

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 - miscellaneous

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

ARC:.....Jefferson - AM20,

Topic:

Arsenic in wood

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 06/23/2001	chanaman 06/23/2001		_____			
/1			jfrantze 06/23/2001	_____	lrb_docadmin 06/23/2001		
/2	traderc	wjackson	kfollet	_____	lrb_docadmin		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	06/26/2001	06/26/2001	06/26/2001	_____	06/27/2001		

FE Sent For:

<END>

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1/?	traderc	cm lt 6/22 1	J 6/23	J/KJ 6/23			

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<END>

15. Anhydrous Ammonia (requested by Stone, motion request #296)

2001 Wisconsin Act 3 (AB 7) specifically regulates the storage and handling of anhydrous ammonia. It creates criminal penalties for tampering, stealing and improperly transporting anhydrous ammonia.

Create exemptions from Wisconsin Act 3 for the routine uses of anhydrous ammonia for commercial, industrial, and energy related applications.

Fiscal Impact: None

16. Camping Exemption for 4-H County Fairs (requested by Powers)

Amend HFS 178.03 & 178.04 to exempt 4-H County Fairs from requiring a camping permit for the 4 days preceding, the 4 days following, and the duration of the 4-H County Fair.

Fiscal Impact: None

17. Revise Regulations of Custom Service Slaughterers and Meat Inspection (requested by M. Lehman, motion request #79)

Amend the statutes so that custom service slaughterers/mobile slaughterers are excluded from meat inspection if the slaughterer is not involved with the direct sale of the meat.

Prohibit farmers/meat producers from selling meat that will be re-sold unless that meat is inspected.

Fiscal Impact: None

18. Arsenic in Wood (requested by Sykora, motion request #64)

Repeal the requirement that DATCP and Commerce submit to the Joint Committee on Finance by the December 2001, s. 13.10 meeting, a comprehensive plan repealing the purchase by any state agency of wood, or any product that contains wood that is treated with arsenic, inorganic arsenic or an arsenic copper combination such as chromated copper arsenate wood preservative fungicide by December 31, 2002. The motion also repeals the other reporting requirements that were to be included in the plan. This motion repeals motion 625 (Burke) that passed in JFC on an 11-5 vote.

This motion requires DATCP and DCOMM to examine scientific evidence to determine whether there is a legitimate concern that wood treated with copper, chromium and arsenic (CCA) is harmful to the environment and report their findings to the Legislature by June 30, 2002. If scientific evidence indicates that CCA treated lumber is harmful to the environment, require DATCP and DCOMM to create guidelines for appropriate and inappropriate use of CCA treated lumber to be phased in over time.

Budget Amendments 2001 - 2003

Prepared by the Assembly Republican Caucus

Statement of Intent This motion repeals the requirement that DATCP and DCOMM develop a comprehensive plan to phase out the use of wood products that contain arsenic, or other arsenic compounds by state agencies. And, require that DATCP and DCOMM examine scientific evidence to determine whether there is a legitimate concern that wood treated with copper, chromium and arsenic (CCA) is harmful to the environment.

Legislator	Sykora	Amendment	20
Legislator 2		Pass or Fail	Pass
Legislator 3		Spending Cut	
Legislator 4		Withdrawn	
Staff contact	Martha Hess	Package	

Agency Agriculture, Trade, and Consumer Protection

Summary Repeal the requirement that DATCP and Commerce submit to the Joint Committee on Finance by the December 2001, s. 13.10 meeting, a comprehensive plan repealing the purchase by any state agency of wood, or any product that contains wood that is treated with arsenic, inorganic arsenic or an arsenic copper combination such as chromated copper arsenate wood preservative fungicide by December 31, 2002.. The motion also repeals the other reporting requirements that were to be included in the plan. This motion repeals motion 625 (Burke) that passed in JFC on an 11-5 vote.

This motion requires DATCP and DCOMM to examine scientific evidence to determine whether there is a legitimate concern that wood treated with copper, chromium and arsenic (CCA) is harmful to the environment and report their findings to the Legislature by June 30, 2002. If scientific evidence indicates that CCA treated lumber is harmful to the environment, require DATCP and DCOMM to create guidelines for appropriate and inappropriate use of CCA treated lumber to be phased in over time.

