

**2001 Jr2 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB1)**

Received: **03/11/2002**

Received By: **traderc**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Schug**

This file may be shown to any legislator: **NO**

Drafter: **traderc**

May Contact:

Addl. Drafters:

Subject: **Agriculture - pesticides**  
**Agriculture - soil and water**

Extra Copies:

Submit via email: **NO**

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**Pre Topic:**

LFB:.....Schug -

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**Topic:**

Agricultural chemical programs

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	traderc 03/12/2002	csicilia 03/12/2002		_____			
/1			jfrantze 03/12/2002	_____	lrb_docadmin 03/12/2002		
/2	traderc 03/13/2002	csicilia 03/13/2002	chanaman 03/13/2002	_____	lrb_docadmin 03/13/2002		

FE Sent For:

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/?	traderc 03/12/2002	csicilia 03/12/2002					
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1?	traderc	1 cjs 3/20 02	3/12	8/pg 3/12			

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WORKING GROUP

Schuy

Agricultural Chemical Programs

Include the provisions of Assembly Bill 800, as amended by LRBa 1380/2. The provisions would do the following:

Increase the following fees that are deposited to the agricultural management (ACM) fund: (a) fertilizer tonnage fees from 30¢ to 45¢ per ton for fertilizer sold or distributed after June 30, 2006; (b) application fee for a mixed nonagricultural or special-use fertilizer from \$25 to \$100 until June 30, 2004, after which the fee would return to \$25; and (c) a feed inspection fee from 23¢ to 28¢ per ton for commercial feeds distributed in this state between January 1, 2003 and December 31, 2001; after which the fee would return to 23¢ per ton.

Decrease revenues deposited in the segregated environmental management account of the environmental fund effective July 1, 2003. Beginning in fiscal year 2003-04, revenues would be expected to decline from approximately \$1,288,000 annually currently by \$747,900 to \$540,100. The changes would include: (a) decrease the fee deposited in the environmental management account for each household pesticide by \$64, from \$124 to \$60 (decrease of \$341,400 annually); (b) decrease the fee deposited in the environmental management account for each industrial pesticide by \$34, from \$94 to \$60 (decrease of \$29,100 annually); and (c) eliminate the deposit of the \$30 fee for each nonhousehold pesticide in the environmental management account (decrease of \$377,400 annually). These decreased revenues in the environmental fund would be offset by an equivalent increase in revenues to the ACM fund.

Increase the fertilizer tonnage surcharge from 38¢ to 88¢ per ton for fertilizer sold or distributed in the state, unless DATCP establishes a lower surcharge by rule. This surcharge is deposited to the agricultural chemical cleanup program (ACCP) fund. Further, for costs incurred beginning January 1, 2003, lower the ACCP reimbursement rate from 80% to 75% of the corrective action costs. In addition, lower the required balance in the ACCP fund from between \$2 million and \$5 million to an amount of not more than \$3 million.

As of December 1, 2003, specify that the amount of the nonhousehold pesticide surcharge paid to the ACCP fund, and the amount of the wood preservative cleanup surcharge paid to the environmental management account of the environmental fund, be based on sales of nonhousehold pesticide products during the 12 months ending on September 30 of the calendar year for which a license is sought. Require an applicant to pay an estimated surcharge before the start of each license year (rather than based on prior year sales as under current law) and to make a surcharge adjustment payment before the end of the license year if required by DATCP.

As of December 1, 2003, before the start of a license year, require a pesticide manufacturer or labeler applicant to estimate the gross revenues that the applicant will receive from sales of each pesticide product during the payment period that ends during the year for which a license is sought and to pay household, nonhousehold, industrial and wood preservative fees and surcharges based on that estimate. At least 15 days before beginning to sell a new pesticide product in this state, require a licensee to estimate the gross revenues that the applicant will receive from sales of that pesticide product during the payment period in which the licensee begins to sell the pesticide product and to pay the fees and surcharges based on that estimate. Before the end of a license year, require a licensee to report to DATCP the gross revenues that the licensee received from sales of each pesticide product during the payment period that ended during the license year, and to reconcile the estimated payment made with the amounts actually due. Specify the following procedure for reconciling payments: (a) if the amount due based on actual sales is greater than the amount paid based on estimated sales, require the licensee to pay the additional amount due; (b) if the amount due based on actual sales is less than the amount paid based on estimated sales, allow the licensee to request DATCP to reimburse the licensee for the amount of the overpayment; and (c) if the amount due based on actual sales equals the amount paid based on estimated sales, require no action. Unless a licensee's payments are based on estimates of gross revenues from sales for each pesticide product that equal at least 90% of the licensee's gross revenues from sales of the pesticide product during the preceding year, require a licensee to pay a penalty equal to 20% of the difference between the estimated and actual sales if the difference is more than 20% of the total amount paid at the beginning of the year. Specify that this penalty is in addition to any late filing fee assessed by DATCP.

The bill would increase revenues deposited in the ACM through increased tonnage and permit fees. The bill would also authorize DATCP to increase by rule fertilizer tonnage fees deposited to the ACCP by up to 50¢ per ton. Increased revenues generally would not be realized until the 2003-05 biennium.

## 2001 ASSEMBLY BILL 800

February 12, 2002 - Introduced by Representatives OTT, OLSEN, HINES, PETROWSKI, VRAKAS, SYKORA, GUNDERSON and MILLER, cosponsored by Senators HANSEN and SCHULTZ. Referred to Committee on Agriculture.

1     **AN ACT to repeal** 94.681 (7) (a) 2. and 94.72 (6) (a) 1.; **to consolidate, renumber**  
2             **and amend** 94.681 (7) (a) (intro.) and 1.; **to amend** 25.46 (4), 25.465 (8), 94.64  
3             (3m) (b) (intro.), 94.64 (4) (a) 1., 94.64 (4) (a) 5., 94.681 (3), 94.681 (3m), 94.72  
4             (6) (a) 2., 94.73 (6) (b), 94.73 (6) (c) (intro.) and 94.73 (15) (a); **to repeal and**  
5             **recreate** 94.681 (2); and **to create** 94.681 (1) (cm), 94.681 (3s) and 94.72 (6) (a)  
6             2m. of the statutes; **relating to:** fees and surcharges related to pesticides,  
7             fertilizer, and feed, reimbursement under the agricultural chemical cleanup  
8             program, transfers from the agrichemical management fund to the  
9             environmental fund, and the required balance in the agricultural chemical  
10            cleanup fund.

