

# 07hr\_SC-ENR\_sb0197\_pt07



(FORM UPDATED: 08/11/2010)

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

### 2007-08

(session year)

### Senate

(Assembly, Senate or Joint)

## Committee on ... Environment and Natural Resources (SC-ENR)

### COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

### INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

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

\* Contents organized for archiving by: Mike Barman (LRB) (August 2012)

June-2014

**FLOOR DISTRIBUTION  
AUTHORIZED BY SENATOR  
KANAVAS**

*Teed Kanavas*

January 14, 2008

To: Honorable Members of the Wisconsin Senate

From:

Wisconsin Nursery Association  
Lawns of Wisconsin Network  
Commercial Flower Growers of WI  
Gardens Beautiful Garden Centers  
Wisconsin Farm Bureau  
Wisconsin Federation of Cooperatives  
Wisconsin Agribusiness Council  
Midwest Food Processors Association  
Wisconsin Merchants Federation  
Midwest Hardware Association  
Wisconsin Sod Producers Association  
Wisconsin Landscape Contractors Assoc.

Wisconsin State Cranberry Growers Assoc.  
Wisconsin Green Industry Federation  
Wisconsin Crop Production Assoc.  
Wisconsin Soybean Association  
Wisconsin Agri-Service Association  
Responsible Industry for a Sound Environment  
Wisconsin Golf Course Supt. Assoc.  
Wisconsin Christmas Tree Producers Assoc.  
Wisconsin Corn Producers Assoc.  
Professional Landcare Network  
Syngenta

Re: **SB-197-SSA1-subamendment: Restrictions on Phosphorous in Turf Fertilizer**

Senators, we ask for your support for an amendment or amendments, establishing a statewide standardization for fertilizer regulation by limiting local units of government's ability to regulate fertilizer. We also ask you to remove Sections 3.) *Restriction on Sale* and 4.) *Restrictions on Display*, which penalize Wisconsin retailers, and prevents them from displaying a legal product.

With these important changes, the bill will remain effective and have its intended effect of:

- A) Restricting the use of phosphorus-containing turf fertilizer unless a soil test indicated the need for additional phosphorus, or the application of phosphorus was made during the establishment of a lawn,
- B) Requiring all fertilizer applied accidentally to impervious surfaces be removed immediately, and
- C) Prohibiting fertilizer from being applied to turf when the ground is frozen.

Need for statewide standardization (local preemption) for the regulation of fertilizer.

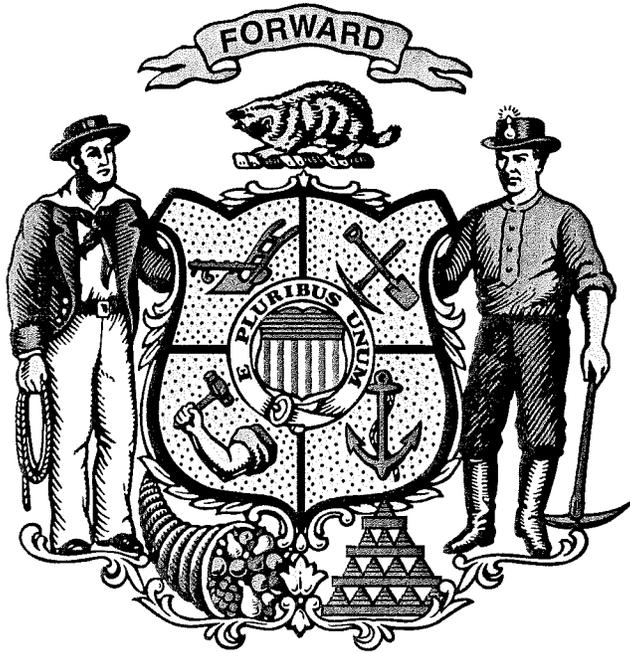
In 1993 Wisconsin passed the Pesticide Preemption Law due to a patchwork of ordinances around the state that were creating not only an enforcement nightmare, but also created a problem with landowners/farmers whose property crossed more than one county, town or village that might have all had different restrictions. The law has been working very well without any adverse impact to Wisconsin's natural resources or to the health and safety of its citizens. Our groundwater protection law, and now the nonpoint source pollution law have provided for a comprehensive approach that is regulated by the DNR and DATCP at the state level.

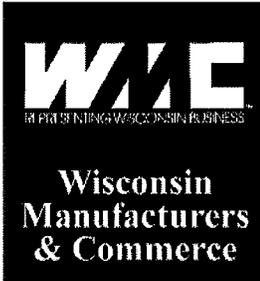
The amendments we are recommending will accomplish the same goal; to ensure that fertilizer regulations in the state are science based and consistent. There are local ordinances that have recently passed in Wisconsin that not only create a patchwork approach for fertilizers, but also may attempt to regulate weed and feed products that are registered and regulated as pesticides. This clear violation of the Pesticide Preemption Law further demonstrates the need to implement fertilizer preemption to clarify this issue.

Local fertilizer use restrictions are unnecessary and burdensome to commerce and to the strength of Wisconsin's agricultural industry. We strongly believe that the Department of Agriculture, Trade and Consumer Protection should have the authority of how fertilizers are regulated.

We support limiting political subdivisions from regulating fertilizers, except to allow 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.

Please support amending SB-197 to establish statewide consistency for fertilizer regulation, and remove the erroneous sale and display restrictions on Wisconsin retailers. Thank you.





Wisconsin Manufacturers'  
Association • 1911  
Wisconsin Council  
of Safety • 1923  
Wisconsin State Chamber  
of Commerce • 1929

James S. Haney  
President

James A. Buchen  
Vice President  
Government Relations

James R. Morgan  
Vice President  
Marketing & Membership

Michael R. Shoys  
Vice President  
Administration

TO: Wisconsin State Senators  
FROM: Scott Manley, Environmental Policy Director  
DATE: January 15, 2008  
RE: Senate Bill 197 - Regulation of Fertilizer

---

Wisconsin Manufacturers & Commerce (WMC) has a number of concerns regarding the version of Senate Bill 197 that passed through the Senate Committee on Environment & Natural Resources. We respectfully request members of the State Senate to consider changes to Senate Bill 197 that will bring fairness and consistency to the sale and regulation of fertilizer in Wisconsin.

