

2007 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB197)

Received: **01/10/2008**

Received By: **btradewe**

Wanted: **As time permits**

Identical to LRB:

For: **Ted Kanavas (608) 266-9174**

By/Representing: **Shawn Lundie**

This file may be shown to any legislator: **NO**

Drafter: **btradewe**

May Contact:

Addl. Drafters:

Subject: **Agriculture - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Kanavas@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Eliminate restrictions on sale and display and limit local regulation of fertilizer

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	btradewe 01/10/2008	kfollett 01/10/2008	rschluet 01/10/2008	_____	sbasford 01/10/2008	sbasford 01/10/2008	

FE Sent For:

<END>

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/1	btradewe	1/10 1/10					
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FE Sent For:

<END>

Tradewell, Becky

From: Duerst, Christina
Sent: Thursday, January 10, 2008 11:07 AM
To: Tradewell, Becky
Subject: FW: Message for Becky Tradewell: Senate Floor Amendment for this Tuesday.
Importance: High

From: Lundie, Shawn
Sent: Thursday, January 10, 2008 11:05 AM
To: LRB.Legal
Subject: Message for Becky Tradewell: Senate Floor Amendment for this Tuesday.

Memo

To: LRB
From: Senator Ted Kanavas (c/o Shawn Lundie, Chief of Staff),
Re: Amendment to SSA 1 to SB 197 (fertilizer)
Date: January 9, 2008

Senator Kanavas would like to draft an amendment to SSA1 of SB 197.

He would like the amendment to be similar to Senator Miller's December 3, 2007, SSA1 except delete Sec. 3 and Sec. 4 and insert the following language:

94.643 Fertilizer; local regulation. (1) This section is an enactment of statewide concern for the purpose of providing uniform regulation of fertilizers.

2) In this section:

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

b) "Political subdivision" means a city, village, town, or county.

3) (a) Except as provided in par. (b), a political subdivision may not prohibit the use of or otherwise regulate fertilizers.

(b) A political subdivision may enact an ordinance that does any of the following:

1. Regulates fertilizer use on property in which the political subdivision has a fee simple ownership interest.
2. Zones areas with respect to fertilizer manufacturing, distribution, and disposal.
3. Implements any regulation of fertilizers that the political subdivision is required by federal law or state law to implement.

(4) (a) No later than the first day of the 3rd month beginning after the effective date of this paragraph [revisor inserts date], a political subdivision shall provide the department with a copy of any ordinance that is authorized under sub. (3) and that is enacted before the effective date of this paragraph [revisor inserts date].

(b) A political subdivision may not enact an ordinance that is authorized under sub. (3) until it consults with the department. If a political subdivision enacts an ordinance that is authorized under sub. (3), it shall provide the department with a copy of the ordinance no later than 60 days after enactment.

Please contact Shawn Lundie in the Kanavas office at 266-9174 if you have any questions. Thank you.

*Shawn Lundie
Office of Senator Ted Kanavas
106 South, State Capitol
Madison, WI 53707-7882
(608) 266-9174*



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBa1053/1

RCT...

Wanted Fri. (1/11)

kgf

**SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 197**

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

2 **1.** Page 1, line 1: delete the material beginning with “and” and ending with
3 “sale” on line 2.

4 **2.** Page 1, line 2: after “turf fertilizer” insert “, limiting local regulation of
5 fertilizer.”

6 **3.** Page 3, line 12: delete lines 12 to 25.

7 **4.** Page 4, line 3: after that line insert:

Insert
8 *→*

(END)

Insert to 07a1053/1

2005 BILL

1 AN ACT to create 94.643 of the statutes; relating to: limiting local regulation
2 of fertilizers.

Analysis by the Legislative Reference Bureau

This bill generally prohibits cities, villages, towns, and counties (political subdivisions) from regulating fertilizers. The bill allows a political subdivision to regulate fertilizer use on property it owns; zone areas with respect to fertilizer manufacturing, distribution, and disposal; and implement any regulation of fertilizers that the political subdivision is required by federal law or state law to implement.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

3 SECTION 1. 94.643 of the statutes is created to read:
4 **94.643 Fertilizer; local regulation.** (1) This section is an enactment of
5 statewide concern for the purpose of ^{providing uniform} preventing inconsistent regulation of fertilizers.
6 (2) In this section:

BILL

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

2 (b) "Political subdivision" means a city, village, town, or county.

3 (3) (a) Except as provided in par. (b), a political subdivision may not prohibit
4 the use of or otherwise regulate fertilizers.

5 (b) A political subdivision may enact an ordinance that does any of the
6 following:

7 1. Regulates fertilizer use on property in which the political subdivision has a
8 fee simple ownership interest.

9 2. Zones areas with respect to fertilizer manufacturing, distribution, and
10 disposal.

11 3. Implements any regulation of fertilizers that the political subdivision is
12 required by federal law or state law to implement.

13 (4) (a) No later than the first day of the 3rd month beginning after the effective
14 date of this paragraph [revisor inserts date], a political subdivision shall provide
15 the department with a copy of any ordinance that is authorized under sub. (3) and
16 that is enacted before the effective date of this paragraph [revisor inserts date].

17 (b) A political subdivision may not enact an ordinance that is authorized under
18 sub. (3) until it consults with the department. If a political subdivision enacts an
19 ordinance that is authorized under sub. (3), it shall provide the department with a
20 copy of the ordinance no later than 60 days after enactment. "

21 (END) *of meet*