



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB3817

Introduced 2/25/2009, by Rep. Kathleen A. Ryg

SYNOPSIS AS INTRODUCED:

New Act
20 ILCS 3954/25

Creates the Phosphorous Turf Fertilizer Use Restriction Act. Provides that the Department of Central Management Services may not apply phosphorous fertilizer to State-owned turf, unless the Department (i) has been granted a waiver by the Illinois Green Government Coordinating Council, (ii) is establishing or reestablishing State-owned turf by planting seed or sod on State-owned land, or (iii) is depleting existing stores of phosphorous fertilizer procured prior to January 1, 2010. Creates the Phosphorous in Water Task Force, which is comprised of the Chairman of the Illinois Green Government Coordinating Council, who serves as Task Force Chairman, and 9 other members. Provides that the goals of the Task Force include, but are not limited to, drafting (i) a model phosphorous fertilizer ban for municipalities and other local governments and (ii) a report that recommends ways to reduce the application of phosphorous fertilizer in residential and urban areas and that describes best policies and practices for phosphorous management in Illinois waterways. Requires the Task Force to continue to hold quarterly meetings until the Chairman of the Task Force determines that the Task Force's goals have been met. Amends the Green Governments Illinois Act. Authorizes the Illinois Green Government Coordinating Council to grant waivers to the Department of Central Management Services to apply phosphorous fertilizer to State-owned turf. Defines "Agency", "Department", "Fertilizer", "Phosphorous Fertilizer", "State-owned turf", and "Turf". Effective immediately.

LRB096 03173 JDS 13190 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Phosphorous Turf Fertilizer Use Restriction Act.

6 Section 5. Findings and intent. The General Assembly finds
7 that most Illinois soils hold a sufficient amount of available
8 phosphorus to support healthy turf growth. The General Assembly
9 also finds that excessive phosphorus pollutes aquatic
10 environments and contributes to the demise of aquatic species.
11 Therefore, the intent of this Act is to restrict the
12 application of phosphorus fertilizer on certain lands owned by
13 the State.

14 Section 10. Definitions.

15 "Agency" means Illinois Environmental Protection Agency.

16 "Department" means Department of Central Management
17 Services.

18 "Fertilizer" means any substance containing nitrogen,
19 phosphorus, potassium, or any other recognized plant nutrient
20 or compound that is used for its plant nutrient content.

21 "Phosphorous fertilizer" means any fertilizer that
22 contains more than 0.28% phosphorous by weight.

1 "State-owned turf" means turf that is controlled, owned, or
2 managed by the Department. State-owned turf does not include
3 any turf that is used for sporting events.

4 "Turf" means non-crop land planted in closely mowed,
5 managed grasses. Turf does not mean pasture, hay land, hay,
6 turf grown on turf farms, or any other form of agricultural
7 production.

8 Section 15. Phosphorus use restrictions.

9 (a) The Department must not apply phosphorous fertilizer to
10 State-owned turf, except as provided in subsection (b) of this
11 Section.

12 (b) The Department may apply phosphorous fertilizer to
13 State-owned turf if any one or more of the following apply:

14 (1) The Department has been granted a waiver by the
15 Illinois Green Government Coordinating Council to apply
16 fertilizer to land specified in a waiver.

17 (2) The Department is establishing or reestablishing
18 State-owned turf by planting seed or sod on State-owned
19 land. Under this subsection (b)(2) exception, the
20 Department may apply phosphorous fertilizer for only one
21 calendar year after the seed or sod is planted.

22 (3) The Department is depleting existing stores of
23 phosphorous fertilizer procured prior to January 1, 2010.

24 Section 20. Phosphorus in Water Task Force.

1 (a) The Phosphorous in Water Task Force is created. The
2 Task Force shall be chaired by the Chairman of the Illinois
3 Green Government Coordinating Council and shall hold 4
4 quarterly meetings each calendar year. The Task Force shall be
5 comprised of the Chairman and 9 other members, appointed as
6 follows:

7 (1) One member appointed by the Governor of the
8 State of Illinois.

9 (2) One member appointed by the President of the
10 Illinois Senate.

11 (3) One member appointed by the Minority Leader of
12 the Illinois Senate.

13 (4) One member appointed by the Speaker of the
14 Illinois House of Representatives.

15 (5) One member appointed by the Minority Leader of
16 the Illinois House of Representatives.

17 (6) One member appointed by the Agency.

18 (7) One member appointed by the Illinois
19 Fertilizer and Chemical Association.

20 (8) One member appointed by the Sierra Club.

21 (9) One member appointed by the University of
22 Illinois Extension Service.

23 Other interested stakeholders are invited to participate as
24 non-voting members at meetings of the Task Force.

25 (b) The goals of the Task Force include, but are not
26 limited to, drafting:

1 (1) a model phosphorous fertilizer ban for
2 municipalities and other local governments; and

3 (2) a report to the General Assembly that recommends
4 ways to reduce the application of phosphorous fertilizer in
5 residential and urban areas and that describes best
6 policies and practices for phosphorous management in
7 Illinois waterways.

8 (c) The Task Force shall continue to hold quarterly
9 meetings until the Chairman of the Task Force determines that
10 the goals specified in subsection (b) of this Section have been
11 met.

12 Section 25. The Green Governments Illinois Act is amended
13 by changing Section 25 as follows:

14 (20 ILCS 3954/25)

15 Sec. 25. Authority of the Council. To fulfill its
16 functions, the Council has the authority to:

17 (1) Solicit and receive grants.

18 (2) Solicit, use, and publish advice and information
19 from non-governmental entities and experts to assist in the
20 Council's duties.

21 (3) Grant waivers to the Department of Central
22 Management Services to apply phosphorous fertilizer to
23 State-owned turf.

24 (Source: P.A. 95-657, eff. 10-10-07.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.