WMC is the state's largest business trade association, with over 4,000 members in the manufacturing, service, health care, retail, energy and insurance sectors of our economy. WMC is dedicated to making Wisconsin the most competitive state in the nation to do business, and toward that end, we support consistent, cost-effective and market-driven regulatory approaches that are supported by sound science. With those principles in mind, we request the following amendments to Senate Bill 197:

**(1) Remove the ban on selling fertilizer containing phosphorous, and focus the regulation on end-users.** With limited exceptions, Senate Bill 197 would prohibit the sale, display and application of fertilizer containing phosphorous in Wisconsin. The regulatory approach taken in this legislation is problematic because it places retail businesses in the difficult and unfair position of having to determine if their customer intends to use the product lawfully. For example, a retailer would be prohibited from selling fertilizer containing phosphorus under the bill, unless the product is sold to a person for use in the first growing season, or to a person who has a soil test demonstrating the need for additional phosphorus.

It is unreasonable to expect retailers to serve as a finder of fact to determine, at the point of sale, whether their customer will use the product in accordance with the law. As a result, and because of the forfeitures in the bill, many retailers would likely stop selling this type of fertilizer, resulting in less consumer choice. A much better approach would focus the regulation on the end user, and restrict the manner and circumstances in which users are allowed to apply fertilizer containing phosphorous.

501 East Washington Avenue  
Madison, WI 53703-2944  
P.O. Box 352  
Madison, WI 53701-0352  
Phone: (608) 258-3400  
Fax: (608) 258-3413  
[www.wmc.org](http://www.wmc.org)

**(2) Remove the ban on displaying fertilizer containing phosphorous.**

WMC is also concerned that the bill unjustifiably restricts commerce by prohibiting businesses from displaying a lawful product in their stores. As stated above, the bill would allow fertilizer containing phosphorous to be sold under certain circumstances, including agricultural production, for soil determined to be deficient in phosphorous, and for application in the first growing season. Despite these lawful uses, Senate Bill 197 would prohibit businesses from displaying the product within view of customers.

This restriction is an inappropriate and unwarranted government intrusion into the day-to-day operations of Wisconsin businesses. The display ban will severely undermine the ability of merchants to conduct vital in-store marketing, and will create logistical problems for businesses who simply cannot afford to sacrifice valuable storage space in order to hide their products from customers. If enacted, this restriction poses yet another reason why retailers may decide to stop offering a lawful product to customers who legitimately need it.

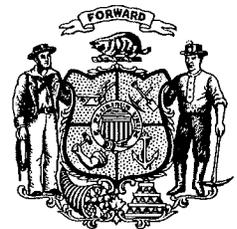
There are many products for which the legislature has placed restrictions on retail sale, including tobacco products, alcohol and lottery tickets. However, in none these examples are retailers prohibited from displaying those products to their customers. Banning the display of fertilizer containing phosphorous is simply bad policy, and should be removed from the bill.

**(3) Preempt Local Fertilizer Regulations.** In exchange for a statewide ban on the use of fertilizer containing phosphorous, WMC supports amending the bill to prohibit local governments from enacting ordinances to prohibit or otherwise regulate fertilizers. A uniform statewide policy will lead to better compliance and easier enforcement than a confusing patchwork of overlapping and inconsistent fertilizer regulations enacted by local governments. This approach is similar to the policy established by the Legislature for regulating pesticides.

Thank you for your thoughtful consideration of these changes to Senate Bill 197. With these amendments, WMC would support passage of this legislation. Without these amendments, we ask that you oppose the bill.



# WISCONSIN STATE LEGISLATURE





# Wisconsin Wildlife Federation

MACKENZIE ENVIRONMENTAL CENTER

W7303 COUNTY HIGHWAY CS, POYNETTE, WI 53955 (608) 635-2742 • (800) 897-4161

[www.wiwf.org](http://www.wiwf.org)

AFFILIATED WITH NATIONAL WILDLIFE FEDERATION

*President:*

*Lil Pipping  
Elkhart Lake, WI  
920-876-4312  
[lpipping@dotnet.com](mailto:lpipping@dotnet.com)*

*First Vice President:*

*Jack Nissen  
Dousman, WI  
262-370-8154  
[countyhighway@yahoo.com](mailto:countyhighway@yahoo.com)*

*Second Vice President:*

*Chuck Matyska  
Cecil, WI  
715-745-6382  
[mmatyska@ez-net.com](mailto:mmatyska@ez-net.com)*

*Treasurer:*

*Laura Huber  
Arpin, WI  
715-569-4061  
[laura.huber@tds.net](mailto:laura.huber@tds.net)*

*Secretary:*

*Kate Hau  
New Franken, WI  
920-471-7228  
[khau0914@yahoo.com](mailto:khau0914@yahoo.com)*

*Executive Director:*

*George Meyer  
608-516-5545  
[georgemeyer@tds.net](mailto:georgemeyer@tds.net)*

*Development Director:*

*Meg Nelson  
608-242-8633  
[megnelson@sbcglobal.net](mailto:megnelson@sbcglobal.net)*

*Teaming with Wildlife*

*Coalition Coordinator:  
Susan Foote-Martin  
608-266-0545  
[susan.foote-martin@wisconsin.gov](mailto:susan.foote-martin@wisconsin.gov)*

*Business Manager:*

*Lonna Zeman  
608-635-2742  
[lonna@wiwf.org](mailto:lonna@wiwf.org)*

*MEC Educator:*

*Ruth Ann Lee  
608-635-8105  
[ruthann@wiwf.org](mailto:ruthann@wiwf.org)*

*MEC Facility:*

*Dan Lee  
608-635-8110  
[danlee@wiwf.org](mailto:danlee@wiwf.org)*

## **Wisconsin Wildlife Federation Testimony in Support of Assembly Bill 396 and Senate Bill 197**

Chairman Gunderson and members of the Assembly Natural Resources Committee. My name is George Meyer and I am representing the Wisconsin Wildlife Federation and its 160 hunting, fishing, trapping and forestry related affiliates. Thank you for the opportunity to testify here today in support of Assembly Bill 396 and Senate Bill 197 restricting the uses of phosphorus in lawn fertilizer.