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### ***Analysis by the Legislative Reference Bureau***

Current law requires a person who sells nonagricultural or special-use fertilizer with low percentages of nitrogen, phosphate, and potash to obtain a permit from DATCP. The fee for this permit is currently \$25. This bill increases the fee to \$100.

Current law generally requires a person who manufactures or distributes fertilizer in this state to obtain an annual license from DATCP. A person who is

**ASSEMBLY BILL 800**

required to be licensed must pay several fees and surcharges to DATCP, including a basic fee of 30 cents per ton of fertilizer sold or distributed or \$25, whichever is greater. This bill increases the basic fee to 45 cents per ton for fertilizer sold or distributed after June 30, 2006, but does not change the \$25 minimum fee.

Currently, a person who is licensed to manufacture or distribute fertilizer must also pay an agricultural chemical cleanup surcharge of 38 cents per ton of fertilizer sold or distributed, unless DATCP establishes a lower surcharge by rule. DATCP rules specify a surcharge of 38 cents per ton. This bill increases the maximum agricultural chemical cleanup surcharge by 50 cents per ton.

Current law generally requires a person who manufactures or distributes animal feed to obtain an annual license from DATCP. A person who is required to be licensed must pay a feed inspection fee of 23 cents per ton. This bill increases the annual feed inspection fee for feed sold after January 1, 2003, to 28 cents per ton or \$30, whichever is greater.

Under the agricultural chemical cleanup program, DATCP pays a portion of the costs of cleaning up spills of agricultural chemicals. Currently, the payment equals 80% of eligible costs that exceed a deductible and are less than a specified maximum. This bill reduces the reimbursement rate under the agricultural chemical cleanup program from 80% to 75%.

Current law generally requires a person who manufactures or labels pesticides for sale in this state to obtain an annual license from DATCP. The license year begins on January 1. A person who is required to be licensed must pay a number of fees and surcharges when the person applies for a license. The fees and surcharges are based on sales during the 12 months ending on September 30 of the year preceding the year for which a license is sought.

Under this bill, the fees and surcharges paid by an applicant for a pesticide manufacturer or labeler license are based on sales during the 12 month period that ends on September 30 of the license year. When the person applies for a license, the person pays the fees and surcharges based on estimated sales during that payment period. At the end of the license year, the person pays any balance due based on actual sales or may request a refund from DATCP for any overpayment. If the person estimated that sales would be less than 90% of sales during the preceding year and the person's payment due at the end of the year is more than 20% of the payment made based on estimated sales, the person is also required to pay a penalty for underestimating.

Under current law, pesticide manufacturer or labeler license fees are deposited into the agrichemical management fund except that \$94 for each pesticide for which a licensee pays a fee is deposited into the environmental fund and an additional \$30 for each household pesticide for which a licensee pays a fee is deposited into the environmental fund. Under this bill, all of the license fees are deposited into the agrichemical management fund except that \$60 for each household or industrial pesticide for which a licensee pays a fee is deposited into the environmental fund.

Current law authorizes DATCP to reduce surcharges that are deposited into the agricultural chemical cleanup fund below the amounts specified in the statutes. The law also requires DATCP to adjust the surcharge amounts as necessary to

2001

Date (time) needed SOON

LRB b 2393 1 1

**ARC CAUCUS BUDGET AMENDMENT  
[ONLY FOR CAUCUS]**

RA : gjs : \_\_\_\_\_

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**January 2002 SPECIAL SESSION CAUCUS AMENDMENT  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1  
TO 2001 ASSEMBLY BILL 1**

SA ✓

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :



## ASSEMBLY BILL 800

maintain a balance in the fund at the end of each fiscal year of at least \$2,000,000 but not more than \$5,000,000. This bill eliminates the minimum required fiscal year-end balance for the agricultural chemical cleanup fund and reduces the maximum balance to \$3,000,000.

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:*

#. Page 28, line 8: after that line insert:

① " SECTION <sup>80P</sup> 25.46 (4) of the statutes is amended to read:

2 25.46 (4) The moneys specified under s. 94.681 (7) (a) ~~1. and 2.~~ for  
3 environmental management.

④ SECTION <sup>80P</sup> 25.465 (8) of the statutes is amended to read:

5 25.465 (8) The fees collected under s. 94.72 (5) (b) and (6) (a) ~~1. and 2.~~ and 2m.

⑥ and (i). <sup>110</sup>  
#. Page 154, line 18: after that line insert:

7 " SECTION <sup>260d</sup> 94.64 (3m) (b) (intro.) of the statutes is amended to read:

8 94.64 (3m) (b) (intro.) An application for a permit under par. (a) 2. shall be on  
9 a form prescribed by the department and shall be accompanied by a proposed product  
10 label and a nonrefundable fee of \$25 <sup>Insert 3-10</sup> ~~\$100~~. The department may require that the  
11 applicant substantiate, by scientific evidence:

⑫ SECTION <sup>260de</sup> 94.64 (4) (a) 1. of the statutes is amended to read:

13 94.64 (4) (a) 1. A basic fee of ~~23~~ 30 cents per ton for fertilizer sold or distributed  
14 beginning on ~~October 29, 1999~~ July 1, 2001, and ending on June 30, 2001 2006, and  
15 ~~30~~ 45 cents per ton for fertilizer sold or distributed after June 30, 2001 2006, with  
16 a minimum fee of \$25.

⑬ SECTION <sup>260dg</sup> 94.64 (4) (a) 5. of the statutes is amended to read:

## ASSEMBLY BILL 800

1 94.64 (4) (a) 5. An agricultural chemical cleanup surcharge of ~~38~~ 88 cents per  
2 ton on all fertilizer that the person sells or distributes in this state ~~after June 30,~~  
3 ~~1999~~, unless the department establishes a lower surcharge under s. 94.73 (15).

4 SECTION <sup>260f</sup> 94.681 (1) (cm) of the statutes is created to read:

5 94.681 (1) (cm) "Payment period" means the 12 months ending on September  
6 30 of the calendar year for which a license is sought under s. 94.68.

