



**ASSEMBLY AMENDMENT 2,
TO 2003 ASSEMBLY BILL 380**

October 16, 2003 – Offered by Representative OLSEN.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 3: after “pesticides” insert “and eligibility for reimbursement
3 under the Agricultural Chemical Cleanup Program”.

4 **2.** Page 2, line 1: after “(b)” insert “or (c)”.

5 **3.** Page 2, line 3: after that line insert:

6 “**SECTION 1m.** 94.645 (2) (c) of the statutes is created to read:

7 94.645 (2) (c) 1. Any secondary containment requirements in rules
8 promulgated under sub. (3) do not apply to a mini-bulk container, as defined by the
9 department by rule, that is possessed by a person who does not manufacture or
10 distribute bulk fertilizer or bulk pesticides.

11 2. Any secondary containment requirements in rules promulgated under sub.
12 (3) do not apply to a container for liquid fertilizer that has a capacity of 1650 gallons
13 or less if the container is possessed by a person who does not manufacture or

1 distribute bulk fertilizer and that person does not possess more than one such
2 container per 40 acres.”.

3 **4.** Page 2, line11: after that line insert:

4 “**SECTION 2g.** 94.73 (3m) (um) of the statutes is created to read:

5 94.73 (**3m**) (um) Corrective action costs incurred by a responsible person in
6 response to a discharge from a container described in s. 94.645 (2) (c) if the container
7 was not provided with secondary containment as specified in rules promulgated
8 under s. 94.645 (3).

9 **SECTION 2r. Initial applicability.**

10 (1) The treatment of section 94.73 (3m) (um) of the statutes first applies to
11 discharges that occur on the effective date of this subsection.”.

12 (END)