Phosphorus runoff into our lakes and streams leads to increased fertilization of our lakes, the growth of undesirable plants and the substantial degradation of Wisconsin's extremely valuable fish and wildlife habitat. Our members have seen the continued degradation of water quality and increased undesirable plant growth over the last forty years. We have strongly supported the many efforts of the legislature to reduce nonpoint pollution into our waterways including cost-sharing funds for farmers.

It is far easier to attack the problem of excessive phosphorus run-off from residential and commercial lawns. The great majority of lawns in this state already contain excessive levels of phosphorus and can well support lush lawns without the addition of more phosphorus in lawn fertilizer. Therefore it makes sense to restrict the sale of lawn fertilizer in the state for most applications of lawn use. This bill does permit the sale of lawn fertilizer with phosphorus for new lawn startups and lawns where it can be demonstrated that there is a phosphorus deficiency in the soil.

Dane County has already banned the display and sale of lawn fertilizer with phosphorus. with no apparent harm to homeowners and their lawns. This is common sense legislation.

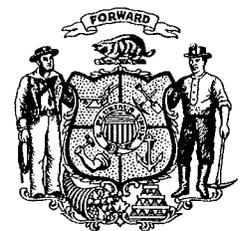
Thank you again for the opportunity to testify here today

Submitted by:  
George Meyer  
Executive Director

February 12, 2008



# WISCONSIN STATE LEGISLATURE





## Wisconsin Land and Water Conservation Association, Inc.

702 East Johnson Street · Madison, Wisconsin 53703-1533

Phone: (608) 441-2677 · Fax: (608) 441-2676 · Web site: [www.wlwca.org](http://www.wlwca.org)

### Testimony of Julian Zelazny, Executive Director, to the Senate Environment and Natural Resources Committee in Favor of Senate Bill 197

Date?

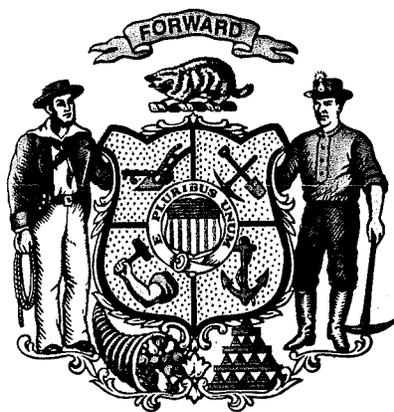
Thank you, Chairman Miller and members of the committee, for allowing me to speak in favor of SB 197. My name is Julian Zelazny. I am the executive director of the Wisconsin Land and Water Conservation Association (WLWCA).

WLWCA represents the interests of County Land Conservation Committees and Departments and has done so for over 50 years. The LCCs are the local entities responsible for soil and water conservation and delivery of conservation services at the county level. Traditionally this role was in an agricultural context, but as the demographics of Wisconsin shift we are increasingly becoming active in other areas of resource conservation.

At our annual meeting in December of 2006 the WLWCA membership passed a resolution in support of a statewide restriction on the use of phosphorus in lawn fertilizers. Through this action our membership expressed the view that prevention of phosphorus-containing runoff is an important issue that requires a multi-faceted solution. The LCCs are already engaged in agriculture related nutrient management planning and implementation throughout Wisconsin in addition to addressing nutrient runoff in the context of urban and forested environments. The terms of SB 197 assure that one prominent and easily prevented source of phosphorus pollution is no longer providing runoff into the surface waters of the state. This lays to rest one of the avenues of phosphorus input and allows county conservationists to focus in different areas.

WLWCA believes that a restriction on the use of phosphorus-containing lawn fertilizer is an appropriate response to the problem of excessive phosphorus in Wisconsin's surface waters. As we continue to identify and address sources of excess phosphorus in an agricultural context it is reasonable and fair to expect homeowners to similarly manage the nutrients that they place on the ground. Fortunately Wisconsin's soils are already sufficiently phosphorus-rich that no further phosphorus is required for lawn growth making management of phosphorus simple: Don't apply any, it's not necessary.

Thank you for the opportunity to speak to you in favor of SB 197. I am happy to answer any questions you may have.



SB 197 file  
Date?

Doug Stadler



Dr. Richard Wolkowski  
Extension Soil Scientist  
608-263-3913  
[rpwolkow@wisc.edu](mailto:rpwolkow@wisc.edu)

B.S. Soil Science 1976 UW-Madison  
M.S. Soil Science 1978 UW-Madison  
M.S. Forestry 1978 UW-Madison  
Ph.D. Soil Science 1989 UW-Madison

I have been a staff member of the UW Department of Soil Science since 1979. My position is split at 60% Extension, 29% Research, and 11% Teaching. I am responsible for both soil science classes taught in the Farm and Industry Short Course program. My Research and Extension interests are in soil and water management, which includes tillage and soil compaction management, land application of municipal and industrial wastes, and precision agriculture. A brief summary of these efforts relative to their significance in Columbia County is given below.

Tillage and Soil Compaction: Decisions that farmers make regarding tillage and soil compaction can impact their ability to economically produce a crop with minimal environmental risk.

Research that I have conducted has produced the following results:

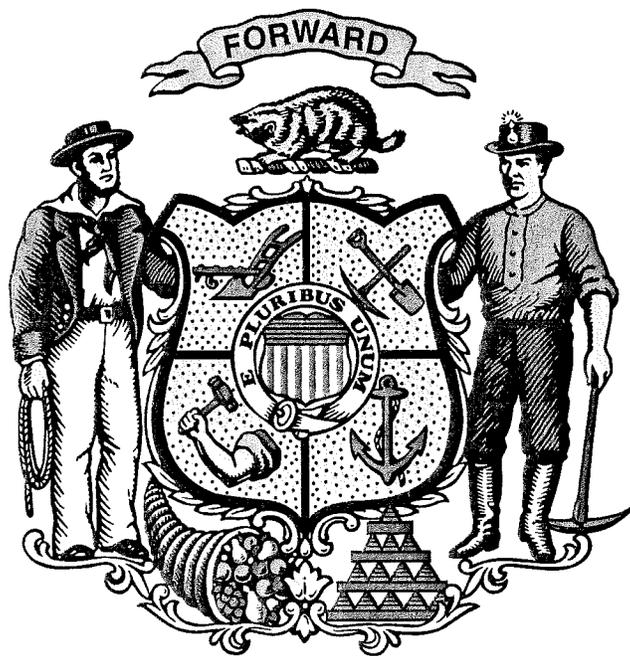
- A one-time soil compaction event can reduce yield over several years. Potassium fertilization will help offset some of the loss, but producers should take steps to limit operations on wet soils, reduce loads, and control unnecessary traffic.
- Subsoiling to remove compaction may not result in a significant yield response and may in some cases reduce future crop yield.
- Reduced tillage systems can be used to effectively produce crops on manured soils, reducing the risk of soil and phosphorus loss from the land.
- Strip-tillage systems can produce corn yields similar to those where full-width tillage is used. Farmers can reduce their investment in equipment and operate over more acres in the same amount of time.

Land Application of Municipal and Industrial Waste: The Wisconsin Department of Natural Resources regulates the land application of various waste materials. Often the approval for a specific material is granted following proof of efficacy by University research. Land application is often the best alternative, considering the only other options are landfilling or incineration.

- Columbia County maintains a municipal solid waste composting operation to process all non-recyclable curbside waste. My research defined the nutrient availability of the material and showed the need to apply only completely composted material.
- Research conducted at Arlington has resulted in the issuance of a Low Hazard Exemption for the land application of crushed drywall
- Current research is showing that municipal wastewater treatment process can variably affect the phosphorus availability from biosolids (sewage sludge).

Precision Agriculture: Many Columbia County crop producers utilize some aspect of precision agriculture intended to better manage cropping inputs.

- I participated in the first "grid soil sampling" effort in Wisconsin that was highlighted at the 1994 Farm Progress Days Show. Some of this information has been included in the current UWEX grid sampling recommendations.
- I have worked with several producers to help them interpret crop yield differences related to soil and management inputs using maps generated from combine yield monitors.



## A Greener Apple



Apple has been criticized by some environmental organizations for not being a leader in removing toxic chemicals from its new products, and for not aggressively or properly recycling its old products. Upon investigating Apple's current practices and progress towards these goals, I was surprised to learn that in many cases Apple is ahead of, or will soon be ahead of, most of its competitors in these areas. Whatever other improvements we need to make, it is certainly clear that we have failed to communicate the things that we are doing well.

It is generally not Apple's policy to trumpet our plans for the future; we tend to talk about the things we have just accomplished. Unfortunately this policy has left our customers, shareholders, employees and the industry in the dark about Apple's desires and plans to become greener. Our stakeholders deserve and expect more from us, and they're right to do so. They want us to be a leader in this area, just as we are in the other areas of our business. So today we're changing our policy.

Now I'd like to tell you what we are doing to remove toxic chemicals from our new products, and to more aggressively recycle our old products.

### Removing Toxic Chemicals

#### Lead

Many of the dangerous chemicals we all want to eliminate from electronic products are found in very small amounts, but there's one toxic substance that some companies still ship by the pound, and that's the lead contained in their cathode-ray tube (CRT) displays. A typical CRT contains

approximately 3 pounds (1.36 kg) of lead. In mid-2006, Apple became the first company in the computer industry to completely eliminate CRTs. The effect has been stunning — our first CRT-based iMac contained 484 grams of lead; our current third-generation LCD-based iMac contains less than 1 gram of lead.

*Apple completely eliminated the use of CRTs in mid-2006.*

A note of comparison — Dell, Gateway, Hewlett Packard and Lenovo still ship CRT displays today.

### **Cadmium**

### **Hexavalent Chromium**

### **Decabromodiphenyl Ether**

The European Union is generally ahead of the U.S. in restricting toxic substances in electronic products. Their latest restrictions, known as RoHS, went into effect in July 2006. All Apple products worldwide comply with RoHS. Our manufacturing policies had already restricted or banned most of the chemicals covered by RoHS, and Apple began introducing fully RoHS-compliant products a year before the European deadline.

Almost a year later, however, some electronics companies can only claim their products are RoHS compliant because of certain little-known exemptions granted by the EU. Despite the tough restrictions of RoHS, these exemptions let companies ship electronics that still contain high concentrations of two hazardous substances — hexavalent chromium, the carcinogen against which Erin Brockovich famously campaigned, and the brominated flame retardant decabromodiphenyl ether (DecaBDE), which is also feared to have adverse health effects. Apple phased out these and many other chemicals several years ago through design innovations and the use of higher quality metals and plastics.

*Apple products met both the spirit and letter of the RoHS restrictions on cadmium, hexavalent chromium and brominated flame retardants years before RoHS went into effect.*

A note of comparison — Some electronics companies, whose names you know, still rely on RoHS exemptions and use these toxic chemicals in their products today.

### **Arsenic**

### **Mercury**

Arsenic and mercury are industry standard materials used in liquid crystal displays (LCDs). Arsenic is added during the manufacturing of the high performance glass used in LCDs to prevent the formation of defects, and the fluorescent lamps used to illuminate LCDs contain minute amounts of mercury. Apple is on track to introduce our first displays using arsenic-free glass in 2007. A small number of high performance integrated circuits (ICs) will continue to contain a minute amount of arsenic as an element of the semiconductor substrate.

