



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

January 15, 2008 – Offered by Senator KANAVAS.

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:

8 “SECTION 1m. 94.644 of the statutes is created to read:

9 **94.644 Fertilizer; local regulation.** (1) This section is an enactment of
10 statewide concern for the purpose of providing uniform regulation of fertilizers.

11 (2) In this section:

12 (a) “Fertilizer” has the meaning given in s. 94.64 (1) (e).

1 (b) “Political subdivision” means a city, village, town, or county.

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

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

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

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

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

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

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

20 (END)