

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: **06/23/99**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **Assembly Republican Caucus**

By/Representing: **Anderson**

This file may be shown to any legislator: **NO**

Drafter: **traderc**

May Contact:

Alt. Drafters:

Subject: **Environment - recycling**

Extra Copies: **PEN, ISR**

Pre Topic:

ARC:.....Anderson - 302,

Topic:

Eliminate recycling mandates

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	nilsepe 06/24/99 traderc 06/24/99	gilfokm 06/24/99		_____			
/1			jfrantze 06/25/99	_____	lrb_docadmin 06/25/99		
/2	traderc 06/25/99	gilfokm 06/25/99	martykr 06/26/99	_____	lrb_docadmin 06/26/99		

6/26/99 11:15:55 AM
Page 2

FE Sent For:

<END>

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/?	nilsepe 06/24/99 traderc 06/24/99	gilfokm 06/24/99		_____			
		<i>12-6-25-99</i> <i>King</i>		_____			
/1			jfrantze 06/25/99 <i>King 6/26</i>	_____	lrb_docadmin 06/25/99		
				<i>DL</i> <i>King 6/26</i>			

FE Sent For:

<END>

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Subject: Environment - recycling

Extra Copies: PEN, ISR

Pre Topic:

ARC:.....Anderson - 302,

Topic:

Eliminate recycling mandates

Instructions:

See Attached

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1?	nilsepe	1-6-24 Kmg	J 6/24	J/el 6/25			

FE Sent For:

<END>

To Be Drafted

b1141

ARC

Agency DNR

Requester Name Nicole Anderson

Applicant No. 302

Project No.

Priority

Summary

Environmental Package

Environmental Package

Statement of Interest

Environmental Package (See Attached)

Request# 3706

Tuesday, June 22, 1999

VIII. Recycling

JFC Action

The Joint Finance Committee implemented the following provisions:

- Provided \$20 million SEG FY 99-00 and \$15 SEG million FY 00-01 in county and municipal recycling grants.
- Directed DNR to use the appropriation to provide the following grants to the Wheelchair Recycling Project, a part of the Madison chapter of the National Spinal Cord Injury Association, for the purpose of refurbishing used wheelchairs and other mobility devices and returning them to use by persons who otherwise would not have access to needed or appropriate equipment: (a) on September 1, 1999, \$75,000; and (b) on July 1, 2000, \$50,000. The grants would not be subject to standard application procedures or grant funding limitations. In 1997 Act 237, DNR was directed to provide a grant of \$100,000 in 1998-99 to the Wheelchair Recycling Project.
- Deleted \$500,000 in 2000-01 from the recycling fund to reduce base funding for the waste reduction and recycling demonstration grant program from \$1,000,000 in 1999-00 to \$500,000 in 2000-01. The program provides cost-share grants to municipalities, public entities, businesses and nonprofit organizations for projects that implement innovative waste reduction and recycling activities. A grant may not exceed 50% of the project's actual costs, or 75% of the actual eligible costs of a community-wide waste reduction project, or \$150,000, whichever is less. DNR may not award grants to any applicant which cumulatively total more than \$250,000;

Motion

- ✓ Provide \$22 million in FY 99-00 and \$20 million FY 00-01 in county and municipal recycling grants;
- Implement "hold harmless" provision, to ensure local municipalities would receive grants in calendar years 2000 and 20001 at the same percentages as they did in FY 99;
- Restore the Governor's provisions relating to the Recycling Market Development Board. Create the Waste Reduction and Recycling Assistance for Businesses grant program (earmark \$50,000 PR annually from Recycling Market Development Board program allocations.) (this provision deletes \$2,666,100 SEG annually). Draft language as follows:

Provide \$50,000 PR annually in grant money to an existing, private, non-profit 501 (c)(3) industry-supported organization whose mission is to provide waste reduction and recycling assistance through business-to-business peer exchange. The nonprofit organization must be dedicated to assisting and encouraging companies and institutions to effectively drive costs out of their operations through improved production and solid waste management practices.

- Repeal ALL statewide mandates on materials banned from landfills, thus removing all statewide effective program requirements for local governments. DNR must develop a model ordinance for responsible units of government through administrative rule. *- see E-mail Per Kendra effective 7/1/01*
- Eliminate recycling demonstration grants entirely (deletes \$1 million SEG FY 99-00 and \$500,000 SEG FY 00-01, and lapses unencumbered balance to recycling fund (an estimated \$1 million SEG);
- Create an appropriation directing DNR to provide grant funding to the Wheelchair Recycling Project, Madison chapter, a private, nonprofit organization that is part of the National Spinal Cord Injury Association, to achieve the following purposes:
 - (1) Refurbishing used wheelchairs and other mobility devices and returning them to use by persons who otherwise would not have access to needed or appropriate equipment: (a) on

*all municipalities
in same proportion
as receiving in
1999*

BJK

September 1, 1999, \$75,000; and (b) on July 1, 2000, \$50,000. The grants would not be subject to standard application procedures or grant funding limitations. In 1997 Act 237, DNR was directed to provide a grant of \$100,000 in 1998-99 to the Wheelchair Recycling Project. (adds \$125,000 SEG over the biennium);

(2) Opening a Milwaukee facility for refurbishing used wheelchairs and other mobility devices and returning them for use by persons whom otherwise would not have access to needed or appropriate equipment. The grants would be as follows: \$100,000 on June 30, 2000, contingent on the project raising \$100,000 by June 15, 2000; and \$100,000 on June 30, 2001, contingent on the project raising \$100,000 by June 15, 2001. This ensures a 50 percent match with private funds. The grants would not be subject to standard application procedures or grant funding limitations. (adds \$200,000 SEG over the biennium);

- Spend down entire recycling fund balance of \$43.3 million by \$22.0 million FY 99-00 and \$20.0 million FY 00-01 to reduce overall state expenditures. Money will be expended in the municipal and county recycling grant program;
- Fund the Computer Recycling program within the DOC. Add \$500,000 SEG annually.

Fiscal Impact

According to LFB, this motion leaves approximately \$200,000 in the recycling fund at the end of the biennium. (JFC action left a \$1.1 million balance.)

(This motion also earmarks \$50,000 PR annually from Recycling Market Development Board program allocations for Waste Reduction and Recycling Assistance for Businesses grant program.)

Tradewell, Becky

From: Anderson, Nicole (Legislature)
Sent: Thursday, June 24, 1999 9:18 AM
To: Tradewell, Becky
Subject: RE: Recycling

Lead acid batteries are to be treated like waste oil.

