

2003 ASSEMBLY BILL 9

AN ACT *to create* 26.30 (6m) of the statutes; **relating to:** authorizing the establishment of a program for the suppression of gypsy moths, specifying areas eligible, and notification required, for aerial insecticide treatment for the suppression of gypsy moths, and requiring the exercise of rule-making authority.

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 26.30 (6m) of the statutes is created to read:
2 **26.30 (6m)** GYPSY MOTH SUPPRESSION. (a) If the department establishes a
3 program for the suppression of gypsy moths, and that program includes the
4 awarding and administering of federal cost-sharing funds to counties for aerial
5 insecticide treatment, the department shall promulgate rules to implement the

ASSEMBLY BILL 9**SECTION 1**

1 program. The rules shall specify that an area is not eligible for aerial insecticide
2 treatment under the program unless the area is at least 20 compact and contiguous
3 acres in size.

4 (ag) The rules promulgated under par. (a) shall require that an eligible
5 applicant for funding provide notification to landowners and tenants within the
6 eligible proposed treatment blocks and within an area surrounding those blocks to
7 be determined by the applicant. Notification under this paragraph shall include all
8 of the following:

9 1. Publication of a class 1 notice under ch. 985 in a local newspaper at least 10
10 days before a deadline, as designated by the applicant for funding in the notice, for
11 registering an objection by a landowner or tenant to treatment on the land under the
12 landowner's or tenant's control.

13 2. Issuance of a press release at least 10 days before the deadline for objections
14 under subd. 1. that announces the public meeting under subd. 3.

15 3. Holding of a public meeting by the applicant for funding at least 7 days before
16 the deadline for objections under subd. 1.

17 (ar) The published notice and press release under par. (ag) shall provide
18 information on the location of proposed treatment blocks, the insecticide to be used,
19 the approximate timing of treatment, the method for registering an objection to the
20 treatment of property, and the name, address, and phone number of the applicant for
21 funding or the applicant's designee.

22 (av) The published notice under par. (ag) 1. and the press release under par. (ag)
23 2. shall state, and a statement shall be made at the public meeting under par. (ag)
24 3., that all of the following apply:

