

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/21/2001

Received By: traderc

Wanted: Soon

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Jefferson

This file may be shown to any legislator: NO

Drafter: traderc

May Contact:

Addl. Drafters:

Subject: **Agriculture - soil and water**
Education - miscellaneous

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

ARC:.....Jefferson - AM20,

Topic:

Integrated pest management in schools

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 06/24/2001	csicilia 06/24/2001		_____			
/1			haugeca 06/24/2001	_____	lrb_docadmin 06/25/2001		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	traderc 06/25/2001	csicilia 06/25/2001	pgreensl 06/26/2001	_____	lrb_docadmin 06/26/2001		

FE Sent For:

<END>

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/?	traderc 06/24/2001	csicilia 06/24/2001					
/1		1/2 gjs 6/25/01	haugeca 06/24/2001 6/26 ps	6/26 8/16	lrb_docadmin 06/25/2001		

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1?	traderc	1 yz 6/24 01	cutt 6/23 1	==			

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<END>

Under current law, the Department of Agriculture, Trade and Consumer Protection provides financial assistance to owners of livestock herds for conducting testing for paratuberculosis (commonly called Johne's disease.)

This provision increases the funding for that financial assistance by \$400,000 in each fiscal year of the biennium.

Fiscal Impact: The Land Information Board currently has an annual appropriation of \$623,000 for general program operation for the development of a land information computer system. This would delete \$400,000 PR funds from the Land Information Board program out of 5051(ie) each fiscal year of the biennium and transfer these funds to 5051(jf) PR. These funds would then be transferred to 5051(cm), making them GPR dollars. Transfer the \$400,000 GPR to DATCP 115(8) each fiscal year of the biennium to fund the Johne's Disease Testing program. (Fiscal Bureau contact: Tony Mason)

✓ 6. **Ethanol** (requested by Sykora) [LFB Paper 216] (Comparative Summary, pg. 143, item #3)

Return to Governor's position. Restore \$3 million GPR in 2002-03 for grants to ethanol producers. Further, transfer the program from the Department's marketing division to its trade and consumer protection division. 1999 Act 55 created an ethanol producer grant program for annual payment of 20 cents per gallon to qualifying producers for up to 15 million gallons (\$3 million per producer maximum) of ethanol produced in a 12-month period. No funding was provided under Act 55. If appropriated funds are insufficient to pay all ethanol producer claims, payments are prorated.

Fiscal Impact: Appropriate \$3,000,000 in fiscal year 2002-03 from the oil overcharge account in the Department of Administration to administer the program.

✓ 7. **Integrated Pest Management (IPM)** (Comparative Summary, pg. 136, item 14) (requested by Hahn, motion request #18)

Delete Joint Finance action. Return to Governor's position to provide \$118,200 in 2001-02 and \$121,200 in 2002-03 and 1.0 position from the agrichemical management fund to convert and expiring IPM specialist project position to permanent and provide additional contract funding to expand DATCP'S IPM assistance program in K-12 schools. The program assists public and private school staff in the use of IPM.

Fiscal Impact: Provide \$118,200 in 2001-02 and \$121,200 in 2002-03 and 1.0 position from the agrichemical management fund. Saves \$316,400 and 2.0 SEG positions over the biennium.

Budget Amendments 2001 - 2003

Prepared by the Assembly Republican Caucus

Statement of Intent Eliminate JFC action regarding pest management by school districts

Legislator	Hahn	Amendment	20
Legislator 2		Pass or Fail	Pass
Legislator 3		Spending Cut	
Legislator 4		Withdrawn	
Staff contact	Heather Schubert	Package	

Agency Agriculture, Trade, and Consumer Protection

Summary Comparative Summary, pg. 136, item 14

Delete Joint Finance action. Return to Governor's position to provide \$118,200 in 2001-02 and \$121,200 in 2002-03 and 1.0 position from the agrichemical management fund to convert and expiring IPM specialist project position to permanent and provide additional contract funding to expand DATCP'S IPM assistance program in K-12 schools. The program assists public and private school staff in the use of IPM.

Fiscal Impact Provide \$118,200 in 2001-02 and \$121,200 in 2002-03 and 1.0 position from the agrichemical management fund. Saves \$316,400 and 2.0 SEG positions over the biennium.

Drafting Inst

ARC Analyst Jefferson

RCT
item 7?

Request # 18

Budget Amendments 2001 - 2003

Prepared by the Assembly Republican Caucus

Statement of Intent Eliminate Integrated Pest Management (IMP) in K-12 Schools

Legislator	Grothman	Amendment	20
Legislator 2		Pass or Fail	Pass
Legislator 3		Spending Cut	
Legislator 4		Withdrawn	
Staff contact		Package	
Agency	Agriculture, Trade, and Consumer Protection		
Summary	***See motion 18***		

This motion would remove of the Integrated Pest Management program.

Fiscal Impact Savings of \$463,800 SEG, and 3.0 SEG positions over the biennium.