-----Original Message-----

*From: Tradewell, Becky
Sent: Wednesday, June 23, 1999 9:23 PM
To: Anderson, Nicole (Legislature)
Subject: RE: Recycling*

Nicole,

I am sorry for our failure of communication.

Section 287.07 (1m) limits the disposal of lead acid batteries as well as waste oil. I would like to verify that the draft should eliminate the limits on the disposal of lead acid batteries.

Becky Tradewell

-----Original Message-----

From: Anderson, Nicole (Legislature)
Sent: Wednesday, June 23, 1999 7:37 PM
To: Tradewell, Becky
Cc: Nilsen, Paul; Kratochwill, Jason
Subject: RE: Recycling

I left paul nilsen a voice mail regarding this earlier today.

*Please repeal all statewide mandates except for those relating to the following:
tires, waste oil and appliances*

thank you.

-----Original Message-----

*From: Tradewell, Becky
Sent: Wednesday, June 23, 1999 7:11 PM
To: Anderson, Nicole (Legislature)
Cc: Nilsen, Paul; Kratochwill, Jason
Subject: Recycling*

Nicole,

The ARC recycling item in the environmental package says to "repeal statewide mandate on materials banned from landfills". I have been told by an aide to a member of the caucus that this may not mean to repeal all of the landfill bans under ch. 287 of the statutes. We need to know as soon as possible what the intent is with respect to the landfill bans. We cannot draft this item until we get the answer.

1999

Date (time) needed 50 ON

LRB b 1141 / 1

**CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]**

Ret: King:

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 1999 ASSEMBLY BILL 133**

ONote

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page , line :

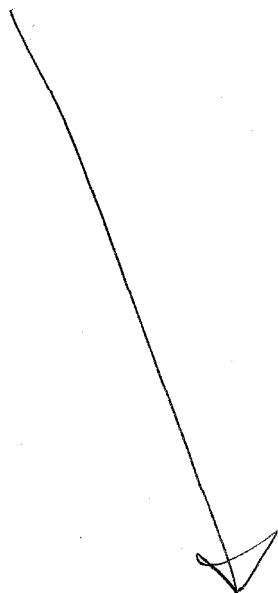
#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :



Page 24, line 9: after that line insert:

6114/1

" Section 29, RP; 15.155 (2) (a)

Section ^{29p} 15.155 (2) (c) 3. of the statutes is amended to read:

15.155 (2) (c) 3. Six members representing responsible units,

municipalities and counties

11.

History: 1983 a. 27; 1985 a. 29; 1987 a. 27, 399; 1989 a. 31, 325; 1991 a. 39; 1993 a. 399; 1995 a. 27 ss. 112b, 112c, 112d, 112h, 127, 220g, 9116 (5), 9130 (4); 1995 a. 227 s. 10; 1997 a. 3, 27.

6-30-2001

61141//

✓ #. Page 33, line 4: after that line insert:

431

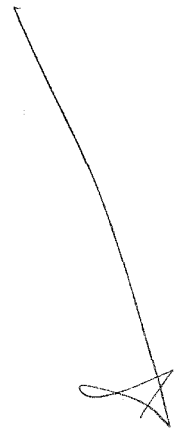
" Section # 16.15 (1) (ae) of the statutes is amended to read:

16.15 (1) (ae) "Cost of disposing of processed material" has the meaning given in s. 287.11 (2m)

(a) ~~means~~ Insert on next page

History: 1987 a. 292; 1989 a. 335; 1995 a. 27, 227.

strike
period;



Insert A

6/14/11

Section #. 287.11 (2m) (a) 1. of the statutes is amended to read:

~~287.11 (2m) (a) 1. "Cost of disposing of processed material"~~ means the gross cost of transferring processed material to a solid waste disposal facility and disposing of the processed material in the facility, including any disposal costs not paid through fees charged by the facility.

History: 1989 a. 335, 359; 1993 a. 245, 345; 1995 a. 142; 1995 a. 227 s. 894; Stats. 1995 s. 287.11; 1997 a. 27, 60.

44p
Section # 16.15 (1) (ah) of the statutes is amended to read:

16.15 (1) (ah) "Cost of selling processed material" ~~has the meaning given in s. 287.11 (2m) (a)~~

~~means~~ *Insert B (on next page)*

History: 1987 a. 292; 1989 a. 335; 1995 a. 27, 227.

strike period

Insert B

6/14/11

~~Section #. 287.11 (2m) (a) 2.~~ of the statutes is amended to read:

~~287.11 (2m) (a) 2. "Cost of selling processed material" means the net cost, including any storage costs, of selling processed material to a broker, dealer or manufacturing facility, plus any cost of transporting the processed material from the waste processing facility to the destination specified by the broker, dealer or manufacturing facility, less the portion of any state financial assistance received under s. 287.23 or 287.25 attributable to the processed material.~~

History: 1989 a. 335, 359; 1993 a. 245, 345; 1995 a. 142; 1995 a. 227 s. 894; Stats. 1995 s. 287.11; 1997 a. 27, 60.

43g
Section # 16.15 (1) (ar) of the statutes is amended to read:

16.15 (1) (ar) "Processed material" has the meaning given in s. 287.11 (2m) (a) ~~9~~

History: 1987 a. 292; 1989 a. 335; 1995 a. 27, 227.

Insert C - next page
~~(X)~~
strike period

Insert C

61141/1

~~Section #. 287.11 (2m) (a) 3. of the statutes is amended to read:~~

~~287.11 (2m) (a) 3. "Processed material" means a component of solid waste that has been collected, transported to a waste processing facility and prepared for sale to a broker, dealer or manufacturer.~~

History: 1989 a. 335, 359; 1993 a. 245, 345; 1995 a. 142; 1995 a. 227 s. 894; Stats. 1995 s. 287.11; 1997 a. 27, 60.

Page 33, line 4: after that line insert:

61141/1

43 s

Section # 16.15 (3) (a) 3. of the statutes is amended to read:

16.15 (3) (a) 3. Separate for recycling at least 50% of each of the materials listed in s. 287.07

(3) or (4) that is generated as solid waste by the agency or authority beginning on January 1, 1993, and such greater amount of such materials as the department determines is reasonably feasible beginning on January 1, 1995.

History: 1987 a. 292; 1989 a. 335; 1995 a. 27, 227.