7 SECTION <sup>260fc</sup> 94.681 (2) of the statutes is repealed and recreated to read:

8 94.681 (2) ANNUAL LICENSE FEE. An applicant for a license under s. 94.68 shall  
9 pay an annual license fee for each pesticide product that the applicant sells or  
10 distributes for use in this state. The amount of the fee is based on sales of pesticide  
11 products during the payment period. An applicant shall pay an estimated fee before  
12 the start of each license year as provided in sub. (3s) (a) and shall make a fee  
13 adjustment payment before the end of the license year if required under sub. (3s) (b).  
14 Except as provided in sub. (5) or (6), the fee for each pesticide product is as follows:

15 (a) For each household pesticide product:

16 1. If the applicant sells less than \$25,000 of the product during the payment  
17 period for use in this state, \$265.

18 2. If the applicant sells at least \$25,000 but less than \$75,000 of the product  
19 during the payment period for use in this state, \$750.

20 3. If the applicant sells at least \$75,000 of the product during the payment  
21 period for use in this state, \$1,500.

22 (b) For each industrial pesticide product:

23 1. If the applicant sells less than \$25,000 of the product during the payment  
24 period for use in this state, \$315.

1           2. If the applicant sells at least \$25,000 but less than \$75,000 of the product  
2 during the payment period for use in this state, \$860.

3           3. If the applicant sells at least \$75,000 of that product during the payment  
4 period for use in this state, \$3,060.

5           (c) For each nonhousehold pesticide product:

6           1. If the applicant sells less than \$25,000 of that product during the payment  
7 period for use in this state, \$320.

8           2. If the applicant sells at least \$25,000 but less than \$75,000 of the product  
9 during the payment period for use in this state, \$890.

10          3. If the applicant sells at least \$75,000 of the product during the payment  
11 period for use in this state, \$3,060 plus 0.2% of the gross revenues from sales of the  
12 product during the payment period for use in this state.

13          SECTION <sup>260fg</sup> 94.681 (3) of the statutes is amended to read:

14          94.681 (3) NONHOUSEHOLD PESTICIDES; CLEANUP SURCHARGE. ~~Except for the~~  
15 ~~license years that begin on January 1, 1999, and January 1, 2000, an~~ An applicant  
16 for a license under s. 94.68 shall pay an agricultural chemical cleanup surcharge for  
17 each nonhousehold pesticide product that the applicant sells or distributes for use  
18 in this state. The amount of the surcharge is based on sales of nonhousehold  
19 pesticide products during the payment period. An applicant shall pay an estimated  
20 surcharge before the start of each license year as provided in sub. (3s) (a) and shall  
21 make a surcharge adjustment payment before the end of the license year if required  
22 by sub. (3s) (b). Except as provided in sub. (6) or under s. 94.73 (15), the amount of  
23 the surcharge is as follows:

24          (a) If the applicant ~~sold~~ sells less than \$25,000 of the product during the  
25 preceeding year payment period for use in this state, \$5.

## ASSEMBLY BILL 800

1 (b) If the applicant sold sells at least \$25,000 but less than \$75,000 of that  
2 product during the ~~preceding year~~ payment period for use in this state, \$170.

3 (c) If the applicant sold sells at least \$75,000 of that product during the  
4 ~~preceding year~~ payment period for use in this state, an amount equal to 1.1% of gross  
5 revenues from sales of the product during the ~~preceding year~~ payment period for use  
6 in this state.

7 <sup>260fn</sup> SECTION 94.681 (3m) of the statutes is amended to read:

8 94.681 (3m) WOOD PRESERVATIVES; CLEANUP SURCHARGE. An applicant for a  
9 license under s. 94.68 shall pay an environmental cleanup surcharge for each  
10 pesticide product that is not a household pesticide and is solely labeled for use on  
11 wood and contains pentachlorophenol or coal tar creosote that the applicant sells or  
12 distributes in this state. The amount of the surcharge is based on sales of pesticide  
13 products that are not household pesticides and are solely labeled for use on wood and  
14 contain pentachlorophenol or coal tar creosote during the payment period. An  
15 applicant shall pay an estimated surcharge before the start of each license year as  
16 provided in sub. (3s) (a) and shall make a surcharge adjustment payment before the  
17 end of the license year if required by sub. (3s) (b). Except as provided in sub. (6), the  
18 amount of the surcharge is as follows:

19 (a) If the applicant sold sells less than \$25,000 of the product during the  
20 ~~preceding year~~ payment period for use in this state, \$5.

21 (b) If the applicant sold sells at least \$25,000 but less than \$75,000 of that  
22 product during the ~~preceding year~~ payment period for use in this state, \$170.

23 (c) If the applicant sold sells at least \$75,000 of that product during the  
24 ~~preceding year~~ payment period for use in this state, an amount equal to 1.1% of gross

1 revenues from sales of the product during the ~~preceding year~~ payment period for use  
2 in this state.

3 <sup>260fp</sup> SECTION 10. 94.681 (3s) of the statutes is created to read:

4 94.681 (3s) PAYMENT OF FEES AND SURCHARGES. (a) Before the start of a license  
5 year, an applicant shall estimate the gross revenues that the applicant will receive  
6 from sales of each pesticide product during the payment period that ends during the  
7 year for which a license is sought under s. 94.81 and shall pay the amounts under  
8 subs. (2), (3), and (3m) based on that estimate. At least 15 days before beginning to  
9 sell a new pesticide product in this state, a licensee shall estimate the gross revenues  
10 that the applicant will receive from sales of that pesticide product during the  
11 payment period in which the licensee begins to sell the pesticide product and shall  
12 pay the amounts under subs. (2), (3), and (3m) based on that estimate.

13 (b) Before the end of a license year, a licensee shall report to the department  
14 the gross revenues that the licensee received from sales of each pesticide product  
15 during the payment period that ended during the license year, as required under s.  
16 94.68 (2) (a) 2., and shall reconcile the estimated payment made under par. (a) with  
17 the amounts actually due under subs. (2), (3), and (3m) as follows:

18 1. If the amount due based on actual sales is greater than the amount paid  
19 based on estimated sales, the licensee shall pay the additional amount due.

20 2. If the amount due based on actual sales is less than the amount paid based  
21 on estimated sales, the licensee may request the department to reimburse the  
22 licensee for the amount of the overpayment.

23 3. If the amount due based on actual sales equals the amount paid based on  
24 estimated sales, no action is required.

