

**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: gibson

May Contact:

Addl. Drafters:

Subject: Nat. Res. - miscellaneous

Extra Copies:

Submit via email: NO

---

**Pre Topic:**

LFB:.....Schug -

---

**Topic:**

Mosquito laravacide monitoring and testing

---

**Instructions:**

See Attached

---

**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			_____			
/1	gibson 03/12/2002	hhagen 03/12/2002	pgreensl 03/12/2002	_____	lrb_docadmin 03/12/2002		

FE Sent For:

<END>

**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: gibsom

May Contact:

Addl. Drafters:

Subject: Nat. Res. - miscellaneous

Extra Copies:

Submit via email: NO

---

**Pre Topic:**

LFB:.....Schug -

---

**Topic:**

Mosquito laravacide monitoring and testing

---

**Instructions:**

See Attached

---

**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>
1/?	traderc 03/12/2002 gibsom	1. hmk 3/12/02	3/12 ps	3/12 <u>          </u>			

FE Sent For:

<END>

MGG  
ARC out Pisses

### Budget Amendments 2002

[Redacted]

Kanavas

[Redacted]

No secondary mosquito testing for the city of Brookfield

La Crosse

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Mike Richards

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

No secondary mosquito testing for the city of Brookfield

La Crosse

[Redacted]

None

[Redacted]

[Redacted]

311

only when larvicide is already approved

prohibit DNR from requiring secondary testing for the application of a larvicide once the larvicide is approved for use in that area of the city of Brookfield or La Crosse.

Post-it® Fax Note	7671	Date	3/9/02	# of pages	1
To	Mary Gibbons	From	David Schug		
Co./Dept.	LFB	Co.	LFB		
Phone #		Phone #	6-8086		
Fax #		Fax #			

## Tradewell, Becky

---

**From:** Gibson-Glass, Mary  
**Sent:** Monday, March 11, 2002 9:39 AM  
**To:** Tradewell, Becky  
**Subject:** FW: mosquito control

Becky,

We will do the water integration team one; we worked on this during the budget.

I got the following from David and he told me that the law involved is s. 281.17(2) and NR 150.03 (8) (g) I have looked at these and don't know whether it is yours or ours. You make the call.

Mary

-----Original Message-----

**From:** Schug, David  
**Sent:** Monday, March 11, 2002 9:01 AM  
**To:** Gibson-Glass, Mary  
**Subject:** mosquito control

Here is the impetuous for the mosquito testing provision. I don't know if you'll find this helpful, and I am following up with DNR for more information.

David

We are treating the mosquitoes in Brookfield with a larvicide in City owned wetlands under a DNR permit. Other than Lacrosse we are the only community permitted to use this product, although it is approved broadly across the United States as a mosquito control product and is designed to be used in wetlands to reduce the mosquito larvae. Under that permit we must in addition to the expected controls of only treating when larvae populations reach certain levels, monitor non-targeted species impact of the larvicide (this has already been a part of the chemical companies research for use elsewhere). The cost of the program is approximately \$150,000 per year of which \$60,000 is for repeating tests in Wisconsin at City expense which have already been done elsewhere in the country. That may seem ridiculous, but now we reach ridiculous squared - the new Wilson Center is planning summer outdoor concerts and wants to treat with an adult mosquito knock down (we use this at parks expecting large outdoor audiences to make the events tolerable). This product does not even require a DNR permit - it is widely used. To use it in the area where the larvicide is being applied even more test will be required which may cost another \$20,000 over the cost of applying the product.

Government costs money because a conscientious effort is being made to accommodate the DNR and deal honestly with their concerns. Can we really afford to repeat tests at the sole cost to a community of products

available for use in the country. Our mosquito populations exceed acceptable national standards by 30 times and more. Extensive treatment of mosquitoes is an everyday experience in many states with large wetland complexes, like Florida or Minnesota.



*soon*  
(P-N)

State of Wisconsin  
2001 - 2002 LEGISLATURE

January 2002 Special Session

*RJR*  
LRBb2396A  
MGG: *hmt*

*larvicide monitoring and*

LFB:.....Schug - Secondary mosquito pesticide testing

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 <sup>182</sup> 1. Page <sup>16</sup> 8, line 3: after that line insert:

3 <sup>369 AS</sup> SECTION ~~320~~ 281.17 (2m) of the statutes is created to read:

4 281.17 (2m) In permitting under its authority under sub. (2) the chemical  
5 treatment of water for the suppression of mosquito larvae in the cities of Brookfield  
6 and La Cross, the department may not impose as a condition to that permission a  
7 requirement that monitoring or additional testing be conducted as to the  
8 effectiveness or the impact of the treatment. ' .

9 (END)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb2396/3dn  
MGC: *MLH*

*Date*

It is possible that a Wisconsin court would find this legislation to be a "private or local bill" which, under Article IV, section 18, of the Wisconsin constitution, must be enacted as single-subject legislation. If this legislation is a "private or local bill," it cannot validly be enacted as part of the budget bill, which clearly encompasses more than one subject. In light of this, you may wish to consider introduction of this legislation as a separate bill.

Mary Gibson-Glass  
Senior Staff Counsel  
267-3215

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb2396/1dn  
MGG:hmh:pg

March 12, 2002

It is possible that a Wisconsin court would find this legislation to be a "private or local bill" which, under Article IV, section 18, of the Wisconsin constitution, must be enacted as single-subject legislation. If this legislation is a "private or local bill", it cannot validly be enacted as part of the budget bill, which clearly encompasses more than one subject. In light of this, you may wish to consider introduction of this legislation as a separate bill.

Mary Gibson-Glass  
Senior Staff Counsel  
267-3215





State of Wisconsin  
2001 - 2002 LEGISLATURE  
January 2002 Special Session

LRBb2396/1  
MGG:hmh:pg

LFB:.....Schug - Mosquito larvacide monitoring and testing

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 182, line 16: after that line insert:

3 **"SECTION 369s.** 281.17 (2m) of the statutes is created to read:

4 281.17 (2m) In permitting under its authority under sub. (2) the chemical  
5 treatment of water for the suppression of mosquito larvae in the cities of Brookfield  
6 and La Crosse, the department may not impose as a condition to that permission a  
7 requirement that monitoring or additional testing be conducted as to the  
8 effectiveness or the impact of the treatment."

9 (END)