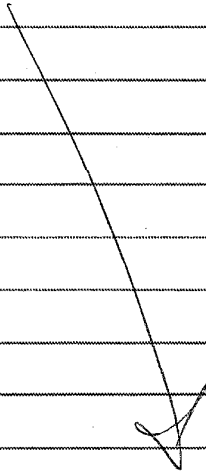
* (3) or (4) that is generated as solid waste by the agency or authority beginning on January 1, 1993, and such greater amount of such materials as the department determines is reasonably feasible beginning on January 1, 1995. // a

1997 stats.)

61141/1 ✓

✓ # Page 162, line 6: delete lines 6 to 8.

~~20370 ✓~~
~~(6) (br)~~



✓ #. Page 315, line 15; after that line insert:

6/14/11

Section # ^{311g} 20.370 (2) (hq) of the statutes is amended to read:

20.370 (2) (hq) *Recycling; administration.* From the recycling fund, the amounts in the schedule for the administration of subch. II of ch. 287, other than ss. ~~287.21, 287.23 and 287.25~~ ^{s.} ~~287.21, 287.23 and 287.25~~ //.

History: 1971 c. 40, 95; 1971 c. 125 ss. 101 to 121, 522 (1); 1971 c. 211, 215, 277, 330, 336; 1973 c. 12 s. 37; 1973 c. 90, 100; 1973 c. 243 s. 82; 1973 c. 296, 298, 301, 318, 333, 336; 1975 c. 8, 39, 51, 91, 198; 1975 c. 224 ss. 7d, 7f, 7m, 17 to 19p; 1977 c. 29 ss. 181 to 234, 1657 (34); 1977 c. 274, 370, 374, 376, 377; 1977 c. 418 ss. 95 to 110, 929 (37); 1977 c. 421, 432; 1977 c. 447 ss. 42 to 44, 210; 1979 c. 34 ss. 199 to 322, 2102 (39) (a); 1979 c. 221; 1979 c. 361 s. 113; 1981 c. 1, 20, 86, 95, 131, 294, 330; 1981 c. 374 ss. 6, 7, 148, 150; 1983 a. 27 ss. 216m to 269, 2202 (23); 1983 a. 75, 181, 243, 397; 1983 a. 410 ss. 5m to 11, 2202 (38); 1983 a. 413; 1983 a. 416 ss. 1, 19; 1983 a. 426; 1985 a. 16, 22; 1985 a. 29 ss. 282d to 356, 3202 (26) (a), (39) (a), (c), (dm), (i); 1985 a. 46, 60, 65, 120, 202, 296; 1987 a. 27, 98, 110, 290, 295, 298, 305; 1987 a. 312 s. 17; 1987 a. 384, 397, 399, 403, 418; 1989 a. 31, 128, 284, 288, 326; 1989 a. 335 ss. 22nn to 30g, 89; 1989 a. 336, 350, 359, 366; 1991 a. 32; 1991 a. 39 ss. 326b to 394, 594c; 1991 a. 254, 269, 300, 309, 315; 1993 a. 16, 75, 166, 213, 343, 349, 415, 421, 453, 464; 1993 a. 490 ss. 18, 271; 1995 a. 27, 201, 225, 227, 296, 378, 459; 1997 a. 27, 35; 1997 a. 237 ss. 33 to 38d, 727g; 1997 a. 248.

Page 316, line 13: after that line insert:

6/14/1

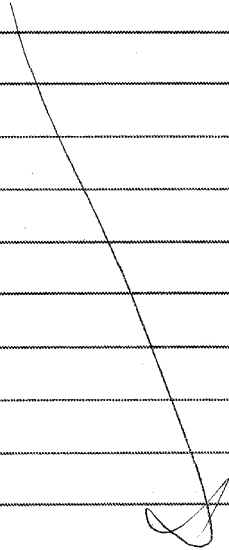
Section # 20.370 (3) (mr) of the statutes is amended to read:

20.370 (3) (mr) *Recycling; enforcement and research.* From the recycling fund, the amounts in
* the schedule for research and enforcement under subch. II of ch. 287, other than under ~~ss. 287.21,~~^{s.}
* ~~287.23 and 287.25.~~ //

History: 1971 c. 40, 95; 1971 c. 125 ss. 101 to 121, 522 (1); 1971 c. 211, 215, 277, 330, 336; 1973 c. 12 s. 37; 1973 c. 90, 100; 1973 c. 243 s. 82; 1973 c. 296, 298, 301, 318, 333, 336; 1975 c. 8, 39, 51, 91, 198; 1975 c. 224 ss. 7d, 7f, 7m, 17 to 19p; 1977 c. 29 ss. 181 to 234, 1657 (34); 1977 c. 274, 370, 374, 376, 377; 1977 c. 418 ss. 95 to 110, 929 (37); 1977 c. 421, 432; 1977 c. 447 ss. 42 to 44, 210; 1979 c. 34 ss. 199 to 322, 2102 (39) (a); 1979 c. 221; 1979 c. 361 s. 113; 1981 c. 1, 20, 86, 95, 131, 294, 330; 1981 c. 374 ss. 6, 7, 148, 150; 1983 a. 27 ss. 216m to 269, 2202 (23); 1983 a. 75, 181, 243, 397; 1983 a. 410 ss. 5m to 11, 2202 (38); 1983 a. 413; 1983 a. 416 ss. 1, 19; 1983 a. 426; 1985 a. 16, 22; 1985 a. 29 ss. 282d to 356, 3202 (26) (a), (39) (a), (c), (dm), (i); 1985 a. 46, 60, 65, 120, 202, 296; 1987 a. 27, 98, 110, 290, 295, 298, 305; 1987 a. 312 s. 17; 1987 a. 384, 397, 399, 403, 418; 1989 a. 31, 128, 284, 288, 326; 1989 a. 335 ss. 22nn to 30g, 89; 1989 a. 336, 350, 359, 366; 1991 a. 32; 1991 a. 39 ss. 326b to 394, 594c; 1991 a. 254, 269, 300, 309, 315; 1993 a. 16, 75, 166, 213, 343, 349, 415, 421, 453, 464; 1993 a. 490 ss. 18, 271; 1995 a. 27, 201, 225, 227, 296, 378, 459; 1997 a. 27, 35; 1997 a. 237 ss. 33 to 38d, 727g; 1997 a. 248.

