

2009 WAA Legislative Summary

by Jeff Treu

Chapter NR 40-Invasive Species

Wisconsin's Invasive Species Identification, Classification and Control Rule NR 40, became official September 1, 2009. NR 40 is a WI DNR rule regarding specific invasive species. More information can be found at: <http://dnr.wi.gov/invasives/classification/>.

Urban Forestry BMPs for Invasive Species in Wisconsin

One of four parallel tracks, each focused on a segment of the forest resource and associated user groups. The three other tracks are: Forest Management, Right-of-way, and Recreation. These BMPs are voluntary best management practices designed to help prevent the introduction and spread of invasives. They are not species specific, but meant to be applicable to all UF invasives in general. They were developed by UF stakeholders across Wisconsin. For more information and to view the document: <http://council.wisconsinforestry.org/invasives/>.

Assembly Bill 436

For opening Stewardship funds to controlling invasives. Referred to Committee on Natural Resources 9/23/09.

SB-123

Relating to regulating the transportation of aquatic plants and aquatic animals.

Senate amendment offered 5/5/2009. Essentially, the law is strengthened for preventing the spread of aquatic invasives. Passed and approved by the governor 10/28/09.

ANSI A300 Updates

Draft changes to ANSI A300 (Part 2) – 2004 Fertilization, were proposed. There has been no public review. The vote to approve was postponed. The committee will be reviewing the draft again at the October meeting. Updates and project status are now available at <http://www.tcia.org/standards/CurrentProjects.htm>.

ANSI Z133

ASC Z133 (Arboriculture Safety Standard Committee) met 4/28/09 for its spring business meeting. For more information, call Peggy Currid, at ISA 217-355-9411 x210 or e-mail pcurrid@isa-arbor.com.

Emerald Ash Borer

For the latest Wisconsin EAB information, visit the WAA website links and resources area and click on the link <http://www.emeraldashborer.wi.gov/>. Also see <http://emeraldashborer.wi.gov/pdf/quarantinelssuesWithEAB08062008.pdf>.

NR 47.950

Urban forestry catastrophic storm grant passed by the Natural Resources Board. (Passed by legislature and since published 6/1/09). If you'd like more info on the grant program, contact UF grants manager Candice Sovinski at 608-267-3775.

Industry Practices

OSHA has published an Advance Notice of Proposed Rulemaking. ISA is making an official statement to OSHA on these issues and recommends support of the Z133 standards to OSHA.

OSHA has published 29CFR 1910.1200 (Sept. 30, 2009). The proposed rule includes minor revisions to the current HCS training requirement.

Assembly Bill 3 / Senate Bill 5

An Act to create 94.643 of the statutes; relating to: restrictions on the use and sale of fertilizer containing phosphorus and other turf fertilizer and providing a penalty. Approved by the governor on 4-14-2009. Wisconsin Act 9

Assembly Bill 138

Relating to the appointment and term of service of the secretary of natural resources and board vacancies. Introduced and referred to Committee on Natural Resources on 3/9/2009. For details: <http://www.legis.state.wi.us/2009/data/AB138hst.html>. Companion bill SB113113 referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

Assembly Bill 142

Landscape Architect Bill requiring a license to engage in the practice of landscape architecture. Referred to Committee on Rules 4/28/09. Latest information at this time is that public hearing by Committee on Labor, Elections and Urban Affairs in the senate. Date: October 29, 2009

Wisconsin State Budget Related to Urban Forestry

Joint Finance executive session voted 11-4 in favor to restore the UF grant program at 99% of its current funding (\$524,600 annually). Joint Finance also voted to give Urban Forestry its own appropriation and to change the appropriation to biennial. The budget passed the senate, assembly and the governor approved the budget.

Assembly Bill 316

Provides for increased penalties and a civil forfeiture option for plant pest violations (e.g., EAB quarantine) and also includes changes that would allow Wisconsin to join the Interstate Pest Control Compact. AB 316 signed into law 10-7-09.

Added New Link to Legislative Page to Alliance for Community Trees "Hill Leaflet"

Several federal bills: http://actrees.org/files/Newsletter/leaflet_09jun3.html?tag=news.

HR 2998

The American Clean Energy and Security Act of 2009 passed the House 8/7/09. The Senate won't tackle this bill until fall. It includes a tree planting program designed to support strategically planting shade trees to reduce ratepayers' energy demand (see page 367 of HR 2998).