1 (c) 1. Except as provided in subd. 2., if a licensee's total payment due under par.  
2 (b) is more than 20% of the total amount paid under par. (a), the licensee shall pay  
3 a penalty equal to 20% of the total amount due under par. (b). The penalty under this  
4 subdivision is in addition to any late filing fee under s. 93.21 (5).

5 2. Subdivision 1. does not apply to a licensee if the licensee's payments under  
6 par. (a) are based on estimates of gross revenues from sales for each pesticide product  
7 that equal at least 90% of the licensee's gross revenues from sales of the pesticide  
8 product during the preceding year.

9 SECTION <sup>260fr</sup> ~~11~~ 94.681 (7) (a) (intro.) and 1. of the statutes are consolidated,  
10 renumbered 94.681 (7) (a) and amended to read:

11 94.681 (7) (a) *License fees.* The department shall deposit all license fees  
12 collected under subs. (2), (5), and (6) (a) 3. in the agrichemical management fund  
13 except as follows: ~~1. The~~ that the department shall deposit an amount equal to \$94  
14 \$60 for each household pesticide and industrial pesticide product for which an  
15 applicant pays a license fee in the environmental fund for environmental  
16 management.

17 SECTION <sup>260fw</sup> ~~12~~ 94.681 (7) (a) 2. of the statutes is repealed.

18 SECTION <sup>260h</sup> ~~13~~ 94.72 (6) (a) 1. of the statutes is repealed.

19 SECTION <sup>260he</sup> ~~14~~ 94.72 (6) (a) 2. of the statutes is amended to read:

20 94.72 (6) (a) 2. For commercial feeds distributed in this state beginning on or  
21 after January 1, 2002, and ending on December 31, 2002, a feed inspection fee of 23  
22 cents per ton.

23 SECTION <sup>260hm</sup> ~~15~~ 94.72 (6) (a) 2m. of the statutes is created to read:

24 94.72 (6) (a) 2m. For commercial feeds distributed in this state <sup>beginning</sup> ~~on~~  
25 January 1, 2003, <sup>Insert 8-25A</sup> a feed inspection fee of 28 cents per ton or \$30, whichever is greater.

Insert  
8-25-B

ASSEMBLY BILL 800

1 SECTION <sup>260k</sup>~~16~~. 94.73 (6) (b) of the statutes is amended to read:

2 94.73 (6) (b) Except as provided in pars. (c) and (e), the department shall  
3 reimburse a responsible person an amount equal to ~~80%~~ 75% of the corrective action  
4 costs incurred for each discharge site that are greater than \$3,000 and less than  
5 \$400,000.

6 SECTION <sup>260kg</sup>~~17~~. 94.73 (6) (c) (intro.) of the statutes is amended to read:

7 94.73 (6) (c) (intro.) Except as provided in par. (e), the department shall  
8 reimburse a responsible person an amount equal to ~~80%~~ 75% of the corrective action  
9 costs incurred for each discharge site that are greater than \$7,500 and less than  
10 \$400,000 if any of the following applies:

11 SECTION <sup>260kr</sup>~~18~~. 94.73 (15) (a) of the statutes is amended to read:

12 94.73 (15) (a) The department may, by rule, reduce any of the surcharges in ss.  
13 94.64 (3r) (b) and (4) (a) 5., 94.681 (3), 94.685 (3) (a) 2., 94.703 (3) (a) 2., and 94.704  
14 (3) (a) 2. below the amounts specified in those provisions. The department shall  
15 adjust surcharge amounts as necessary to maintain a balance in the agricultural  
16 chemical cleanup fund at the end of each fiscal year of ~~at least \$2,000,000 but not~~  
17 ~~more than \$5,000,000~~ \$3,000,000, but may not increase a surcharge amount over the  
18 amount specified in s. 94.64 (3r) (b) or (4) (a) 5., 94.681 (3), 94.685 (3) (a) 2., 94.703  
19 (3) (a) 2., or 94.704 (3) (a) 2. <sup>))</sup>

20 ~~SECTION 19. Initial applicability.~~  
# Page 434, line 17: after that line insert:

21 <sup>(S)</sup> (1) AGRICULTURAL CHEMICAL CLEANUP PROGRAM REIMBURSEMENT. The treatment  
22 of sections 94.73 (6) (b) and (c) (intro.) of the statutes first applies to costs incurred  
23 on the effective date of this subsection. <sup>))</sup>

24 ~~SECTION 20. Effective date.~~

**ASSEMBLY BILL 800**

*#. Page 445, line 5: after that line insert:*

1

~~(1)~~ <sup>(S)</sup> AGRICULTURAL CHEMICAL CLEANUP PROGRAM REIMBURSEMENT. The treatment of section 94.73 (6) (b) and (c) (intro.) of the statutes and SECTION 19 (1) take effect on January 1, 2003.

4

~~(1)~~ <sup>(1st)</sup> AMOUNT DEPOSITED IN ENVIRONMENTAL FUND. The treatment of sections 25.46 (4) and 94.681 (7) (a) (intro.), 1., and 2. of the statutes takes effect on July 1, 2003.

6

~~(A)~~ <sup>(1su)</sup> PESTICIDE FEES AND SURCHARGES. The treatment of section 94.681 (1) (cm), (2), (3), (3m), and (3s) of the statutes takes effect on December 1, 2003. *yl.*

7

8

(END)



**ASSEMBLY AMENDMENT ,  
TO 2001 ASSEMBLY BILL 800**

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

2 **1.** Page 3, line 10: after "\$100" insert "until June 30, 2004, and \$25 beginning

*Insert  
3-10*

3 on July 1, 2004". ✓

4 ✓ **2.** Page 8, line 24: substitute "beginning on" for "on or after".

5 **3.** Page 8, line 25: after "2003," insert "and ending on December 31, 2003,".

*Insert 8-25-A*

6 **4.** Page 8, line 25: after that line insert:

7 \* **SECTION 94.72 (6) (a) 2r.** of the statutes is created to read: ✓

*15p  
260hs*

*Insert  
8-25-B9*

8 94.72 (6) (a) 2r. For commercial feeds distributed in this state on or after  
9 January 1, 2004, a feed inspection fee of 23 cents per ton."