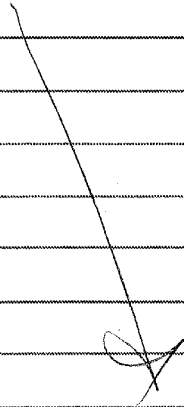
✓ #. Page 320, line 21: after that line insert:

" Section 325g, RP, 20.370 (6) (bg), as affected by 1999
" " Wisconsin Act
..... (this act),



✓ #. Page 320, line 23: delete "~~\$227,749,200~~" and substitute "\$229,749,200".

✓ #. Page 321, line 2: delete "\$242,749,200" and substitute "\$249,749,200".



61141/1

~~do not delay of date~~

✓ #. Page 321, line 5: delete lines 5 to 10 and substitute:
" Section 3286^b. RP; 20.370(6)(br) "

Page 763, line 23: after that line insert:

6/14/11

1581 m
Section # 59.70 (2) (L) of the statutes is amended to read:

59.70 (2) (L) Appropriate funds and levy taxes to provide funds for acquisition or lease of sites, easements, necessary facilities and equipment and for all other costs required for the solid waste management system except that no municipality which operates its own solid waste management ~~program under s. 287.09 (2) (a)~~ or waste collection and disposal facility, or property therein, shall be subject to any tax levied hereunder to cover the capital and operating costs of these functions. Such appropriations may be treated as a revolving capital fund to be reimbursed from proceeds of the system. // ,

History: 1995 a. 201 ss. 108, 109, 133, 150, 161, 163, 172, 214 to 216, 218 to 221, 437 to 442, 438, 449 to 451, 455, 456; 1995 a. 227; 1997 a. 35.

✓ #. Page 786, line 18: after that line insert:

61141/1

Section #. 66.35 (1)^{162/m (ca)} of the statutes is amended to read:

66.35 (1) ~~In this section:~~

(a) "Medical waste incinerator" has the meaning given in s. 287.07 (7) (c) 1. ~~of~~

(8) (a) s.

(b) ~~"Municipality" means a city, village or town.~~

History: 1989 a. 335; 1995 a. 227.

611911

✓ #. Page 806, line 9: after that line insert:

"Section 1638i. RP; 66.606".

✓ #. Page 951, line 5: after that line insert:

1803g
Section #. 74.01 (5) of the statutes is amended to read:

74.01 (5) "Special tax" means any amount entered in the tax roll which is not a general property tax, special assessment or special charge. "Special tax" includes any interest and penalties assessed for nonpayment of the tax before it is placed in the tax roll ~~and any charge under s. 66.606 (1) (a) 2. that is placed on the tax roll under s. 66.606 (2).~~ //

History: 1987 a. 378; 1989 a. 335.

✓ #. Page 1018, line 14: after that line insert:

b1141/1

1978m
Section #. 101.126 (1) (intro.) of the statutes is amended to read:

101.126 (1) (intro.) The department shall establish, by rule, requirements for a person engaging in any of the following to provide adequate space in or adjacent to the building for the separation, temporary storage and collection of the materials listed in s. 287.07 (3) or (4), likely to be generated by the occupants of the building: //

History: 1989 a. 335, 359; 1995 a. 227.

1997 stats.
s. 287.07
1997 stats.

#. Page 1037, line 19: after that line insert;

61141/1

1998ae

Section ~~101.578~~ 101.578 (1) of the statutes is amended to read:

101.578 (1) In this section, "medical waste incinerator" has the meaning given in s. 287.07 ~~(7)~~

(c) 1. ~~er~~ ~~(8)~~ ~~(a)~~ 5. "

History: 1991 a. 39; 1995 a. 227.

61141/1

✓ #. Page 1194, line 9: after that line insert:
"Section 2353 ~~z~~. RP; 227.01(13)(ym)
Section 2353 ~~z~~. RP; 227.01(13)(zi)".

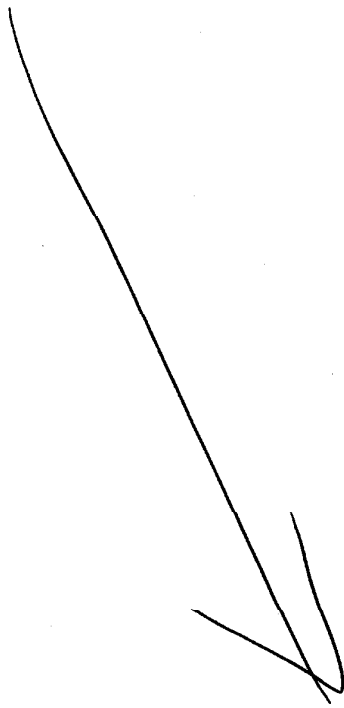
#. Page 1276, line 4: after that line insert:
2554r

6/14/11

Section #. 285.53 (1) (a) of the statutes is amended to read:

285.53 (1) (a) *Applicability*. This subsection applies to a medical waste incinerator, as defined in s. 287.07 (7) (c) 1. ~~er~~ ^{(c) (a) 5.} that has a capacity of 5 tons or more per day.

History: 1989 a. 335; 1991 a. 300; 1995 a. 227 s. 479; Stats. 1995 s. 285.53.



WFO: New

Section 2554rm. AM; 285.53 (2)

285.53 (2) CONTINUOUS MONITORING. A person operating or responsible for the operation of a medical waste incinerator, as defined in s. 287.07 (7) ~~(e) 1. ex. (8) (a) 5.~~, shall continuously monitor emissions from the medical waste incinerator.

~~# Page 1276 line 4. after that line insert:~~
25542

b1141/1

Section #. 285.55 (1) of the statutes is amended to read:

285.55 (1) In this section, "medical waste incinerator" means a facility for solid waste treatment,
as defined in s. 289.01 (39), that burns medical waste, as defined in s. 287.07 (7) (c) 1. ~~cg~~ ^{s(8)(a) 4.}

History: 1991 a. 300; 1993 a. 295; 1995 a. 227 s. 505; Stats. 1995 s. 285.55.

strike period



Page 1276, line 4 after that line insert:

b114/1

2

2554u

Section # 285.55 (4) (intro.) of the statutes is amended to read:

285.55 (4) (intro.) Subsection (2) does not apply to the issuance of an air pollution control permit or a license under s. 289.31 for the construction or modification of a medical waste incinerator by one or more hospitals, as defined in s. 50.33 (2), clinics, as defined in s. 287.07 ~~(7) (e) 1. a.~~ ^{(8) (a) 1.} or nursing homes, as defined in s. 50.01 (3), if all of the following apply:

History: 1991 a. 300; 1993 a. 295; 1995 a. 227 s. 505; Stats. 1995 s. 285.55.

b1141/1

2555e

Section ~~285.63~~ 285.63 (10) (a) of the statutes is amended to read:

285.63 (10) (a) In this subsection, "medical waste incinerator" has the meaning given in s. 287.07

~~(7) (c) 1. ex~~ (8) (a) 5.

