 **07hr_ab0554_AC-Ag_pt01**



Details:

(FORM UPDATED: 07/12/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2007-08

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on ... Agriculture (AC-Ag)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**
- Record of Comm. Proceedings ... **RCP**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt**
- Clearinghouse Rules ... **CRule**
- Hearing Records ... bills and resolutions
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Vote Record Committee on Agriculture

Date: 12/13/07

Moved by: Ott

Seconded by: Nerison

AB 554 SB _____ Clearinghouse Rule _____
 AJR _____ SJR _____ Appointment _____
 AR _____ SR _____ Other _____

0 A/S Amdt a 0955/1

A/S Amdt _____ to A/S Amdt _____

A/S Sub Amdt _____

A/S Amdt _____ to A/S Sub Amdt _____

A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:

- Passage Adoption Confirmation Concurrence Indefinite Postponement
 Introduction Rejection Tabling Nonconcurrence

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Representative Alvin Ott, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Lee Nerison	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative John Murtha	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Jeffrey Mursau	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Mary Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Gary Tauchen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Barbara Gronemus	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Representative Amy Sue Vruwink	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Louis Molepske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Phil Garthwaite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Andy Jorgensen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>10</u>	<u>-</u>	<u>1</u>	<u> </u>

Motion Carried

Motion Failed

Vote Record Committee on Agriculture

Date: 12/13/07

Moved by: Williams

Seconded by: Vruwink

AB 554

SB _____

Clearinghouse Rule _____

AJR _____

SJR _____

Appointment _____

AR _____

SR _____

Other _____

ⓐ A/S Amdt a 0955/1

A/S Amdt _____ to A/S Amdt _____

A/S Sub Amdt _____

A/S Amdt _____ to A/S Sub Amdt _____

A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:

- | | | | | |
|---------------------------------------|--|---------------------------------------|---|--|
| <input type="checkbox"/> Passage | <input checked="" type="checkbox"/> Adoption | <input type="checkbox"/> Confirmation | <input type="checkbox"/> Concurrence | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Rejection | <input type="checkbox"/> Tabling | <input type="checkbox"/> Nonconcurrence | |

Committee Member

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Representative Alvin Ott, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Lee Nerison	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative John Murtha	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Jeffrey Mursau	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Mary Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Gary Tauchen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Barbara Gronemus	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Representative Amy Sue Vruwink	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Louis Molepske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Phil Garthwaite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Andy Jorgensen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 10 - 1

Motion Carried

Motion Failed

Vote Record Committee on Agriculture

Date: 12/13/07

Moved by: Vruwink

Seconded by: Nerison

AB 554

SB _____

Clearinghouse Rule _____

AJR _____

SJR _____

Appointment _____

AR _____

SR _____

Other _____

A/S Amdt _____

A/S Amdt _____ to A/S Amdt _____

A/S Sub Amdt _____

A/S Amdt _____ to A/S Sub Amdt _____

A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:

- Passage
 Adoption
 Confirmation
 Concurrence
 Indefinite Postponement
 Introduction
 Rejection
 Tabling
 Nonconcurrence

Committee Member

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Representative Alvin Ott, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Lee Nerison	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Representative Andy Jorgensen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>10</u>	<u>-</u>	<u>1</u>	<u> </u>

Motion Carried

Motion Failed





A1 Ott

State Representative • 3rd Assembly District

AB 554

**Licensing of Nursery Dealers, Nursery Growers & Christmas Tree Growers
Assembly Committee on Agriculture
November 29, 2007**

Thank you for the opportunity to testify on Assembly Bill 554 (AB 554), relating to the licensing of nursery dealers, nursery growers and Christmas tree growers.

Under current law, the Department of Agriculture, Trade and Consumer Protection (DATCP) licenses nursery dealers, nursery growers and Christmas tree growers in order to prevent and control the spread of destructive plant pests and diseases.

AB 554 would modify the current licensing requirements for these industries in the following ways:

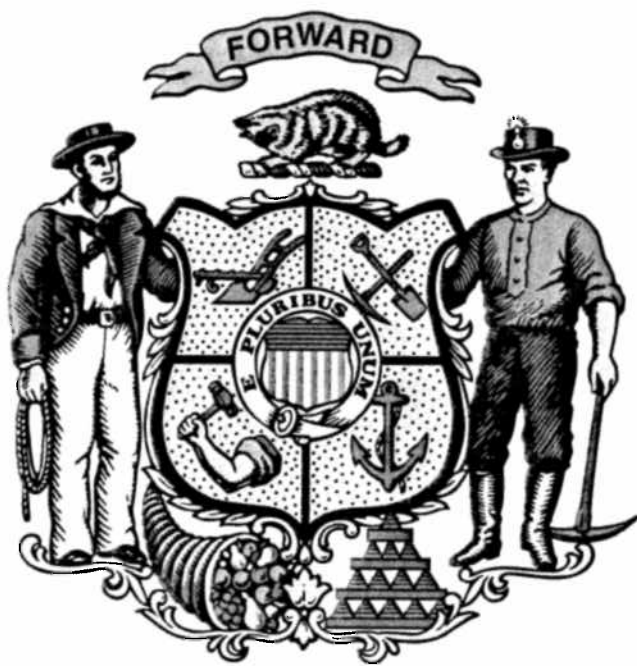
- Clarify that a nursery dealer, nursery grower or Christmas tree grower may operate multiple locations under a single license. (*Currently must have a separate license for each location.*)
- Create a license fee formula for nursery dealers that have more than \$3 million in annual nursery stock purchases.
- Authorize DATCP to adjust nursery dealer, nursery grower and Christmas tree grower license fees by rule.
- Require a licensed nursery grower to obtain a separate nursery dealer license if the nursery grower also operates as a nursery dealer by reselling nursery stock purchased from outside sources.
- Require a nursery grower to obtain a separate Christmas tree grower license if the nursery grower also operates as a Christmas tree grower.

These changes will provide much needed clarification for the dealer and grower industries, without significant fee increases.

In addition, as the sale of nursery stock at large national retail chains continues to grow, this language will provide the Department with the resources necessary to address the plant and pest disease risks these establishments pose. There are currently no dealers in Wisconsin that have more than \$3 million in annual nursery stock purchases.

While this bill may require growers to get two or three licenses instead of one (if a nursery grower also acts as a dealer and/or Christmas tree grower), the bill is revenue neutral because it does not change the total amount of fees the nursery grower must pay. Currently, nursery growers who operate as dealers and/or Christmas tree growers do not need separate licenses, but do pay applicable fees for these activities as part of their nursery grower license.

AB 554 is supported by the Wisconsin Green Industry Federation, the Wisconsin Nursery Association, and the Wisconsin Christmas Tree Producers Association.



Testimony of
Kathy F. Pielsticker
Before the Assembly Committee on Agriculture
November 29, 2007

AB 554?

Chairman Ott and committee members thank you for this opportunity to testify before you today on the changes to the state nursery law. I am Kathy Pielsticker, Administrator for the Division of Agricultural Resource Management at the Department of Agriculture, Trade and Consumer Protection.

I also have two people here from my staff to assist me in answering any questions that you may have on the law change, Brian Kuhn Director of our Plant Industry Bureau and Bob Dahl Chief of our Plant Protection Section.

The proposed changes to the nursery law are administrative "housekeeping" aimed at clarifying existing language and the purpose of the law. The nursery law was last updated in 2000 after a program evaluation that included a wide array of industry perspectives including nursery growers, dealers, Christmas tree growers, sod producers, landscape contractors, University Extension and DNR personnel. We engaged the Wisconsin Green Industry Federation (WGIF), which includes the Wisconsin Nursery Association, in drafting the amended law. It was brought before the WGIF board of directors for their input. We also had some nursery growers involved in the discussions about the law change.

This bill modifies current license requirements for nursery dealers, nursery growers and Christmas tree growers. There has been some confusion in interpreting the current law and this bill will clarify license requirements. The Department of Agriculture, Trade and Consumer Protection (DATCP) licenses nursery dealers, nursery growers and Christmas tree growers in order to prevent and control the spread of destructive plant pests and diseases. Among other things, this bill:

- Clarifies that a nursery dealer, nursery grower or Christmas tree grower may operate multiple locations under a single license. Previously they were licensed as individual stores.
- Changes the license fee formula for nursery dealers that have more than \$3 million in annual nursery stock purchases. Only a small number of nursery dealers, mass merchandisers, would be affected by this change. The category of mass merchandisers is where we have seen the largest and most rapid growth and have increased the inspection time at these facilities. The change in the nursery dealer fee calculation will allow the department to collect the additional money from mass merchandiser stores to assure they pay their fair share for increasing nursery stock volume.
- Requires a licensed nursery grower to obtain a separate nursery dealer license if the nursery grower also operates as a nursery dealer (reselling nursery stock purchased from outside sources). This clarifies licensing and fee calculations without affecting fees.
- Requires a nursery grower to obtain a separate Christmas tree grower license if the nursery grower also operates as a Christmas tree grower. This clarifies licensing, without affecting fees.
- This bill authorizes DATCP to adjust license fees by rule.
- At present, with the new law, the change in fee calculations for nursery dealers will be revenue neutral.