To eliminate mercury in our displays, we need to transition from fluorescent lamps to light-emitting diodes (LEDs) to illuminate the displays. Fortunately, all iPod displays already use LEDs for illumination, and therefore contain no mercury. We plan to introduce our first Macs with LED backlight technology in 2007. Our ability to completely eliminate fluorescent lamps in all of our displays depends on how fast the LCD industry can transition to LED backlighting for larger displays.

*Apple plans to completely eliminate the use of arsenic in all of its displays by the end of 2008.*

*Apple plans to reduce and eventually eliminate the use of mercury by transitioning to LED backlighting for all displays when technically and economically feasible.*

### **Polyvinyl Chloride**

### **Brominated flame retardants**

Some companies have made promises to phase out other toxic chemicals like polyvinyl chloride (PVC), a type of plastic primarily used in the construction industry but also found in computer parts and cables, and brominated flame retardants, or BFRs, which reduce the risk of fire. Apple

began phasing out PVC twelve years ago and began restricting BFRs in 2001. For the past several years, we have been developing alternative materials that can replace these chemicals without compromising the safety or quality of our products. Today, we've successfully eliminated the largest applications of PVC and BFRs in our products, and we're close to eliminating these chemicals altogether. For example, more than three million iPods have already shipped with a BFR-free laminate on their logic boards.

Dell and Lenovo have publicly stated that they plan to eliminate the use of PVC and BFRs in their products in 2009. Hewlett Packard has not yet publicly stated when they will eliminate the use of PVC and BFRs in their products, but has said that they will publish a plan by the end of 2007 which will state when in the future they will eliminate the use of these toxic chemicals in their products.

*Apple plans to completely eliminate the use of PVC and BFRs in its products by the end of 2008.*

A note of comparison — In 2007 HP stated that they will remove PVC from all their packaging. Apple did this 12 years ago. Last year, Dell began the process of phasing out large quantities of brominated flame retardants in large plastic enclosure parts. Apple's plastic enclosure parts have been bromine-free since 2002.

In one environmental group's recent scorecard, Dell, HP and Lenovo all scored higher than Apple because of their plans (or "plans for releasing plans" in the case of HP). In reality, Apple is ahead of all of these companies in eliminating toxic chemicals from its products.

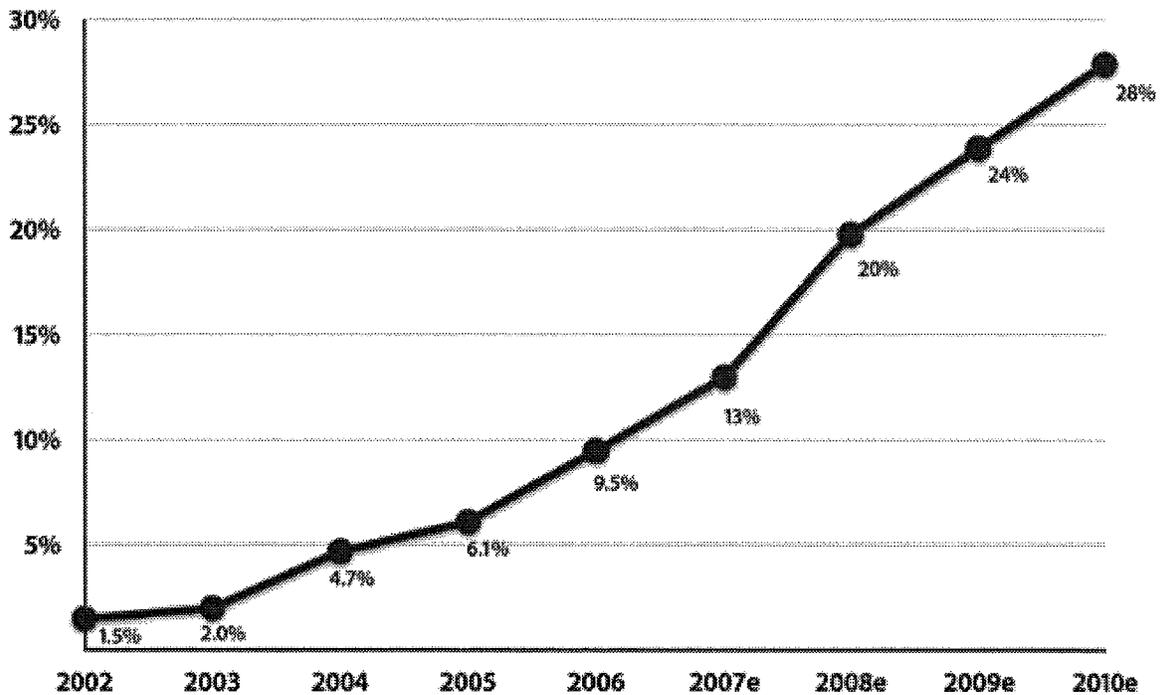
### **Recycling Our Products (E-Waste)**

Apple started recycling in 1994 and today we operate recycling programs in countries where more than 82% of all Macs and iPods are sold. By the end of this year, that figure will increase to 93%. How successful are these programs?

Currently, there is no industry standard way to measure the effectiveness of a company's recycling programs. Dell has proposed a simple measure - assume a seven year product lifetime, and measure the percentage of the total weight you recycle each year compared to the total weight of what you sold seven years earlier. This makes sense to us, and has the added advantages of clarity and simplicity.

Apple recycled 13 million pounds of e-waste in 2006, which is equal to 9.5% of the weight of all products Apple sold seven years earlier. We expect this percentage to grow to 13% in 2007, and to 20% in 2008. By 2010, we forecast recycling 19 million pounds of e-waste per year — nearly 30% of the product weight we sold seven years earlier.

### Weight Recycled as % of Past Sales



A note of comparison — the latest figures from HP and Dell are each around 10% per year, and neither company has yet disclosed plans to grow this percentage in the future. By 2010, Apple may be recycling significantly more than either Dell or HP as a percentage of past sales weight.