History: 1979 c. 34, 221; 1981 c. 314 s. 146; 1985 a. 182 s. 57; 1987 a. 27, 399; 1989 a. 56; 1991 a. 300, 302; 1993 a. 213; 1995 a. 227 s. 488; Stats. 1995 s. 285.63.

Section 2555f. RP; 285.63 (10) (c) 4. //.

↑
WFO
no double
period here

Page 1278, line 15: after that line insert:

^{2559b}
"Section ~~2559b~~. RP; 287.01(2)

Section 2559bm. RP; 287.01(5)

Section 2559c. RP; 287.01(6)

Section 2559cm. RP; 287.01(8)

Section 2559d. RP; 287.01(9)

^{2559e}

A Section ~~1~~. CR; 287.03(1)(e)

¶ 287.03(1)(e) Promulgate by rule a model recycling ordinance for municipalities and counties.

61141/1

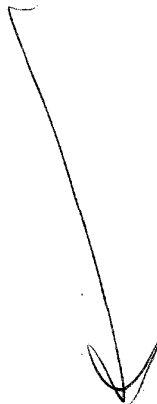
2559f

Section ~~287.07~~ 287.07 (1m) (title) of the statutes is amended to read:

287.07 (1m) (title) BATTERIES, MAJOR APPLIANCES ~~AND~~⁹ and tires OIL.

History: 1989 a. 335 ss. 66e, 76; 1991 a. 32, 269, 300; 1993 a. 245, 419; 1995 a. 27, 142; 1995 a. 227 s. 889; Stats.

1995 s. 287.07; 1997 a. 27.



Section 2559 f.m.a. CR; 287.07 (1m) (c)

287.07 (1m) (c) Dispose of a waste tire, as defined in s. 289.55 (1) (c), in a solid waste disposal facility or burn a waste tire, as defined in s. 289.55 (1) (c), without energy recovery in a solid waste facility in this state.

Section 2559 g. RP; 287.07 (2)

Section 2559g. RP; 287.07 (3) ✓

Section 2559h. RP; 287.09 (4) ✓

Section 2559i. RP; 287.07 (7) (a), as affected by 1997 Wisconsin
Act 27, ✓

↓
10-1-99

61141/1

2559j

Section ~~287.07~~ 287.07 (7) (b) 1. b. of the statutes is amended to read:

287.07 (7) (b) 1. b. "Operating solid waste treatment facility" means a solid waste treatment facility that has an operating permit or license issued under s. 285.60 or 289.31 prior to May 11, 1990, except for a medical waste incinerator, as defined in ~~par. (e) 1. c.~~ sub. (8) (a) 5.

History: 1989 a. 335 ss. 66e, 76; 1991 a. 32, 269, 300; 1993 a. 245, 419; 1995 a. 27, 142; 1995 a. 227 s. 889; Stats. 1995 s. 287.07; 1997 a. 27.

6114/1

2559jm

Section 287.07 (7) (b) 2. of the statutes is amended to read:

Im

287.07 (7) (b) 2. ^{The} ~~A~~ prohibition in sub. ~~(3) (b), (c), (e), (f), (g), (h) or (j) or (4) (b), (c), (f), (g),~~
~~(h) or (i)~~ ^{(c) (e)} does not apply to a person who converts into fuel or burns at an operating solid waste treat-
 ment facility ^{the} a type of material identified in ~~one of these paragraphs~~ ^{that paragraph} that was converted into fuel
 or burned at the operating solid waste treatment facility during April, 1990, and either is generated
 in the operating solid waste treatment facility's current service area or is generated by the owner of
 the operating solid waste treatment facility.

History: 1989 a. 335 ss. 66e, 76; 1991 a. 32, 269, 300; 1993 a. 245, 419; 1995 a. 27, 142; 1995 a. 227 s. 889; Stats.
 1995 s. 287.07; 1997 a. 27.

611411

2559k

, as created by 1997 Wisconsin Act 27,

Section # 287.07 (7) (b) 3. of the statutes is amended to read:

287.07 (7) (b) 3. The ~~prohibitions in subs. (3) and (4)~~ ^{strike} ~~prohibition~~ ⁱⁿ ~~(sub. (1m) (c))~~ ^{does} not apply to a person who converts into fuel or burns at an operating solid waste treatment facility ~~any~~ ^{the} material identified in ~~those subsections~~ ^{that paragraph} if the person converted into fuel or burned the material at the operating solid waste treatment facility during April, 1990, and the material is generated outside of this state.

Note: Subd. 3. is created eff. 10-1-99 by 1997 Wis. Act 27.

History: 1989 a. 335 ss. 66e, 76; 1991 a. 32, 269, 300; 1993 a. 245, 419; 1995 a. 27, 142; 1995 a. 227 s. 889; Stats. 1995 s. 287.07; 1997 a. 27.



b 114/1

2559L

Section # 287.07 (7) (bg) of the statutes is amended to read:

sub.

* 287.07 (7) (bg) The prohibitions in ~~subs. (1m) to (4)~~ do not apply to a person who burns solid waste at a facility that uses solid waste as a supplemental fuel if less than 30% of heat input to the facility is derived from the solid waste burned as supplemental fuel.

History: 1989 a. 335 ss. 66e, 76; 1991 a. 32, 269, 300; 1993 a. 245, 419; 1995 a. 27, 142; 1995 a. 227 s. 889; Stats. 1995 s. 287.07; 1997 a. 27.

2559m

Section # RP; 287.07 (7) (c) ✓

2559mm

Section # RP; 287.07 (7) (d) ✓; as affected by 1997 Wisconsin Act 27 ✓

2559n

Section # RP; 287.07 (e) (7) ✓

61141/1

2559p

Section # 287.07 (7) (f) of the statutes is amended to read:

~~Waste~~ prohibition in sub. (1m) (c) does

287.07 (7) (f) The prohibitions in subs. (2) and (3) do not apply to the beneficial reuse of a material within a solid waste disposal facility if the beneficial reuse of the material is approved in the solid waste disposal facility's plan of operation under s. 289.30.

waste tires

waste tires

History: 1989 a. 335 ss. 66e, 76; 1991 a. 32, 269, 300; 1993 a. 245, 419; 1995 a. 27, 142; 1995 a. 227 s. 889; Stats. 1995 s. 287.07; 1997 a. 27.