10

(END)



State of Wisconsin  
 2001 - 2002 LEGISLATURE  
 January 2002 Special Session  
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LFB:.....Schug – Agricultural chemical programs

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,  
 TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
 TO ASSEMBLY BILL 1

See p. 8

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 28, line 8: after that line insert:

3 “SECTION 80p. 25.46 (4) of the statutes is amended to read:

4 25.46 (4) The moneys specified under s. 94.681 (7) (a) ~~1. and 2.~~ for  
 5 environmental management.

6 SECTION 80r. 25.465 (8) of the statutes is amended to read:

7 25.465 (8) The fees collected under s. 94.72 (5) (b) and (6) (a) ~~1. and 2.~~ and 2m.  
 8 and (i).”

9 **2.** Page 154, line 18: after that line insert:

10 “SECTION 260d. 94.64 (3m) (b) (intro.) of the statutes is amended to read:

1           94.64 (3m) (b) (intro.) An application for a permit under par. (a) 2. shall be on  
2 a form prescribed by the department and shall be accompanied by a proposed product  
3 label and a nonrefundable fee of ~~\$25~~ \$100 until June 30, 2004, and \$25 beginning on  
4 July 1, 2004. The department may require that the applicant substantiate, by  
5 scientific evidence:

6           **SECTION 260de.** 94.64 (4) (a) 1. of the statutes is amended to read:

7           94.64 (4) (a) 1. A basic fee of ~~23~~ 30 cents per ton for fertilizer sold or distributed  
8 beginning on ~~October 29, 1999~~ July 1, 2001, and ending on June 30, ~~2001~~ 2006, and  
9 ~~30~~ 45 cents per ton for fertilizer sold or distributed after June 30, ~~2001~~ 2006, with  
10 a minimum fee of \$25.

11           **SECTION 260dg.** 94.64 (4) (a) 5. of the statutes is amended to read:

12           94.64 (4) (a) 5. An agricultural chemical cleanup surcharge of ~~38~~ 88 cents per  
13 ton on all fertilizer that the person sells or distributes in this state ~~after June 30,~~  
14 ~~1999~~, unless the department establishes a lower surcharge under s. 94.73 (15).

15           **SECTION 260f.** 94.681 (1) (cm) of the statutes is created to read:

16           94.681 (1) (cm) "Payment period" means the 12 months ending on September  
17 30 of the calendar year for which a license is sought under s. 94.68.

18           **SECTION 260fc.** 94.681 (2) of the statutes is repealed and recreated to read:

19           94.681 (2) ANNUAL LICENSE FEE. An applicant for a license under s. 94.68 shall  
20 pay an annual license fee for each pesticide product that the applicant sells or  
21 distributes for use in this state. The amount of the fee is based on sales of pesticide  
22 products during the payment period. An applicant shall pay an estimated fee before  
23 the start of each license year as provided in sub. (3s) (a) and shall make a fee  
24 adjustment payment before the end of the license year if required under sub. (3s) (b).  
25 Except as provided in sub. (5) or (6), the fee for each pesticide product is as follows:

1 (a) For each household pesticide product:

2 1. If the applicant sells less than \$25,000 of the product during the payment  
3 period for use in this state, \$265.

4 2. If the applicant sells at least \$25,000 but less than \$75,000 of the product  
5 during the payment period for use in this state, \$750.

6 3. If the applicant sells at least \$75,000 of the product during the payment  
7 period for use in this state, \$1,500.

8 (b) For each industrial pesticide product:

9 1. If the applicant sells less than \$25,000 of the product during the payment  
10 period for use in this state, \$315.

11 2. If the applicant sells at least \$25,000 but less than \$75,000 of the product  
12 during the payment period for use in this state, \$860.

13 3. If the applicant sells at least \$75,000 of that product during the payment  
14 period for use in this state, \$3,060.

15 (c) For each nonhousehold pesticide product:

16 1. If the applicant sells less than \$25,000 of that product during the payment  
17 period for use in this state, \$320.

18 2. If the applicant sells at least \$25,000 but less than \$75,000 of the product  
19 during the payment period for use in this state, \$890.

20 3. If the applicant sells at least \$75,000 of the product during the payment  
21 period for use in this state, \$3,060 plus 0.2% of the gross revenues from sales of the  
22 product during the payment period for use in this state.

23 **SECTION 260fg.** 94.681 (3) of the statutes is amended to read:

24 94.681 (3) NONHOUSEHOLD PESTICIDES; CLEANUP SURCHARGE. ~~Except for the~~  
25 ~~license years that begin on January 1, 1999, and January 1, 2000, an~~ An applicant

1 for a license under s. 94.68 shall pay an agricultural chemical cleanup surcharge for  
2 each nonhousehold pesticide product that the applicant sells or distributes for use  
3 in this state. The amount of the surcharge is based on sales of nonhousehold  
4 pesticide products during the payment period. An applicant shall pay an estimated  
5 surcharge before the start of each license year as provided in sub. (3s) (a) and shall  
6 make a surcharge adjustment payment before the end of the license year if required  
7 by sub. (3s) (b). Except as provided in sub. (6) or under s. 94.73 (15), the amount of  
8 the surcharge is as follows:

9 (a) If the applicant sold sells less than \$25,000 of the product during the  
10 preceding year payment period for use in this state, \$5.

11 (b) If the applicant sold sells at least \$25,000 but less than \$75,000 of that  
12 product during the preceding year payment period for use in this state, \$170.

13 (c) If the applicant sold sells at least \$75,000 of that product during the  
14 preceding year payment period for use in this state, an amount equal to 1.1% of gross  
15 revenues from sales of the product during the preceding year payment period for use  
16 in this state.

17 **SECTION 260fn.** 94.681 (3m) of the statutes is amended to read:

18 94.681 (3m) WOOD PRESERVATIVES; CLEANUP SURCHARGE. An applicant for a  
19 license under s. 94.68 shall pay an environmental cleanup surcharge for each  
20 pesticide product that is not a household pesticide and is solely labeled for use on  
21 wood and contains pentachlorophenol or coal tar creosote that the applicant sells or  
22 distributes in this state. The amount of the surcharge is based on sales of pesticide  
23 products that are not household pesticides and are solely labeled for use on wood and  
24 contain pentachlorophenol or coal tar creosote during the payment period. An  
25 applicant shall pay an estimated surcharge before the start of each license year as

1 provided in sub. (3s) (a) and shall make a surcharge adjustment payment before the  
2 end of the license year if required by sub. (3s) (b). Except as provided in sub. (6), the  
3 amount of the surcharge is as follows:

4 (a) If the applicant ~~sold~~ sells less than \$25,000 of the product during the  
5 ~~preceeding year~~ payment period for use in this state, \$5.