All the e-waste we collect in North America is processed in the U.S., and nothing is shipped overseas for disposal. We carefully review “environmental fate” submissions from each vendor, so we know how raw materials are handled at the end of the recycling process. We hold our recycling vendors to the highest environmental standards in the industry. In addition to annual compliance audits, we also review the performance of their downstream vendors. They must comply with all applicable health and safety laws, and we do not allow the use of prison labor at any stage of the recycling process.

Producers must also take responsibility for the design and material choices that create the product in the first place. It is these choices that fundamentally determine the weight and recycling value of material waste at the end of a product’s life. The iMac is a world-class example of material efficiency, having shed 60% of its weight since its debut in 1998. Our designs use aircraft-grade aluminum, stainless steel and high-grade plastics that are in high demand from recyclers, who recover and resell these raw materials for use in other types of products. Few of our competitors do the same.

Let me take a moment to talk specifically about iPods, even though they are included in the above data. All of Apple’s U.S. retail stores, which now number more than 150, take back unwanted iPods for environmentally friendly disposal free of charge. As an incentive, we even offer customers a 10% discount on a new iPod when they bring their old iPod to our stores for proper disposal. This summer we’re expanding it to Apple retail stores worldwide, and we’re also extending it to include free shipping from anywhere in the U.S. No product purchases are required for any of our free take back programs. In a few months, we think we’ll have ‘best of breed’ iPod recycling programs in the U.S., and we plan to continue to expand our free iPod recycling programs globally in the future.

*By 2010, Apple may be recycling significantly more than either Dell or HP as a percentage of past sales weight.*

*All the e-waste we collect in North America is processed in the U.S., and nothing*

*is shipped overseas for disposal.*

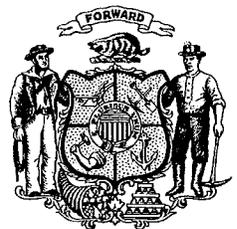
*Apple products are designed using high quality materials that are in high demand from recyclers.*

## **The Future**

Today is the first time we have openly discussed our plans to become a greener Apple. It will not be the last. We will be providing updates of our efforts and accomplishments at least annually, most likely around this time of the year. And we plan to bring other environmental issues to the table as well, such as the energy efficiency of the products in our industry. We are also beginning to explore the overall carbon “footprint” of our products, and may have some interesting data and issues to share later this year.

I hope you are as delighted as I was when I first learned how far along Apple actually is in removing toxic chemicals from its products and recycling its older products. We apologize for leaving you in the dark for this long. Apple is already a leader in innovation and engineering, and we are applying these same talents to become an environmental leader. Based on our tangible actions and results over time, hopefully our customers, employees, shareholders and professional colleagues will all feel proud of our ongoing efforts to become a greener Apple.

- Steve Jobs



TOWN OF LODI  
COLUMBIA COUNTY, WISCONSIN  
RESOLUTION NUMBER 2007-15

SB197  
folder

**Phosphorus Prohibition Related to Lawn Fertilizer\***

*\*Originally introduced to Columbia County Board of Supervisors by Columbia County Land & Water Conservation Committee, and passed by the Columbia County Board of Supervisors as Resolution 19-07 in June 2007*

WHEREAS, phosphorus delivered to public waterways causes excessive plant and algae growth, with one pound of phosphorus producing up to 500 pounds of algae, and

WHEREAS, such plant and algae growth causes murky water clarity, weed-choked recreational areas and low dissolved oxygen levels, harming fish and aquatic life, and

WHEREAS, phosphorus discharges from industry, wastewater treatment plants and agriculture are limited by regulation, while unnecessary phosphorus enters the waters of the State from the use of lawn fertilizers, and

WHEREAS, statutory authority to limit the sale or application of lawn fertilizers containing phosphorus requires each local government in an affected area to enact similar regulatory ordinances, and

WHEREAS, a water body negatively affected by phosphorus is often not in the same municipality as the point of sale or use of lawn fertilizer which may affect the water body, and

WHEREAS, regulation in Wisconsin is patchwork at best, because of limited authority to regulate phosphorus uses,

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Lodi, Columbia County requests its legislative delegation to sponsor new state law similar to laws of the State of Minnesota concerning this issue which prohibits the sale or application of lawn fertilizers containing unnecessary phosphorus components.

Passed this 31st day of July, 2007.

Roger M. Wetzel  
Roger Wetzel, Chairperson

Sarah Raemisch  
Sarah Raemisch, 1<sup>st</sup> Supervisor

Louis Siller, Jr  
Louis Siller, Jr., 2<sup>nd</sup> Supervisor

Ronald Kohn  
Ronald Kohn, 3<sup>rd</sup> Supervisor

James Schommer  
James Schommer, 4<sup>th</sup> Supervisor

VOTE:  
Ayes: 5  
Noes: 0

ATTEST: April D. Goeske  
April D. Goeske, Clerk-Treasurer

**RESOLUTION 07-69**

**A Resolution Regarding Phosphorus Prohibition  
Related to Lawn Fertilizer**

SB 197  
folder

**WHEREAS**, phosphorus delivered to public waterways causes excessive plant and algae growth, with one pound of phosphorus producing up to 500 pounds of algae, and

**WHEREAS**, such plant and algae growth causes murky water clarity, weed choked recreational areas and low dissolved oxygen levels, harming fish and aquatic life, and

**WHEREAS**, such diminished water quality from phosphorus pollution lowers property values and harms the tourism and outdoor recreation industry, and

**WHEREAS**, phosphorus discharges from industry, wastewater treatment plants and agriculture are limited by regulation, while unnecessary phosphorus enters the waters of the State from the use of lawn fertilizers, and

**WHEREAS** statutory authority to limit the sale or application of lawn fertilizers containing phosphorus requires each local government in an affected area to enact similar regulatory ordinances, and

**WHEREAS**, a water body negatively affected by phosphorus is often not in the same municipality as the point of sale or use of lawn fertilizer which may affect the water body and

**WHEREAS**, regulation in Wisconsin is patchwork at best, because of limited authority to regulate phosphorus uses,

**NOW THEREFORE BE IT RESOLVED** that the City of Lodi requests its legislative delegation to sponsor new state law similar to laws of the State of Minnesota concerning this issue which prohibits the sale or application of lawn fertilizers containing unnecessary phosphorus components.