2559pm

Section # RP; 287.07 (7) (g) ✓

2559p

Section # RP; 287.07 (7) (h) ✓

b1141/1

28707(8)(am) (intro), as renumbered,
is

2559 gm

Section 287.07 (8) (a) ~~(intro)~~ of the statutes is renumbered 287.07 (8) (am) and amended
to read:

287.07 (8) (am) ^(intro) A generator of medical waste that sends waste to a medical waste incinerator shall
develop policies concerning reduction of medical waste ~~as defined in sub. (7) (c) 1. eg.,~~ including
all of the following:

History: 1989 a. 335 ss. 66e, 76; 1991 a. 32, 269, 300; 1993 a. 245, 419; 1995 a. 27, 142; 1995 a. 227 s. 889; Stats.
1995 s. 287.07; 1997 a. 27.

plain comma

2559r
Section ~~287.07~~ ^{CRJ} 287.07(8)(ca)

61141/1

~~Section #. 287.07 (7) (e) 1. of the statutes is amended to read:~~

(8)(ca) subsection
287.07 ~~(7)(e)~~ In this ~~paragraph~~ ^{subsection}:

1. ~~X~~ "Clinic" means a place, other than a residence, that is used primarily for the provision of nursing, medical, podiatric, dental, chiropractic, optometric or veterinary care and treatment.
2. ~~X~~ "Hospital" has the meaning given in s. 50.33 (2).
3. ~~X~~ "Infectious waste" means solid waste that contains pathogens with sufficient virulence and in sufficient quantity that exposure of a susceptible human or animal to the solid waste could cause the human or animal to contract an infectious disease.
4. ~~X~~ "Medical waste" means containers, packages and materials ~~identified under sub. (3) or (4)~~ that contain infectious waste or that are from a treatment area and are mixed with infectious waste.
5. ~~X~~ "Medical waste incinerator" means a solid waste treatment facility that primarily burns infectious waste and other waste that contains or may be mixed with infectious waste.
6. ~~X~~ "Nursing home" has the meaning given in s. 50.01 (3).
7. ~~X~~ "Treatment area" means a room or area in a hospital or clinic the primary use of which is to provide emergency care, diagnosis or radiological treatment; an obstetrics delivery room in a hospital, other than a patient's room; or a room or area in a hospital, clinic or nursing home, identified by the department by rule, in which infectious waste is generated.

History: 1989 a. 335 ss. 66e, 76; 1991 a. 32, 269, 300; 1993 a. 245, 419; 1995 a. 27, 142; 1995 a. 227 s. 889; Stats. 1995 s. 287.07; 1997 a. 27.

61141/1

2559rm

Section # RP; 287.09

61141/1

2559s

Section 287.095 of the statutes is amended to read:

Local governmental

287.095 Responsible unit liability. (1) DEFINITION. In this section, "~~responsible unit~~ ^{local} official" means any officer, official, agent or employe of a ~~responsible unit~~ ^{municipality or county} engaged in the planning, management, operation or approval of a recycling program or recycling site or facility.

(2) EXEMPTION FROM LIABILITY. No ~~responsible unit~~ ^{local} official is liable for civil damages as a result of good faith actions taken by the ~~responsible unit~~ ^{local} official within the scope of duties relating to the ~~responsible unit's~~ ^{municipal or county} recycling program or recycling site or facility.

History: 1989 a. 335; 1995 a. 227 s. 892; Stats. 1995 s. 287.095.

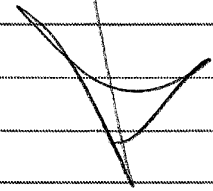
2559+
Section 1, RP; 287.10 "

#. Page 1278, line 16: delete that line and substitute!
¶ "Section 2559v, RP; 287.11, as affected by 1997 Wisconsin Act 27,

~~Section 1, RP; 287.18 (1m) (a) 1.~~

2559v.

~~Section 1, RP; 287.19 (1) (a) 2.~~



61141/1

2560e

Section ~~2~~ 287.19 (1) (b) (intro.) of the statutes is amended to read:

local recycling ✓

287.19 (1) (b) *Recycling programs.* (intro.) With respect to ~~programs created under s. 287.09~~

~~(2) (a):~~

History: 1989 a. 335; 1993 a. 75; 1995 a. 227 s. 901; Stats. 1995 s. 287.19; 1997 a. 60.

61141/1

2560m. (intra.)

Section # 287.21 of the statutes is amended to read:

287.21 Statewide education program. ^(intra.) The department shall collect, prepare and disseminate information and conduct educational and training programs designed to assist in the implementation of solid waste management programs under ss. 287.01 to 287.31, enhance municipal and county solid waste management programs ~~under s. 287.09 (2) (a)~~ and inform the public of the relationship among an individual's consumption of goods and services, the generation of different types and quantities of solid waste and the implementation of the solid waste management priorities in s. 287.05 (12). The department shall prepare the information and programs ^{which} on a statewide basis for the following groups:

- (1) Municipal, county and state officials and employees.
- (2) Kindergarten through graduate students and teachers.
- (3) Private solid waste scrap brokers, dealers and processors.
- (4) Businesses that use or could use recycled materials or that produce or could produce products from recycled materials and persons who provide support services to those businesses.
- (5) The general public.

History: 1989 a. 335; 1995 a. 227 s. 902; Stats. 1995 s. 287.21.

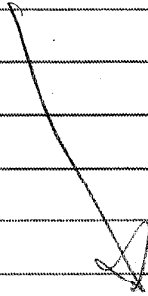
61141/1

2560W
Section ~~RP~~ RP; 287.231 1.

, as affected by 1999 Wisconsin Act
... (this act),

b1141/1

#. Page 1278, line 17: delete the material beginning with
that line and ending with page 1279, line ~~6~~⁷, and subst. title:



2560wm

6/14/11
X
//

Section #. 287.23 (4) (intro.) of the statutes is amended to read:

* 287.23 (4) APPLICATION. (intro.) A responsible unit that seeks assistance under the program shall submit an application to the department. To qualify for a full grant, the responsible unit must submit the application no later than October 1 in the year preceding the year for which the assistance is sought. For the purpose of this subsection ~~and sub. (5p)~~ if an application is postmarked, it is considered to be submitted on the date that it is postmarked. An application shall include all of the following:

plain
History: 1989 a. 335; 1991 a. 39; 1993 a. 16, 75; 1995 a. 27; 1995 a. 227 s. 905; Stats. 1995 s. 287.23; 1997 a. 27, 41.

b1141/1
X
=

2560X

Section #. 287.23 (5) (intro.) of the statutes is renumbered 287.23 (5) and amended to read:

287.23 (5) GRANT AWARD. The department shall award a grant to each eligible responsible unit that submits a complete grant application under sub. (4) for expenses allowable under sub. (3) (b).