Drafting Inst

ARC Analyst Emerson

RCT

item 7

Request # 253

Thursday, June 21, 2001

Page 7 of 13

LFB:.....Schug – Integrated pest management in schools

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

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

2 **1.** Page 479, line 6: after that line insert:

3 “SECTION 426p. 20.115 (7) (rm) of the statutes is created to read:

4 20.115 (7) (rm) *Pest management for schools.* From the agrichemical
5 management fund, the amounts in schedule for the pest management for schools
6 program under s. 94.715.”

7 **2.** Page 506, line 13: after that line insert:

8 “SECTION 582k. 20.285 (1) (s) of the statutes is created to read:

9 20.285 (1) (s) *Pest management for schools.* From the agrichemical
10 management fund, the amounts in the schedule to provide training about pest
11 management in and around schools under s. 36.25 (43).”

1 **3.** Page 695, line 15: after that line insert:

2 “**SECTION 1357k.** 36.25 (43) of the statutes is created to read:

3 **36.25 (43) PEST MANAGEMENT FOR SCHOOLS.** The board shall provide, through
4 the extension, programs to train employees of school districts and other persons
5 about using integrated pest management, as defined in s. 94.715 (1) (cm), and about
6 developing and implementing pest management plans to prevent unacceptable
7 levels of pest activity and damage in schools and on school grounds while minimizing
8 hazards to persons, property, and the environment, consistent with the requirements
9 of s. 94.715.”.

10 **4.** Page 1048, line 4: after that line insert:

11 “**SECTION 2395t.** 94.715 of the statutes is created to read:

12 **94.715 Pest management for schools. (1) DEFINITIONS.** In this section:

13 (a) “Active ingredient” has the meaning given in s. 94.67 (1).

14 (b) “Federal act” has the meaning given in s. 94.67 (13).

15 (c) “Inert ingredient” has the meaning given in s. 94.67 (16).

16 (cm) “Integrated pest management” means a comprehensive strategy of pest
17 control with the main objective of achieving desired levels of pest control in an
18 environmentally responsible manner to reduce or eliminate reliance on pesticides by
19 using a combination of nonchemical pest controls, which may include monitoring,
20 increased sanitation, physical barriers, and the use of natural pest enemies, to
21 address conditions that support pests and judiciously using lowest risk pesticides
22 when necessary after all other methods have failed.

23 (d) “Pest” has the meaning given in s. 94.67 (24).

1 (e) "Pesticide" has the meaning given in s. 94.67 (25), except that "pesticide"
2 does not include a germicide, sanitizer, or disinfectant.

3 (2) REQUIREMENTS FOR SCHOOL BOARDS. A school board shall do all of the
4 following:

5 (a) Propose a pest management plan that complies with sub. (4).

6 (am) Before proposing a plan under par. (a), obtain training under s. 36.25 (43)
7 for at least one member of the school board or school district employee who will be
8 involved in developing the pest management plan.

9 (b) After public notice and a hearing on the proposed plan under par. (a) and
10 no later than the first day of the 7th month beginning after the effective date of this
11 paragraph [revisor inserts date], adopt a pest management plan that complies
12 with sub. (4) and submit a copy of the plan to the department.

13 (c) No later than the first day of the 13th month beginning after the effective
14 date of this paragraph [revisor inserts date], implement the pest management
15 plan adopted under par. (b).

16 (d) Provide public notice and a hearing before modifying the pest management
17 plan adopted under par. (b) and notify the department of any modifications to the
18 plan.

19 (dm) Authorize pesticide application in a school or on school grounds to be
20 conducted only by persons who are certified in the applicable pesticide use categories
21 under s. 94.705.

22 (e) When the use of a pesticide is determined to be necessary in a school or on
23 school grounds, use pesticide in accordance with integrated pest management
24 practices.

1 (f) Except as provided in sub. (6), at least 72 hours in advance of each pesticide
2 application in a school or on school grounds, provide written notification, in a font
3 size no smaller than that routinely used for other notices to parents, of the name of
4 the pesticide to be applied, the planned time and location of the application, the
5 potential health effects of exposure to the pesticide, as indicated on its label, and the
6 name and telephone number of a person at the school who can be called for more
7 information or to report health effects from exposure, to all of the following:

8 1. Each employee of the school district, or of a contractor with the school
9 district, who may be present in the area of application within 72 hours after the
10 application.

11 2. Each student who may be present in the area of application within 72 hours
12 after the application.

13 3. The parents or guardians of the students under subd. 2.

14 (g) Post notice of each pesticide application in a school or on school grounds at
15 the time of the application and for at least 72 hours following the application.

16 (h) Maintain a record of all of the following for each application of pesticide in
17 a school or on school grounds:

18 1. The name and certification number of the person applying the pesticide.

19 2. The type of pesticide applied and its brand name, the name of the pesticide
20 as registered under the federal act, the pesticide registration number assigned to the
21 pesticide under the federal act, the manufacturer of the pesticide, and the pesticide's
22 active ingredients and inert ingredients.

23 3. The date and time of the application and the amount of pesticide applied.

24 4. How the pesticide was applied, including any additives used and the type of
25 application device used.

