application
DE	\$ 25					Expiration in June
FL	\$ 225			\$ 100	\$ 100	
GA	\$ 10			\$ 10		
HI	Gen. \$45 for 3 years Rup. \$90 for 3 years			\$45 for 3 years \$90 for 3 years		
IA		0.002		\$ 250		Min. per product \$250 Max. per product \$3,000
ID	\$ 120					
IL	\$ 50			\$ 50	\$ 50	There is a \$250 per year compa- ny fee; SLN fee is a permit, not a per product cost
IN	\$ 75			\$ 75	\$ 75	
KS	\$ 130			\$ 130		
KY	\$ 125					
LA	\$ 300		\$ 100			
MA	\$ 100				\$ 100	Expiration in June
MD	\$ 60					
ME	\$ 105					
MI	\$ 20 per product plus: Specialty product \$100 each Non-specialty product 0.75% of sales (Minimum \$150 per product)					Expiration in June
MN		0.004		\$ 150	\$ 150	Minimum fee \$250 per product at registration; ACRRRA sur- charge 0.002 on gross sales in addition
MO	\$ 15					
MS	\$ 100					
MT	\$ 150					
NC	Product fee \$30 plus: Sales 0-5,000 \$25 Sales 5,000+ \$50					One time SLN fee of \$150 New registration pay \$25 assessment fee
ND	\$ 150					
NE	\$ 100					Ag dealers \$50 fee
NH	\$ 33			\$ 33		
NJ	\$ 200			\$ 200	\$ 200	
NM	\$ 35					
NV	\$ 40					
NY	\$ 300		\$ 300	\$ 300	\$ 300	Fees for 2 years
OH	\$ 50					
OK	\$ 50			\$ 50		
OR	Products 1-10 \$95 Products 11-40 \$85 Products 40+ \$75					
PA	\$ 100					
RI	\$ 80			\$ 80	\$ 80	Expiration November 30
SC	Restricted \$100 Other \$60					Expiration August 31
SD	\$ 175			\$ 175	\$ 175	Expiration June 30
TN	\$ 100		\$ 250			Expiration June 30
TX	\$ 100				\$ 100	
UT	\$ 60					Expiration June 30
VA	\$ 140					Will be a phased-in fee increase beginning in 1997
VT	\$ 40					Expiration November 30
WA	Product 1-25 \$111 Product 26-100 \$106 Product 101-150 \$81 Product 151+ \$56 Home/garden surcharge \$10		\$ 200	\$ 206		
WA (DC)	\$ 20					
WI	Household products Sales 0-24,999 \$265 Sales 25,000-74,999 \$750 Sales 75,000+ \$1,500 Non-household products Sales 0-24,999 \$325 Sales 25,000-74,999 \$1,060 Sales 75,000+ \$3,060 + 1.3% of gross sales		\$ 100			New products pay the fee for Registration and characteris- tic products - see registration Products of active ingredients pay \$150 fee Ag. Dealers pay a permit fee
WV	\$ 25					Commercialexp. Dec. 31, 1997 product
WY	\$ 75					

* If parent product is not registered, fees may be less.
† If EUP product is active, fees may be less.



State of Wisconsin
Tommy G. Thompson, Governor

Department of Agriculture, Trade and Consumer Protection

Alan T. Tracy, Secretary

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**TESTIMONY ON
PROPOSED AB 869 - PESTICIDE MANUFACTURERS AND LABELERS
before the
ASSEMBLY COMMITTEE ON AGRICULTURE**

Testimony presented by:

Nicholas J. Neher, Administrator
Agricultural Resource Management Division

The department's Agrichemical Management (ACM) Bureau is responsible for administering programs regulating the sale, distribution, labeling and use of products including pesticides, fertilizers and animal feeds. The objectives of these programs are to protect consumers and the environment including our groundwater resources.

ACM programs are primarily funded by fees on industry licenses, feed and fertilizer tonnage, and pesticide products. These fees are deposited in the AgChem Management Fund. Additional funding is also provided by EPA, USDA and FDA.

Industry fees were increased when the Agricultural Chemical Cleanup Program (ACCP) was created in 1993 to provide funding for reimbursement of cleanup costs at spill sites contaminated with agrichemicals. These revenues also provide funding for oversight of these cleanups by department staff, and lab analysis of environmental samples taken at cleanup sites. In addition, \$2 M in GPR provides approximately half of the reimbursement payments under the ACCP.

The department has projected that there will be a significant balance, \$6.65 M in the AgChem Management Fund related to ACCP at the end of this fiscal year. This is primarily due to receiving fewer cleanup reimbursement requests from responsible parties, than originally anticipated. Original estimates of existing cleanup costs at the time the program was created were based on input from the agrichemical industry.

We expect reimbursement requests to increase because more than 200 sites are now actively involved in cleanup. However, based on revenue and expenditure projections, we feel a short term fee reduction is possible at this time.

We have met with a fee advisory group made up of representatives (member list attached) from the groups most effected by our fees and programs to discuss possible fee revisions. The department's goal in this effort is to reduce the fund balance, through fee reductions, to a level still adequate to maintain our programs as well as provide the ACCP reimbursements that foster needed environmental cleanups.

Based on input from this advisory group we propose to address the current ACM fund balance by:

- Restructuring the current ACM fees into a "base fee" and an "ACCP surcharge". The total fee amount for a license, pesticide product registration, or fertilizer tonnage does not change.
- Implementing a one year "fee holiday" for the "ACCP surcharges". This fee holiday would reduce the ACM Fund by \$2.25 M in FY 96/97 and \$600,00 in FY 97/98. ACM "base fees" needed to maintain other ACM programs would not be affected by the fee holiday.
- Creating a new category of "industrial pesticides" at the request of these pesticide manufacturers. These products would not be subject to the ACCP surcharge and simultaneously not be eligible for ACCP reimbursement for cleanup costs at sites contaminated with these pesticides. This change would reduce revenues to the ACM Fund by an additional \$350,000 annually, starting in FY 96/97.
- Increasing the ACCP reimbursement cost share by 5% to responsible parties (80% for soil remediation costs up to \$100,000, 85% for groundwater remediation costs between \$100,000 and \$300,000). This increase would also apply retroactively to requests that have already been reimbursed. The retroactive cost to the fund would be approximately \$100,000.
- Continuing to work with the advisory group to develop a longer term fee revision related to reimbursement of cleanup costs under the ACCP and the financial needs of the ACM Fund. These recommendations will be reported to the legislature by December 31, 1996 and could be incorporated into the biennial budget process.

We feel the attached draft statutory proposal appropriately reduces the unanticipated fund balance while maintaining the funding needed to assure timely and adequate cleanup of sites contaminated with agricultural chemicals. This proposal has been endorsed by our advisory group and we offer it as a substitute for AB 869.

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