~~Except as provided under sub. (5m) or (5p), the amount of the grant shall be determined as follows:~~

History: 1989 a. 335; 1991 a. 39; 1993 a. 16, 75; 1995 a. 27; 1995 a. 227 s. 905; Stats. 1995 s. 287.23; 1997 a. 27,

41.

Insert
from
next
page

6/14/11

the grant for
For 2000, the department shall award to a
responsible unit the proportion of the total amount
available for grants^s under this section for 2000
that is equal to the proportion of the total
amount awarded under this section for 1999
that the responsible unit received for 1999.

(not)

For the grant for 2001, the department shall
award to a responsible unit the proportion of
the total amount available for grants for 2001
that is equal to the proportion of the total
amount awarded under this section for 1999
that the responsible unit received for 1999.

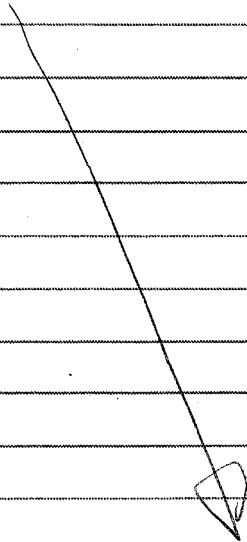
~~X~~
Section 2560y. RP; 287.23(5)(a) to (c) X

~~X~~
Section 2562m. RP; 287.23(5e) to (5s) " "
5e 5s

Don't delete eff date

6/14/11

Page 1279, line 10: after that line insert:
" Section 2564c, RP; 289.25



6/14/11

2564e

Section ~~¶~~ 287.27 (1) of the statutes is amended to read:

s. 287.07

~~*~~

287.27 (1) DEFINITION. In this section, "materials recovery facility" means a facility where the materials specified in sub. (4) (b) or s. 287.07 (3) or (4) ^{1997 stats. g.} not mixed with other solid waste, are processed for reuse or recycling by conversion into a consumer product or a product which is used as a raw material in a commercial or industrial process. "Materials recovery facility" does not include a facility operated by a pulp or paper mill which utilizes fiber or paper that has been separated from waste for use as a raw material in a commercial product.

1997 stats. g.

History: 1997 a. 60.

2564g
Section #. 287.27 (2) of the statutes is amended to read:

s. 287.07

287.27 (2) REPORTS BY MATERIALS RECOVERY FACILITIES. Annually, the owner or operator of a materials recovery facility shall report to the department the amount of each of the materials specified in s. 287.07 (3) or ^{1997 stats.} (4) and any other materials specified by the department under sub. (4) (b) that the materials recovery facility receives and that were recovered from waste generated in this state.

*

History: 1997 a. 60.

1997 stats.

61141/1

25641

Section ~~287.42~~ 287.42 (1) (intro.) and (a) of the statutes are consolidated, renumbered 287.42 (1) and amended to read:

287.42 (1) Promote the development of sustainable, high-value markets for recovered materials on behalf of, and in cooperation with, waste generators and promote the orderly and efficient marketing of recovered materials by waste generators to ~~do all of the following.~~

~~History: 1993 a. 75; 1995 a. 15, 27; 1995 a. 227 s. 911; Stats. 1995 s. 287.42; 1997 a. 27 ss. 3620m, 3622 to 3623; 1997 a. 243.~~

(a) ^{maximize} ~~Maximize~~ the marketability of these recovered materials on a statewide basis.

History: 1993 a. 75; 1995 a. 15, 27; 1995 a. 227 s. 911; Stats. 1995 s. 287.42; 1997 a. 27 ss. 3620m, 3622 to 3623; 1997 a. 243.

Section ²⁵⁶⁴¹ RP; 287.42 (1) (b) and (c)

61141/1

2564k

Section #. 287.42 (5) of the statutes is amended to read:

287.42 (5) In consultation with the council on recycling, annually establish a list of materials recovered from solid waste for which financial assistance may be provided under this subchapter, which shall include the materials specified in s. 287.07 (3) ^{1997 stats.} and other materials that the board determines create opportunities to recycle and reduce the amount of materials deposited in landfills, as defined in s. 289.01 (20), based on the board's analysis of current and future markets for materials recovered from solid waste. The list shall give priority to materials specified in s. 287.07 (3) that will support community recycling efforts.

History: 1993 a. 75; 1995 a. 15, 27; 1995 a. 227 s. 911; Stats. 1995 s. 287.42; 1997 a. 27 ss. 3620m, 3622 to 3623; 1997 a. 243.

1997 stats.

b1141/1

2567e

Section ~~1~~ 287.91 (2) of the statutes is amended to read:

plain comma

287.91 (2) Notwithstanding sub. (1) and s. ~~287.95 (3) (a)~~ the attorney general may enforce s. 287.07 ~~(3) and (4)~~ ^{(m) (c)} by seeking injunctive relief against any person violating those provisions.

History: 1989 a. 335; 1993 a. 75; 1995 a. 227 s. 919; Stats. 1995 s. 287.91.

Section 2567g. RP; 287.95 (2) (a)

61141/1

2567h

Section # 287.95 (2) (b) of the statutes is renumbered 287.95 (2) and amended to read:

287.95 (2) After ~~December 31, 1994~~, ^{Any} ~~any~~ person who violates s. ~~287.07 (2)~~ [✓] or 287.08 may be required to forfeit \$50 for a first violation, may be required to forfeit \$200 for a 2nd violation and may be required to forfeit not more than \$2,000 for a 3rd or subsequent violation.

History: 1989 a. 335, 359; 1995 a. 227 s. 921; Stats. 1995 s. 287.95.

Section ~~RP; 287.91 (2)~~

Section 2567; RP; 287.95 (3) ✓

61141/1

2567L

Section ~~287.95~~ (4) of the statutes is amended to read:

287.95 (4) The department may follow the procedures for the issuance of a citation under ss. 23.50 to 23.99 to collect a forfeiture for the violations under subs. (1); ^{and} ~~(2) (b) and (3) (b)~~. "

History: 1989 a. 335, 359; 1995 a. 227 s. 921; Stats. 1995 s. 287.95.