Fiscal Impact No fiscal impact

Drafting Inst

ARC Analyst Hubbard

RET

item 18

Request # 64

2001

Date (time) needed

5000 (m 6/24)

LRB b 1468 1 1

ARC CAUCUS BUDGET AMENDMENT [ONLY FOR CAUCUS]

RET : cm# :

See form AMENDMENTS — COMPONENTS & ITEMS.

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

ONote

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

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

#. Page 882, line 24.: after that line insert:

Section 2394 CR; 93.80

#. Page ..., line ...: 93.80 Arsenic in wood. (1) The

department, jointly with the department of commerce, shall

#. Page ..., line ...: review scientific evidence to determine

whether there is a substantial likelihood that wood

#. Page ..., line ...: treated with copper, chromium, and arsenic is harmful

to the environment. The departments shall report

#. Page ..., line ...: the result of their review to the legislature under

s. 13.172(2) no later than June 30, 2002.

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

(9) (2) If the department and the department of

(B)

commerce determine under sub. (1) that there is a substantial likelihood that wood treated with copper, chromium, and arsenic is harmful to the environment, the departments jointly shall promulgate rules that phase in restrictions on the use of wood treated with copper, chromium, and arsenic.

(9) (3) Any person who violates a rule promulgated under sub. (2) ^{may be required to} ~~shall~~ forfeit not more than \$500 for each violation. ??

#. Page 1299, line 7: delete lines 7 to 25. ✓

(End)

Date

DNite

Under the
~~the~~ instructions for this item, ~~requested that~~

DATCP and the department of commerce might be required to "create guidelines" for the appropriate and inappropriate use of wood treated with copper, chromium, and arsenic. I interpreted this to mean that the departments would promulgate rules, ~~the~~ which would have the force of law. I based the penalty on the penalty for violating the one-family and two-family dwelling code.

⑨ Please contact me with questions ~~add~~ or redraft instructions.

RET

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1468/1dn
RCT:cmh:jf

June 23, 2001

Under the instructions for this item, DATCP and the department of commerce might be required to "create guidelines" for the appropriate and inappropriate use of wood treated with copper, chromium, and arsenic. I interpreted this to mean that the departments would promulgate rules, which would have the force of law. I based the penalty on the penalty for violating the one-family and two-family dwelling code.

Please contact me with questions or redraft instructions.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.state.wi.us

b1468/1

6/26- Per Rep. Sykora-

They are concerned that some of the alternatives would be more harmful than the arsenic product. DRIIP shouldn't prohibit a use unless there is a better product.

RT



State of Wisconsin
2001 - 2002 LEGISLATURE
SOON

LRBb1468/2
RCT:cmh:jf

WJ

ARC:.....Jefferson – AM20, Arsenic in wood

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 882, line 24: after that line insert:

3 **“SECTION 2394p.** 93.80 of the statutes is created to read:

4 **93.80 Arsenic in wood.** (1) The department, jointly with the department of
5 commerce, shall review scientific evidence to determine whether there is a
6 substantial likelihood that wood treated with copper, chromium, and arsenic is
7 harmful to the environment. The departments shall report the results of their review
8 to the legislature under s. 13.172 (2) no later than June 30, 2002.

9 (2) If the department and the department of commerce determine under sub.

10 (1) that there is a substantial likelihood that wood treated with copper, chromium,

1 and arsenic is harmful to the environment, the departments jointly shall promulgate
2 rules that phase in restrictions on the use of wood treated with copper, chromium,
3 and arsenic.

4 (3) Any person who violates a rule promulgated under sub. (2) may be required
5 to forfeit not more than \$500 for each violation."

6 2. Page 1299, line 7: delete lines 7 to 25.

7 (END)

No ff

The departments may not prohibit the use of wood treated with copper, chromium, and arsenic for a purpose unless there is a substitute wood preservative that is less harmful and that may be used for that purpose.



ARC:.....Jefferson – AM20, Arsenic in wood

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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