

2007 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB197)

Received: **01/15/2008**

Received By: **btradewe**

Wanted: **Today**

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 - miscellaneous**

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Preempt local regulation of certain products, but allow current ordinances

Instructions:

Preempt local regulation of finished sewage sludge and animal and vegetable manure, but grandfather existing ordinances

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 01/15/2008	kfollett 01/15/2008		_____			
/1			rschluet 01/15/2008	_____	sbasford 01/15/2008	sbasford 01/15/2008	

FE Sent For:

<END>

2007 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB197)

Received: 01/15/2008

Received By: **btradewe**

Wanted: **Today**

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 - miscellaneous**

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Preempt local regulation of certain products, but allow current ordinances

Instructions:

Preempt local regulation of finished sewage sludge and animal and vegetable manure, but grandfather existing ordinances

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	1/16 JF 1/15					
----	----------	-----------------	---	--	--	--	--

FE Sent For:

<END>

Now

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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 2: after "turf fertilizer" insert ", limiting local regulation of
3 fertilizer."

4 2. Page 4, line 3: after that line insert:

certain
finished
finished sewage
sludge products and
manipulated animal
and vegetable
manure

5 "SECTION 1m. 94.644 of the statutes is created to read:

6 94.644 ~~Fertilizer~~ *Finished sewage sludge and manipulated manure*; local regulation. (1) This section is an enactment of
7 statewide concern for the purpose of providing uniform regulation of fertilizers.

8 (2) In this section:

9 (a) "Distribution" means importation, consignment, sale, offering for sale,
10 soliciting orders for sale, or otherwise supplying *a product* fertilizer for sale or use in this state.

11 *Insert*
A → (b) "Fertilizer" has the meaning given in s. 94.64 (1) (e).

AC

1

(c) "Labeling" has the meaning given in 94.64 (1) (j).

2

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

3

(3) A political subdivision may not regulate the distribution or labeling of

4

~~fertilizer~~ and may not regulate the use of fertilizer when that use is in accordance

5

with agronomic directions on the labeling."

6

(END)

*use
twice*

*, except that this prohibition
does not apply to regulation ^{under} an ordinance
in effect on the effective date of this subsection ... [revisor
inserts date]*

finished sewage sludge or manipulated animal or vegetable manure

authorized to be used. The substitute amendment prohibits a retailer from displaying turf fertilizer that contains phosphorus, but authorizes a retailer to post a sign stating that turf fertilizer containing phosphorus is available upon request for the purposes for which the substitute amendment allows it to be used.

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

SECTION 1. 94.643 of the statutes is created to read:

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

(a) "Fertilizer" has the meaning given in s. 94.64 (1) (e), except that "fertilizer" does not include manipulated animal or vegetable manure or finished sewage sludge product.

(ag) "Finished sewage sludge product" has the meaning given in s. 94.64 (1) (fm).

(ar) "Manipulated" means treated by mechanical drying, grinding, or pelletizing.

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

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

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

Insert A