Page 1313, line 16: after that line insert:
268/m

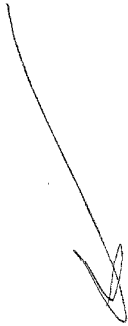
61141/1

Section ~~299.51~~ (1) (a) of the statutes is amended to read:

299.51 (1) (a) "Clinic" has the meaning given in s. 287.07 ~~(7) (c) 1.~~

History: 1991 a. 39, 300; 1995 a. 227 s. 643; Stats. 1995 s. 299.51.

(8) (a) 2.



268/n

Section ~~7~~ 299.51 (1) (b) of the statutes is amended to read:

299.51 (1) (b) "Medical waste" means infectious waste, as defined in s. 287.07 ~~(7) (e) 1. e.~~ [✓] (8) (a) 3. and other waste that contains or may be mixed with infectious waste. // ✓

History: 1991 a. 39, 300; 1995 a. 227 s. 643; Stats. 1995 s. 299.51.

Page 1378, line 12: after that line insert:

61141/1

2937p
"Section #. 560.12 (1) (ae) of the statutes is amended to read:

560.12 (1) (ae) "Recyclable material" means a material identified in s. 287.07 (3) or (4) that is recovered from solid waste. //.

History: 1989 a. 335; 1993 a. 16, 75, 112, 490; 1995 a. 227.

s. 287.07

s. 1997 stats.)

Page 1400, line 18: after that line insert:
3020p

b1141/1

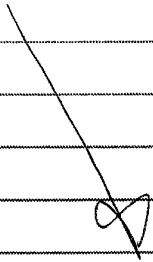
" Section 560.835 (1) (c) of the statutes is amended to read:

560.835 (1) (c) The development and operation of a facility to process materials recovered from
* a solid waste management program that complies with s. 287.07 (1m), ~~(3)~~ or ~~(4)~~ or the development
and operation of a solid waste collection business if the solid waste collected is used in the production
of a product. "

History: 1989 a. 335, 359; 1991 a. 269; 1993 a. 16, 75; 1995 a. 227.

#. Page 1431, line 11: after that line insert:

"Section 3113h. RP; 895.517 (1) (d)



61141/1

31131
Section ~~895.517~~ 895.517 (2) of the statutes is amended to read:

895.517 (2) Any person who donates or sells, at a price not exceeding overhead and transportation costs, solid waste, or a material that is separated from mixed soil waste, to a materials reuse program that is operated by a charitable organization, ^{or} ~~municipality or responsible unit~~ is immune from civil liability for the death of or injury to an individual or the damage to property caused by the solid waste or material donated or sold by the person. //

History: 1997 a. 60.

Insert X

^{ae} ✓ ✓
 16.15 (1) (ae), (ah) and
^{ar} ✓
 (ar) and (3) (a) 3., 20.370 (2) (^{hg} ✓) and (3) (^{mr} ✓),
 59.70 (2) (L), 66.35 (1) (a), 66.606, 74.01 (5),
 101.126 (1) (intro.), 101.578 (1), 227.01 (13) (^{ym} ✓) and
^{zi} ✓
 (zi), 285.53 (1) (a), 285.55 (1) and (4) (intro.), 285.63
 (10) (a) ✓ and (c) 4., 287.01 (2), (5), (6), (8) and (9),
 287.07 (1m) (title) and (c), (2), (3), (4) ✓ and (7) (a), (b)
 1. b., 2. and 3., (b), (c), (d), (e) ✓, (f), (g) and
 (h), 287.09, 287.095, 287.10, 287.11, 287.19 (1) (b)
 (intro.), 287.21 (intro.), 287.27 (1) ✓ and (2) ✓, 287.42 (1)
 (intro.), (a), (b) and (c) ✓ and (5), 287.91 (2), 287.95
 (2) (a) ✓ and (b), (3) ✓ and (4) ✓, 299.51 (1) (a) ✓ and (b) ✓,
^{ae} ✓
 (1) (ae), 560.835 (1) (c) ✓ and 895.517 (1) (d) ✓ and (2) ✓

1999

Nonstat File Sequence: **FFF**

LRB 6/14/01 / 1

RET : : :

EFFECTIVE DATE

1. In the component bar: For the action phrase, execute: ... **create** → action: → *NS: → effdate
For the text, execute: **create** → text: → *NS: → effdateA
2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, fill in "___" or "()" only if a "frozen" number is needed.

SECTION # ____ . **Effective date.**

(#1) () : This act takes effect on

1. In the component bar: For the action phrase, execute: .. **create** → action: → *NS: → effdateE
For the text, execute: **create** → text: → *NS: → effdate
2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, fill in "___" or "()" only if a "frozen" number is needed.

SECTION # ____ . **Effective dates;**

..... This act takes effect on the day after publication, except as follows:
(#1) () The treatment of sections
of the statutes takes effect on

1. In the component bar: For the budget action phrase, execute:.. **create** → action: → *NS: → 94XX
For the text, execute: **create** → text: → *NS: → effdate
2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, for the budget, fill in the 9400 department code; and fill in "()" only if a "frozen" number is needed.

✓ #. Page 1611, line 17: after that line insert:

SECTION 94 ____ . **Effective dates;**

(122) The treatment of sections
of the statutes takes effect on July 1, 2001.
Insert X
the repeal of sections 287.07(8)(b) and 287.23 of the statutes

(End)

[rev: 6/2/98 1999effdate(fm)]

the renumbering and amendment of section 287.07(8)(a) of the statutes and the creation of section 287.07(8)(a) of the statutes

b1141/1dn
RIT

Nicole Anderson:

This draft contains the recycling proposal except for the portions concerning the recycling market development board, wheelchair recycling and computer recycling. Please review this draft carefully. The elimination of the recycling requirements^s and the local grants^s affects^s many other statutes^s and I had to make some judgment calls about how to affect those other statutes.

RIT

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb1141/1dn
RCT:kmg:jf

June 24, 1999

Nicole Anderson:

This draft contains the recycling proposal except for the portions concerning the recycling market development board, wheelchair recycling and computer recycling. Please review this draft carefully. The elimination of the recycling requirements and the local grants affects many other statutes and I had to make some judgment calls about how to affect those other statutes.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: Becky.Tradewell@legis.state.wi.us