6 (b) If the applicant ~~sold~~ sells at least \$25,000 but less than \$75,000 of that  
7 product during the ~~preceeding year~~ payment period for use in this state, \$170.

8 (c) If the applicant ~~sold~~ sells at least \$75,000 of that product during the  
9 ~~preceeding year~~ payment period for use in this state, an amount equal to 1.1% of gross  
10 revenues from sales of the product during the ~~preceeding year~~ payment period for use  
11 in this state.

12 **SECTION 260fp.** 94.681 (3s) of the statutes is created to read:

13 94.681 (3s) PAYMENT OF FEES AND SURCHARGES. (a) Before the start of a license  
14 year, an applicant shall estimate the gross revenues that the applicant will receive  
15 from sales of each pesticide product during the payment period that ends during the  
16 year for which a license is sought under s. 94.81 and shall pay the amounts under  
17 subs. (2), (3), and (3m) based on that estimate. At least 15 days before beginning to  
18 sell a new pesticide product in this state, a licensee shall estimate the gross revenues  
19 that the applicant will receive from sales of that pesticide product during the  
20 payment period in which the licensee begins to sell the pesticide product and shall  
21 pay the amounts under subs. (2), (3), and (3m) based on that estimate.

22 (b) Before the end of a license year, a licensee shall report to the department  
23 the gross revenues that the licensee received from sales of each pesticide product  
24 during the payment period that ended during the license year, as required under s.

1 94.68 (2) (a) 2., and shall reconcile the estimated payment made under par. (a) with  
2 the amounts actually due under subs. (2), (3), and (3m) as follows:

3 1. If the amount due based on actual sales is greater than the amount paid  
4 based on estimated sales, the licensee shall pay the additional amount due.

5 2. If the amount due based on actual sales is less than the amount paid based  
6 on estimated sales, the licensee may request the department to reimburse the  
7 licensee for the amount of the overpayment.

8 3. If the amount due based on actual sales equals the amount paid based on  
9 estimated sales, no action is required.

10 (c) 1. Except as provided in subd. 2., if a licensee's total payment due under par.  
11 (b) is more than 20% of the total amount paid under par. (a), the licensee shall pay  
12 a penalty equal to 20% of the total amount due under par. (b). The penalty under this  
13 subdivision is in addition to any late filing fee under s. 93.21 (5).

14 2. Subdivision 1. does not apply to a licensee if the licensee's payments under  
15 par. (a) are based on estimates of gross revenues from sales for each pesticide product  
16 that equal at least 90% of the licensee's gross revenues from sales of the pesticide  
17 product during the preceding year.

18 **SECTION 260fr.** 94.681 (7) (a) (intro.) and 1. of the statutes are consolidated,  
19 renumbered 94.681 (7) (a) and amended to read:

20 94.681 (7) (a) *License fees.* The department shall deposit all license fees  
21 collected under subs. (2), (5), and (6) (a) 3. in the agrichemical management fund  
22 except as follows: 1. ~~The~~ that the department shall deposit an amount equal to ~~\$94~~  
23 ~~\$60~~ for each household pesticide and industrial pesticide product for which an  
24 applicant pays a license fee in the environmental fund for environmental  
25 management.

1           **SECTION 260fw.** 94.681 (7) (a) 2. of the statutes is repealed.

2           **SECTION 260h.** 94.72 (6) (a) 1. of the statutes is repealed.

3           **SECTION 260he.** 94.72 (6) (a) 2. of the statutes is amended to read:

4           94.72 (6) (a) 2. For commercial feeds distributed in this state beginning on or  
5 after January 1, 2002, and ending on December 31, 2002, a feed inspection fee of 23  
6 cents per ton.

7           **SECTION 260hm.** 94.72 (6) (a) 2m. of the statutes is created to read:

8           94.72 (6) (a) 2m. For commercial feeds distributed in this state beginning on  
9 January 1, 2003, and ending on December 31, 2003, a feed inspection fee of 28 cents  
10 per ton or \$30, whichever is greater.

11           **SECTION 260hs.** 94.72 (6) (a) 2r. of the statutes is created to read:

12           94.72 (6) (a) 2r. For commercial feeds distributed in this state on or after  
13 January 1, 2004, a feed inspection fee of 23 cents per ton.

14           **SECTION 260k.** 94.73 (6) (b) of the statutes is amended to read:

15           94.73 (6) (b) Except as provided in pars. (c) and (e), the department shall  
16 reimburse a responsible person an amount equal to ~~80%~~ 75% of the corrective action  
17 costs incurred for each discharge site that are greater than \$3,000 and less than  
18 \$400,000.

19           **SECTION 260kg.** 94.73 (6) (c) (intro.) of the statutes is amended to read:

20           94.73 (6) (c) (intro.) Except as provided in par. (e), the department shall  
21 reimburse a responsible person an amount equal to ~~80%~~ 75% of the corrective action  
22 costs incurred for each discharge site that are greater than \$7,500 and less than  
23 \$400,000 if any of the following applies:

24           **SECTION 260kr.** 94.73 (15) (a) of the statutes is amended to read:







State of Wisconsin  
2001 - 2002 LEGISLATURE  
January 2002 Special Session

LRBb2393/2  
RCT:cjs:cmh

LFB:.....Schug – Agricultural chemical programs

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 28, line 8: after that line insert:

3 **"SECTION 80p.** 25.46 (4) of the statutes is amended to read:

4 25.46 (4) The moneys specified under s. 94.681 (7) (a) ~~1. and 2.~~ for  
5 environmental management.

6 **SECTION 80r.** 25.465 (8) of the statutes is amended to read:

7 25.465 (8) The fees collected under s. 94.72 (5) (b) and (6) (a) ~~1. and 2.~~ and 2m.  
8 and (i).".

