

2007 DRAFTING REQUEST

**Bill**

Received: 05/08/2007

Received By: btradewe

Wanted: Soon

Identical to LRB:

For: Mark Miller (608) 266-9170

By/Representing: Beth

This file may be shown to any legislator: NO

Drafter: btradewe

May Contact:

Addl. Drafters:

Subject: Agriculture - soil and water

Extra Copies:

Submit via email: YES

Requester's email: Sen.Miller@legis.wisconsin.gov

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Prohibit sale and use of lawn fertilizer containing phosphorus

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**Instructions:**

Like 07-1926/1

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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>
/?	btradewe 05/08/2007	jdyer 05/09/2007		_____			
/1			jfrantze 05/09/2007	_____	sbasford 05/09/2007	lparisi 05/29/2007	

FE Sent For: "/1" AT INTRO.

<END>

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/?	btradewe	1/5/07 jld		J. Selb 5/9			

FE Sent For:

<END>

SOON (in 5/8)

stays

2007 BILL

No changes

Reger

1 AN ACT to create 94.643 of the statutes; relating to: restrictions on the use and  
2 sale of fertilizer containing phosphorus and other lawn fertilizer and providing  
3 a penalty.

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*Analysis by the Legislative Reference Bureau*

This bill generally prohibits the application of fertilizer that contains phosphorus to lawns, golf courses, and other mowed grassy areas (turf). The prohibition does not apply to land used for agricultural production. The bill authorizes the use of fertilizer that contains phosphorus to establish grass during the first growing season. The bill also authorizes the application of fertilizer containing phosphorus to an area if a soil test shows that the soil in the area is deficient in phosphorus. The bill prohibits the application of fertilizer to turf when the ground is frozen. The bill also prohibits the application of lawn fertilizer to an impervious surface and requires a person who spills lawn fertilizer onto an impervious surface to immediately remove the fertilizer.

This bill prohibits the retail sale of lawn fertilizer containing phosphorus unless the fertilizer is sold for one of the purposes for which it is authorized to be used. The bill prohibits a retailer from displaying lawn fertilizer that contains phosphorus, but authorizes a retailer to post a sign stating that lawn fertilizer containing

**BILL**

phosphorus is available upon request for the purposes for which the bill allows it to be used.

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

1           SECTION 1. 94.643<sup>X</sup> of the statutes is created to read:

2           **94.643 Restrictions on the use and sale of fertilizer containing**  
3 **phosphorus. (1) DEFINITIONS.** In this section:

4           (a) "Fertilizer" has the meaning given in s. 94.64 (1) (e).

5           (b) "Turf" means land, including residential property, golf courses, and publicly  
6 owned land, that is planted in closely mowed, managed grass, except that "turf" does  
7 not include pasture, land used to grow grass for sod, or any other land used for  
8 agricultural production.

9           **(2) RESTRICTIONS ON USE.** (a) Except as provided in par. (b), no person may apply  
10 to turf fertilizer that is labeled as containing phosphorus.

11           (b) 1. Paragraph (a) does not apply to a person who applies fertilizer in order  
12 to establish grass, using seed or sod, during the growing season in which the person  
13 began establishing the grass.

14           2. Paragraph (a) does not apply to a person who applies fertilizer to an area if  
15 the soil in the area is deficient in phosphorus, as shown by a soil test performed, no  
16 more than 36 months before the application, by a laboratory that is certified by the  
17 department to conduct tests for soil phosphorus.

18           (c) No person may apply fertilizer to turf when the ground is frozen.

19           (d) No person may intentionally apply lawn fertilizer to an impervious surface.

20 A person who accidentally applies lawn fertilizer to an impervious surface shall  
21 immediately remove the fertilizer.



**Parisi, Lori**

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**From:** Bier, Beth  
**Sent:** Tuesday, May 29, 2007 2:41 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 07-2674/1 Topic: Prohibit sale and use of lawn fertilizer containing phosphorus

Please Jacket LRB 07-2674/1 for the SENATE.