1 5. The street address of the place at which the pesticide was applied and a
2 description of the area to which the pesticide was applied.

3 6. The purpose of the application, including the target pest and whether the
4 application was preventive or reactive.

5 7. For an outdoor application, a description of the weather conditions at the
6 time of the application.

7 8. The symptoms of acute poisoning from the pesticide, as indicated on its label.

8 (i) Make the information under par. (h) available to any person upon request
9 and provide the information about pesticide applications to the department
10 quarterly, except as provided in sub. (6m).

11 (j) Review liability and property insurance maintained by the school board to
12 determine whether coverage is adequate for damage or loss caused by pesticides.

13 (k) Provide any information concerning pest management that is requested by
14 the department.

15 (3) PROHIBITIONS. (a) A school district may not routinely use pesticides on a
16 regularly scheduled basis in a school or on school grounds.

17 (b) A school district may not use pesticide fumigation in a school or on school
18 grounds.

19 (c) A school district may not use pesticides for aesthetic or cosmetic purposes.

20 (d) A school district may not use a pesticide in a school or on school grounds
21 unless nonchemical methods of pest control have failed to prevent unacceptable
22 levels of pest activity and damage.

23 (4) PEST MANAGEMENT PLAN. A school board shall design its pest management
24 plan required under sub. (2) (b) to prevent unacceptable levels of pest activity and
25 damage while minimizing hazards to persons, property, and the environment. In the

1 plan required under sub. (2) (b), a school board shall specify the pest management
2 practices that will be used by the school district and shall include all of the following:

3 (a) A description of the methods that will be used to identify pest problems,
4 including monitoring to determine whether pests are present in sufficient numbers
5 to require treatment with pesticides.

6 (b) A description of the nonchemical methods that the school district will use
7 to seek to prevent unacceptable levels of pest activity and damage.

8 (c) A description of the pesticides and methods of application that the school
9 district will use if the methods under par. (b) fail to prevent unacceptable levels of
10 pest activity and damage.

11 (d) A description of the other means that the school district will use to ensure
12 compliance with subs. (2) (c) to (k) and (3).

13 (6) EXEMPTION FROM ADVANCE NOTICE REQUIREMENT. A school board is not
14 required to provide advance notice of a pesticide application if the school district
15 administrator, as defined in s. 115.001 (8), or the school principal declares that a pest
16 emergency exists. If a pesticide is applied in a school or on school grounds without
17 advance notice, the school board shall provide written notification of the name of the
18 pesticide that was applied, the time and location of the application, the potential
19 health effects of exposure to the pesticide, as indicated on its label, and the name and
20 telephone number of a person at the school who can be called for more information
21 or to report health effects from exposure, to all of the persons identified in sub. (2)

22 (f) 1. to 3., as soon as possible after the application. The school board shall provide
23 the notice in a font size no smaller than that routinely used for other notices to
24 parents.

2001

Date (time) needed 500N

LRB b 1465 / 11

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

Ret : 1 :
cjs

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

**CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 2001 SENATE BILL 55**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

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

#. Page 112, line 1: delete that line. ✓

#. Page 145, line 8: delete that line. ✓

#. Page 295, line 21: delete lines 21 to 24. ✓

#. Page 324, line 20: delete lines 20 to 23. ✓

#. Page 518, line 16: delete lines 16 to 23. ✓

#. Page 882, line 25: delete the material beginning with that line
and ending with page 888, line 10. ✓
(End)

Tradewell, Becky

From: Schug, David
Sent: Monday, June 25, 2001 10:00 AM
To: Tradewell, Becky
Cc: Jefferson, Mark
Subject: LRB 1465/1

Becky, line three of the draft should delete lines 8 and 9 on page 145.

David Schug
Legislative Fiscal Bureau
Phone: (608) 266-3847
Fax: (608) 267-6873
David.Schug@legis.state.wi.us



State of Wisconsin
2001 - 2002 LEGISLATURE

SOON

LRBb1465/2
RCT:cjs:ca
slay rmy

ARC:.....Jefferson – AM20, Integrated pest management in schools

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

FIX COMPONENT

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 1. Page 112, line 1: delete that line.
- 3 2. Page 145, line 8: delete ~~that~~ line *& 8 and 9* ✓
- 4 3. Page 295, line 21: delete lines 21 to 24.
- 5 4. Page 324, line 20: delete lines 20 to 23.
- 6 5. Page 518, line 16: delete lines 16 to 23.
- 7 6. Page 882, line 25: delete the material beginning with that line and ending
- 8 with page 888, line 10.

(END)



ARC:.....Jefferson – AM20, Integrated pest management in schools

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 112, line 1: delete that line.
- 3 **2.** Page 145, line 8: delete lines 8 and 9.
- 4 **3.** Page 295, line 21: delete lines 21 to 24.
- 5 **4.** Page 324, line 20: delete lines 20 to 23.
- 6 **5.** Page 518, line 16: delete lines 16 to 23.
- 7 **6.** Page 882, line 25: delete the material beginning with that line and ending
- 8 with page 888, line 10.

9

(END)