9 **2.** Page 154, line 18: after that line insert:

10 **"SECTION 260d.** 94.64 (3m) (b) (intro.) of the statutes is amended to read:

1           94.64 (3m) (b) (intro.) An application for a permit under par. (a) 2. shall be on  
2 a form prescribed by the department and shall be accompanied by a proposed product  
3 label and a nonrefundable fee of ~~\$25~~ \$100 until June 30, 2004, and \$25 beginning on  
4 July 1, 2004. The department may require that the applicant substantiate, by  
5 scientific evidence:

6           **SECTION 260de.** 94.64 (4) (a) 1. of the statutes is amended to read:

7           94.64 (4) (a) 1. A basic fee of ~~23~~ 30 cents per ton for fertilizer sold or distributed  
8 beginning on ~~October 29, 1999~~ July 1, 2001, and ending on June 30, ~~2001~~ 2006, and  
9 ~~30~~ 45 cents per ton for fertilizer sold or distributed after June 30, ~~2001~~ 2006, with  
10 a minimum fee of \$25.

11           **SECTION 260dg.** 94.64 (4) (a) 5. of the statutes is amended to read:

12           94.64 (4) (a) 5. An agricultural chemical cleanup surcharge of ~~38~~ 88 cents per  
13 ton on all fertilizer that the person sells or distributes in this state ~~after June 30,~~  
14 ~~1999~~, unless the department establishes a lower surcharge under s. 94.73 (15).

15           **SECTION 260f.** 94.681 (1) (cm) of the statutes is created to read:

16           94.681 (1) (cm) "Payment period" means the 12 months ending on September  
17 30 of the calendar year for which a license is sought under s. 94.68.

18           **SECTION 260fc.** 94.681 (2) of the statutes is repealed and recreated to read:

19           94.681 (2) ANNUAL LICENSE FEE. An applicant for a license under s. 94.68 shall  
20 pay an annual license fee for each pesticide product that the applicant sells or  
21 distributes for use in this state. The amount of the fee is based on sales of pesticide  
22 products during the payment period. An applicant shall pay an estimated fee before  
23 the start of each license year as provided in sub. (3s) (a) and shall make a fee  
24 adjustment payment before the end of the license year if required under sub. (3s) (b).  
25 Except as provided in sub. (5) or (6), the fee for each pesticide product is as follows:

1 (a) For each household pesticide product:

2 1. If the applicant sells less than \$25,000 of the product during the payment  
3 period for use in this state, \$265.

4 2. If the applicant sells at least \$25,000 but less than \$75,000 of the product  
5 during the payment period for use in this state, \$750.

6 3. If the applicant sells at least \$75,000 of the product during the payment  
7 period for use in this state, \$1,500.

8 (b) For each industrial pesticide product:

9 1. If the applicant sells less than \$25,000 of the product during the payment  
10 period for use in this state, \$315.

11 2. If the applicant sells at least \$25,000 but less than \$75,000 of the product  
12 during the payment period for use in this state, \$860.

13 3. If the applicant sells at least \$75,000 of that product during the payment  
14 period for use in this state, \$3,060.

15 (c) For each nonhousehold pesticide product:

16 1. If the applicant sells less than \$25,000 of that product during the payment  
17 period for use in this state, \$320.

18 2. If the applicant sells at least \$25,000 but less than \$75,000 of the product  
19 during the payment period for use in this state, \$890.

20 3. If the applicant sells at least \$75,000 of the product during the payment  
21 period for use in this state, \$3,060 plus 0.2% of the gross revenues from sales of the  
22 product during the payment period for use in this state.

23 **SECTION 260fg.** 94.681 (3) of the statutes is amended to read:

24 94.681 (3) NONHOUSEHOLD PESTICIDES; CLEANUP SURCHARGE. ~~Except for the~~  
25 ~~license years that begin on January 1, 1999, and January 1, 2000, an~~ An applicant

1 for a license under s. 94.68 shall pay an agricultural chemical cleanup surcharge for  
2 each nonhousehold pesticide product that the applicant sells or distributes for use  
3 in this state. The amount of the surcharge is based on sales of nonhousehold  
4 pesticide products during the payment period. An applicant shall pay an estimated  
5 surcharge before the start of each license year as provided in sub. (3s) (a) and shall  
6 make a surcharge adjustment payment before the end of the license year if required  
7 by sub. (3s) (b). Except as provided in sub. (6) or under s. 94.73 (15), the amount of  
8 the surcharge is as follows:

9 (a) If the applicant ~~sold~~ sells less than \$25,000 of the product during the  
10 preceding year payment period for use in this state, \$5.

11 (b) If the applicant ~~sold~~ sells at least \$25,000 but less than \$75,000 of that  
12 product during the preceding year payment period for use in this state, \$170.

13 (c) If the applicant ~~sold~~ sells at least \$75,000 of that product during the  
14 preceding year payment period for use in this state, an amount equal to 1.1% of gross  
15 revenues from sales of the product during the preceding year payment period for use  
16 in this state.

17 **SECTION 260fn.** 94.681 (3m) of the statutes is amended to read:

18 94.681 (3m) WOOD PRESERVATIVES; CLEANUP SURCHARGE. An applicant for a  
19 license under s. 94.68 shall pay an environmental cleanup surcharge for each  
20 pesticide product that is not a household pesticide and is solely labeled for use on  
21 wood and contains pentachlorophenol or coal tar creosote that the applicant sells or  
22 distributes in this state. The amount of the surcharge is based on sales of pesticide  
23 products that are not household pesticides and are solely labeled for use on wood and  
24 contain pentachlorophenol or coal tar creosote during the payment period. An  
25 applicant shall pay an estimated surcharge before the start of each license year as

1 provided in sub. (3s) (a) and shall make a surcharge adjustment payment before the  
2 end of the license year if required by sub. (3s) (b). Except as provided in sub. (6), the  
3 amount of the surcharge is as follows:

4 (a) If the applicant ~~sold~~ sells less than \$25,000 of the product during the  
5 preceding year payment period for use in this state, \$5.

6 (b) If the applicant ~~sold~~ sells at least \$25,000 but less than \$75,000 of that  
7 product during the preceding year payment period for use in this state, \$170.

8 (c) If the applicant ~~sold~~ sells at least \$75,000 of that product during the  
9 preceding year payment period for use in this state, an amount equal to 1.1% of gross  
10 revenues from sales of the product during the preceding year payment period for use  
11 in this state.