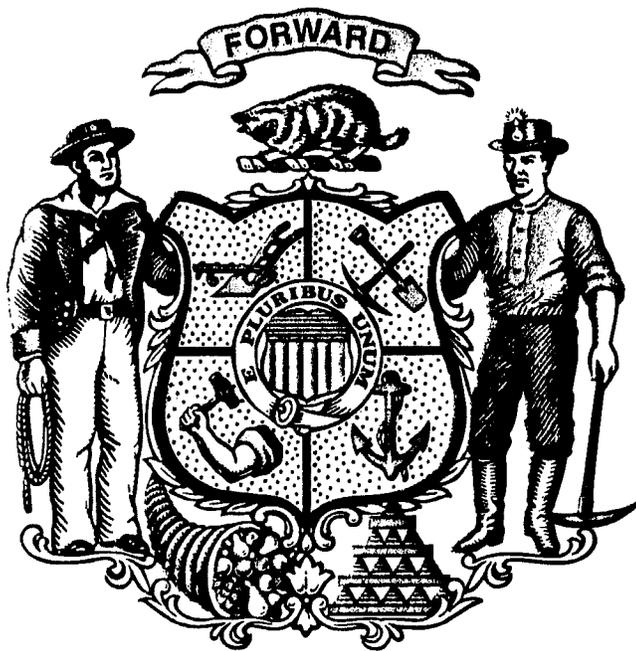
**BE IT FURTHER RESOLVED**, that the Common Council of the City of Lodi, does hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City of Lodi at its meeting held on July 17<sup>th</sup>, 2007. A copy will be forwarded to Representative Eugene Hahn, Senator Mark Miller and Governor Jim Doyle.

Adopted this 17<sup>th</sup> day of July, 2007 by the Common Council of the City of Lodi,  
Wisconsin

  
Paul F. Fisk, Mayor

Attest:   
Adele M. Van Ness, Clerk

COPY



SB  
197  
Folder

### **Counties that have a county-wide ordinance banning phosphorus in lawn fertilizers**

- Dane  
(Dane county is uniquely able to pass a ban at the county level because of the authority the legislature granted the Dane County Lakes and Watershed Commission)
- Polk (in shoreland areas only)

### **Counties, local governments, and groups that have passed a resolution supporting a statewide ban on phosphorus in lawn fertilizer (modeled after Dane County's existing ordinance)**

#### **Counties**

- Brown County
- Dodge County
- Door County
- Columbia County
- Eau Claire County
- Jefferson County
- Manitowoc County
- Oneida County

#### **Local Governments**

- Town of Westpoint (Columbia County)
- Village of Cambria (Columbia County)
- Town of Lewiston (Columbia County)
- Town of Sevastopol (Door County)
- Town of Lake Mills (Jefferson County)
- Town of Oakland (Jefferson County)

#### **Statewide and local groups**

- Wisconsin Association of Lakes (statewide)
- Wisconsin Land and Water Conservation Association (statewide)
- Lake Michigan Association of Land Conservation Committees (regional group)
- Great Lakes Non-Point Abatement Coalition (regional group)
- Rock River Coalition (regional group)
- Lake Management Area of Land Conservation Committees (statewide)
- Land Conservation Committee of Calumet County,
- Land Conservation Committee of Manitowoc County
- Lake Winnebago Land and Water Conservation Association
- Manitowoc County Lakes Association
- Rusk County Waters Alliance
- Sawyer County Lakes Forum
- Washburn County Lakes and Rivers Association
- Vilas County Lakes Association
- Lake Winnebago Association

- Bayfield County Lakes Forum (Bayfield County)
- Cedar Lake Sanitary District (Washington County)
- Lake Nancy Protective Association (Washburn County)
- Lake Ripley Management District (Jefferson County)
- Lake Sinissippi Improvement District (Dodge County)
- Beaver Dam Lake Improvement Association (Dodge County)
- Fox Lake Inland Lake Protection and Rehabilitation District (Dodge County)
- Green Lake Sanitary District (Green Lake County)
- Lake Puckaway Protection and Rehabilitation District (Green Lake County)
- Green Lake Association (Green Lake County)

**Cities/Villages/Towns that have passed phosphorus lawn fertilizer ordinances**

- City of Madison (Dane County)
- Village of Silver Lake (Kenosha County)
- Village of Lake Paddock (Kenosha County)
- Village of Pleasant Prairie (Kenosha County)
- City of Amery (Polk County)
- Town of Dover (Racine County)
- Town of Waterford (Racine County)
- Town of Burlington (Racine County)
- Town of Norway (Racine County)
- Crystal Lake Management District (Sheboygan County)
- City of Delafield (Waukesha County)
- Town of Delafield (Waukesha County)
- City of Pewaukee (Waukesha County)
- Village of Pewaukee (Waukesha County)
- Village of Lac La Belle (Waukesha County)
- Village of Twin Lakes (Waukesha County)
- Town of Oconomowoc (Waukesha County)
- Town of Delavan (Walworth County)
- City of Delavan (Walworth County)
- Town of La Grange (Walworth County)
- Lake Beulah Management District (Waukesha County)

**Counties and groups considering passing resolutions to support a statewide ban on phosphorus in lawn fertilizer (modeled after Dane County's existing ordinance)**

