

**COMMITTEE ON LEGISLATION
MINUTES: MARCH 3, 2009**

Legislation

Members

In Attendance: Chair: Burton Legislators: Myers, Bronz, Rogowsky, Abinanti, Jenkins and Harckham.

In Attendance: CE: B. Randolph, S. Gerry CA: M. Gleeson, L. Cipollo BOL: Legislator Kaplowitz, M. Montalto, R. Pezzullo, M. Amodio, C. Crane, J. Sold, K. Delgado Guests: S. Swift, A. Krautti, C. Manfredi

With a quorum present, Chairman Burton called the Legislation Committee meeting to order at 2:45 p.m.

LAWN FERTILIZER APPLICATION AND SALE REGULATION LAW

Assistant to the County Executive, Sue Gerry, explained the need for lawn fertilizer sale regulations in order to eliminate phosphorous in fertilizer which contaminates the New York City Watershed, a concern that has reached crisis level. The proposed legislation also has a point of sale educational campaign which would allow us to provide information on the dangers of nitrogen in fertilizers and the damage it is doing to the Long Island Sound. Ms. Gerry explained that the legislation will prohibit the application of lawn fertilizer from December 1 to April 1 due to frozen grounds and water run off.

Ms. Gerry stated that the restriction would not go into effect until January 2011 in order to give landscapers time to use their current stock, as it is understood that fertilizer is bought in bulk a year ahead of time.

Mr. Al Kroutter, of the Sprain Brook Nursery & Garden Center, stated that this law is geared toward the chemical approach toward fertilizing and not the organic approach, which is growing due to the industries concern for the environment. He stated that by eliminating phosphorous in fertilizers, it will force the elimination of other organic materials that you cannot separate phosphorous from. A discussion ensued regarding whether or not organic fertilizer can or cannot be phosphorous free.

Legislator Jenkins requested that 863.1305, section 1 be removed from the legislation. A discussion ensued and the Committee agreed to remove section 1 of 863.1305. The Committee then agreed to change the name of section 863.1305 to "Educational Requirements for Home Improvement Contractors" and to delete the "(2)" at the beginning of the section, due to the deletion of section (1), section (2) now becomes the only section.

In section 2 of the Act, the Committee agreed to delete the text "and subdivision (1) of 863.1305", as well as to strike the text "subdivision (2) of".

(Abinanti, Harckham) moved to approve the lawn fertilizer application and sale regulation law as amended. The motion was approved 7-0.

Minutes

(Bronz, Rogowsky) moved to approve the minutes of October 6, 2008. The motion was approved with a vote of 7-0.

(Bronz, Rogowsky) moved to approve the minutes of February 23, 2009. The motion was approved with a vote of 7-0.

BOARDS AND COMMISSIONS

(Abinanti, Myers) moved to approve the appointments of Robert Goldstone to the Council for Seniors, Dr. David Pittle to the Consumer Advisory Council, and the reappointments of Daniel Franklin Jr., Kris Komorowski, and Andrew H. Kulak to the Consumer Advisory Council.

Legislator Bronz gave a report from the Sub Committee on appointments recommending these individuals. Motion approved 7-0.

(Rogowsky, Myers) moved to adjourn. The motion carried 7-0 and the Committee on Legislation adjourned at 4:01 p.m.

A complete audio recording of the meeting is available for review upon request.