12 **SECTION 260fp.** 94.681 (3s) of the statutes is created to read:

13 94.681 (3s) PAYMENT OF FEES AND SURCHARGES. (a) Before the start of a license  
14 year, an applicant shall estimate the gross revenues that the applicant will receive  
15 from sales of each pesticide product during the payment period that ends during the  
16 year for which a license is sought under s. 94.81 and shall pay the amounts under  
17 subs. (2), (3), and (3m) based on that estimate. At least 15 days before beginning to  
18 sell a new pesticide product in this state, a licensee shall estimate the gross revenues  
19 that the applicant will receive from sales of that pesticide product during the  
20 payment period in which the licensee begins to sell the pesticide product and shall  
21 pay the amounts under subs. (2), (3), and (3m) based on that estimate.

22 (b) Before the end of a license year, a licensee shall report to the department  
23 the gross revenues that the licensee received from sales of each pesticide product  
24 during the payment period that ended during the license year, as required under s.

1 94.68 (2) (a) 2., and shall reconcile the estimated payment made under par. (a) with  
2 the amounts actually due under subs. (2), (3), and (3m) as follows:

3 1. If the amount due based on actual sales is greater than the amount paid  
4 based on estimated sales, the licensee shall pay the additional amount due.

5 2. If the amount due based on actual sales is less than the amount paid based  
6 on estimated sales, the licensee may request the department to reimburse the  
7 licensee for the amount of the overpayment.

8 3. If the amount due based on actual sales equals the amount paid based on  
9 estimated sales, no action is required.

10 (c) 1. Except as provided in subd. 2., if a licensee's total payment due under par.  
11 (b) is more than 20% of the total amount paid under par. (a), the licensee shall pay  
12 a penalty equal to 20% of the total amount due under par. (b). The penalty under this  
13 subdivision is in addition to any late filing fee under s. 93.21 (5).

14 2. Subdivision 1. does not apply to a licensee if the licensee's payments under  
15 par. (a) are based on estimates of gross revenues from sales for each pesticide product  
16 that equal at least 90% of the licensee's gross revenues from sales of the pesticide  
17 product during the preceding year.

18 **SECTION 260fr.** 94.681 (7) (a) (intro.) and 1. of the statutes are consolidated,  
19 renumbered 94.681 (7) (a) and amended to read:

20 94.681 (7) (a) *License fees.* The department shall deposit all license fees  
21 collected under subs. (2), (5), and (6) (a) 3. in the agrichemical management fund  
22 except as follows: ~~1. The~~ that the department shall deposit an amount equal to ~~\$94~~  
23 \$60 for each household pesticide and industrial pesticide product for which an  
24 applicant pays a license fee in the environmental fund for environmental  
25 management.

1           **SECTION 260fw.** 94.681 (7) (a) 2. of the statutes is repealed.

2           **SECTION 260h.** 94.72 (6) (a) 1. of the statutes is repealed.

3           **SECTION 260he.** 94.72 (6) (a) 2. of the statutes is amended to read:

4           94.72 (6) (a) 2. For commercial feeds distributed in this state beginning on or  
5 after January 1, 2002, and ending on December 31, 2002, a feed inspection fee of 23  
6 cents per ton.

7           **SECTION 260hm.** 94.72 (6) (a) 2m. of the statutes is created to read:

8           94.72 (6) (a) 2m. For commercial feeds distributed in this state beginning on  
9 January 1, 2003, and ending on December 31, 2003, a feed inspection fee of 28 cents  
10 per ton or \$30, whichever is greater.

11           **SECTION 260hs.** 94.72 (6) (a) 2r. of the statutes is created to read:

12           94.72 (6) (a) 2r. For commercial feeds distributed in this state on or after  
13 January 1, 2004, a feed inspection fee of 23 cents per ton.

14           **SECTION 260k.** 94.73 (6) (b) of the statutes is amended to read:

15           94.73 (6) (b) Except as provided in pars. (c) and (e), the department shall  
16 reimburse a responsible person an amount equal to ~~80%~~ 75% of the corrective action  
17 costs incurred for each discharge site that are greater than \$3,000 and less than  
18 \$400,000.

19           **SECTION 260kg.** 94.73 (6) (c) (intro.) of the statutes is amended to read:

20           94.73 (6) (c) (intro.) Except as provided in par. (e), the department shall  
21 reimburse a responsible person an amount equal to ~~80%~~ 75% of the corrective action  
22 costs incurred for each discharge site that are greater than \$7,500 and less than  
23 \$400,000 if any of the following applies:

24           **SECTION 260kr.** 94.73 (15) (a) of the statutes is amended to read:



1 94.73 (15) (a) The department may, by rule, reduce any of the surcharges in ss.  
2 94.64 (3r) (b) and (4) (a) 5., 94.681 (3), 94.685 (3) (a) 2., 94.703 (3) (a) 2., and 94.704  
3 (3) (a) 2. below the amounts specified in those provisions. The department shall  
4 adjust surcharge amounts as necessary to maintain a balance in the agricultural  
5 chemical cleanup fund at the end of each fiscal year of ~~at least \$2,000,000 but not~~  
6 ~~more than \$5,000,000~~ \$3,000,000, but may not increase a surcharge amount over the  
7 amount specified in s. 94.64 (3r) (b) or (4) (a) 5., 94.681 (3), 94.685 (3) (a) 2., 94.703  
8 (3) (a) 2., or 94.704 (3) (a) 2.”.

9 **3.** Page 434, line 17: after that line insert:

10 “(1s) AGRICULTURAL CHEMICAL CLEANUP PROGRAM REIMBURSEMENT. The treatment  
11 of sections 94.73 (6) (b) and (c) (intro.) of the statutes first applies to costs incurred  
12 on the effective date of this subsection.”.

13 **4.** Page 445, line 5: after that line insert:

14 “(1s) AGRICULTURAL CHEMICAL CLEANUP PROGRAM REIMBURSEMENT. The treatment  
15 of section 94.73 (6) (b) and (c) (intro.) of the statutes and SECTION 9304 (1s) take effect  
16 on January 1, 2003.

17 (1st) AMOUNT DEPOSITED IN ENVIRONMENTAL FUND. The treatment of sections  
18 25.46 (4) and 94.681 (7) (a) (intro.), 1., and 2. of the statutes takes effect on July 1,  
19 2003.

20 (1su) PESTICIDE FEES AND SURCHARGES. The treatment of section 94.681 (1) (cm),  
21 (2), (3), (3m), and (3s) of the statutes takes effect on December 1, 2003.”.

22

(END)