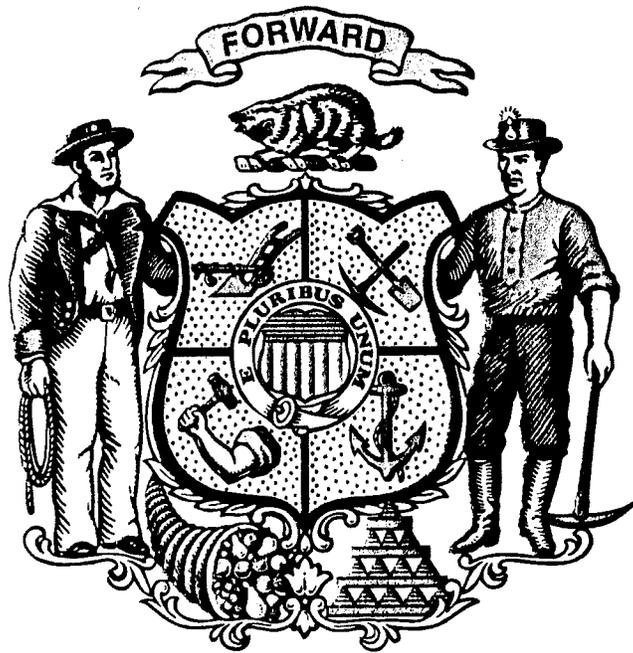
- Barron County
- Burnett County
- Sawyer County
- Washburn County
- Wisconsin Counties Association (resolution passed Land Use committee in July, acting on a resolution in October)

**Cities/Villages/Towns interested in passing phosphorus lawn fertilizer ordinances**

- Town of Rome (Adams County)
- Village of Greenville (Outagamie County)
- Town of Elkhart lake (Sheboygan County)
- Town of East Troy (Waukesha)
- City of Oconomowoc (Waukesha)
- Village of Nashotah (Waukesha)

**Groups/local governments in the process of developing resolutions in support the statewide initiative**

- Burnett County Lakes and Rivers Association
- Douglas County Lakes and Rivers Association
- Price county Lakes and Rivers Association
- Polk County Lakes and Rivers Association



- ▶ Home
- ▶ Lobbying in Wisconsin
- ▶ Organizations employing lobbyists
- ▶ Lobbyists



as of Tuesday, August 28, 2007

**2007-2008 legislative session**  
**Legislative bills and resolutions**

(search for another legislative bill or resolution at the bottom of this page)

**Senate Bill 197**

restrictions on the use and sale of fertilizer containing phosphorus and other lawn fertilizer and providing a penalty.

**TEXT**  
sponsors  
LBR analysis

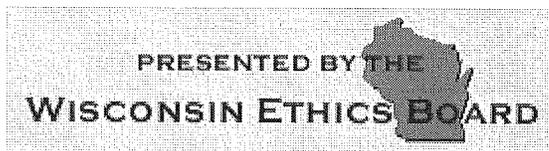
**STATUS**  
committee actions  
and votes  
text of amendments

**COST & HOURS**  
of lobbying efforts  
directed at this  
proposal

Organization		These organizations have reported lobbying on this proposal:	Place pointer on icon to display comment click icon to display prior comments		
Profile	Interests		Date Notified	Position	Comm
●	●	Dairy Business Association	7/17/2007	?	
●	●	Midwest Food Processors Association Inc	7/20/2007	↔	
●	●	Midwest Hardware Association Inc	7/19/2007	?	
●	●	Milwaukee Metropolitan Sewerage District	7/25/2007	↔	
●	●	River Alliance of Wisconsin	8/23/2007	↑	
●	●	Wisconsin Agribusiness Council	7/26/2007	↔	
●	●	Wisconsin Agri-Service Association	7/20/2007	?	
●	●	Wisconsin Association of Lakes Inc	6/7/2007	↑	
●	●	Wisconsin Crop Production Association	7/12/2007	?	
●	●	Wisconsin Farm Bureau Federation	7/19/2007	↔	
●	●	Wisconsin Federation of Cooperatives	7/18/2007	↔	
●	●	Wisconsin Green Industry Federation	7/3/2007	↔	💬
●	●	Wisconsin Land and Water Conservation Association	6/22/2007	↑	
●	●	Wisconsin Merchants Federation	7/30/2007	↔	
●	●	Wisconsin State Cranberry Growers Association	7/20/2007	?	
●	●	Wisconsin Wildlife Federation	6/10/2007	↑	💬

Select a legislative proposal and click "go"

- ▶ Home
- ▶ Lobbying in Wisconsin
- ▶ Organizations employing lobbyists
- ▶ Lobbyists



as of Tuesday, August 28, 2007

**2007-2008 legislative session**  
**Lobbying effort on Legislative Bills and Resolutions**  
 (search for another legislative bill or resolution at the bottom of this page)

Text, Sponsors and Analysis  
 Status and Fiscal Estimate

**Senate Bill 197**

restrictions on the use and sale of fertilizer containing phosphorus and other lawn fertilizer and providing a penalty.

	2007		2008		Session to date
	Jan-June	July-Dec	Jan-June	July-Dec	
<b>Total Hours</b>	27	0	0	0	27
<b>Hours and percentage of an organization's effort on this matter</b>					
Click on an organization to view its total lobbying effort	2007		2008		Session to date
	Jan-June	July-Dec	Jan-June	July-Dec	
	%	Hours	%	Hours	%
Dairy Business Association					
Midwest Food Processors Association Inc					
Midwest Hardware Association Inc					
Milwaukee Metropolitan Sewerage District					
River Alliance of Wisconsin					
Wisconsin Agribusiness Council					
Wisconsin Agri-Service Association					
Wisconsin Association of Lakes Inc	3%	2			3% 2
Wisconsin Crop Production Association	4%	12			4% 12
Wisconsin Farm Bureau Federation					
Wisconsin Federation of Cooperatives					
Wisconsin Green Industry Federation	47%	10			47% 10
Wisconsin Land and Water Conservation Association	2%	3			2% 3

Wisconsin Merchants Federation										
Wisconsin State Cranberry Growers Association										
Wisconsin Wildlife Federation										

Select a legislative proposal and click "go"

**House**

**Proposal Type**

**Proposal Number**  (enter  
proposal number)

**Legislative Session**  ▼