

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: **07/12/1999**

Received By: **kahlepj**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Bonderud**

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

Drafter: **kahlepj**

May Contact:

Alt. Drafters:

Subject: **Econ. Development - misc.  
Environment - recycling**

Extra Copies:

**Pre Topic:**

LFB:.....Bonderud -

**Topic:**

Recycling market development board and transfer of certain functions to commerce

**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>
/?	kahlepj 07/12/1999	wjackson 07/12/1999		_____			
/1			martykr 07/13/1999	_____	lrb_docadmin 07/13/1999		
/2	kahlepj 07/15/1999	chanaman 07/15/1999	jfrantze 07/16/1999	_____	lrb_docadmin 07/16/1999		
/3	kahlepj 10/01/1999	wjackson 10/01/1999	mclark 10/02/1999	_____	lrb_docadmin 10/02/1999		

10/02/1999 11:54:15 AM  
Page 2

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/1			martykr 07/13/99	_____	lrb_docadmin 07/13/99		
/2	kahlepj 07/15/99	chanaman 07/15/99	jfrantze 07/16/99	_____	lrb_docadmin 07/16/99		

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MRC 10/2  
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/1		12 7/15 WJ	martykr 07/13/99	_____	lrb_docadmin 07/13/99		

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*J 7/16* *J/KM*  
**<END>**

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/?	kahlepj	1 7/12 Wlj	km 7/13	km 6/13			

FE Sent For:

<END>

1999

Date (time) needed

SOON (7-12)

LRB b 168 1 1

PJK : Wlj :

BUDGET AMENDMENT

See form AMENDMENTS — COMPONENTS & ITEMS.

CONFERENCE AMENDMENT TO ASSEMBLY SUBSTITUTE AMENDMENT 1 TO 1999 ASSEMBLY BILL 133

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

- #. Page . . . . , line . . . . :
- #. Page . . . . , line . . . . :
- #. Page . . . . , line . . . . :
- #. Page . . . . , line . . . . :
- #. Page . . . . , line . . . . :
- #. Page . . . . , line . . . . :





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1648/1  
PJK:all:jf

Legislative Reference Bureau:..... Recycling market development board  
changes

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

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

2 1. Page 22, line 14: after that line insert:

3 "SECTION 14c. 15.07 (1) (b) 19. of the statutes is repealed."

4 2. Page 24, line 9: after that line insert:

5 "SECTION 28b. 15.155 (2) (c) 1. of the statutes is repealed.

6 SECTION 28d. 15.155 (2) (c) 3. of the statutes is amended to read:

7 15.155 (2) (c) 3. ~~Six~~ Two members representing responsible units.

8 SECTION 28f. 15.155 (2) (c) 4. of the statutes is repealed and recreated to read:

1           15.155 (2) (c) 4. Two members representing businesses that market products  
2 made from recycled materials, recover recyclable materials or develop markets for  
3 products made from recycled materials.”

4           **3.** Page 108, line 2: increase the dollar amount for fiscal year 1999–00 by  
5 \$800,000 and increase the dollar amount for fiscal year 2000–01 by \$800,000 to  
6 increase funding for the purposes for which the appropriation is made.

7           **4.** Page 108, line 14: decrease the dollar amount for fiscal year 1999–00 by  
8 \$204,800 and decrease the dollar amount for fiscal year 2000–01 by \$204,800 to  
9 decrease funding for staff support to the recycling market development board and for  
10 the conversion of 2 project positions to permanent positions for the department of  
11 commerce related to recycling market development.

12           **5.** Page 108, line 17: decrease the dollar amount for fiscal year 1999–00 by  
13 \$500,000 and decrease the dollar amount for fiscal year 2000–01 by \$500,000 to  
14 decrease funding for the purposes for which the appropriation is made.

15           **6.** Page 289, line 21: after that line insert:

16           “**SECTION 210f.** 20.143 (1) (L) of the statutes is amended to read:

17           20.143 (1) (L) *Recycling market development; repayments.* All moneys received  
18 in repayment of loans awarded by the recycling market development board under s.  
19 287.46 (1) and, 1997 stats., and s. 560.031, received under s. 287.46 (3), 1997 stats.,  
20 in repayment of loans made by recipients of financial assistance awarded by the  
21 recycling market development board under s. 287.46 (1), 1997 stats., and received in  
22 repayment of loans under s. 560.835, to be used to provide financial assistance under  
23 subch. III of ch. 287 s. 560.031.” → (3) and (4) ✓

24           **7.** Page 290, line 1: after that line insert:



1           **SECTION 215f.** 20.143 (1) (tm) of the statutes is amended to read:

2           20.143 (1) (tm) *Recycling market development board; contracts and; financial*  
3 *assistance.* Biennially, from the recycling fund, the amounts in the schedule for  
4 ~~recycling market development board contracts under s. 287.42 (3) and (3m) and~~  
5 ~~financial assistance under subch. III of ch. 287 s. 560.031, ~~###~~~~ <sup>(3)</sup> *for the costs related*  
6 *to the materials exchange program under s. 560.031 (5) and for the grant under 1999*  
7 *Wisconsin Act .... (this act), section 9110 (7rm)."*

8           **8.** Page 414, line 21: after that line insert:

9           **SECTION 645d.** 20.923 (4) (a) 4q. of the statutes is repealed."

10          **9.** Page 507, line 3: after that line insert:

11          **SECTION 892b.** 36.25 (30g) of the statutes is amended to read:

12          **36.25 (30g) RECYCLING MARKET DEVELOPMENT PROGRAM.** The board shall  
13 establish in the extension, ~~in cooperation with the recycling market development~~  
14 ~~board,~~ a program of education and technical assistance related to recycling market  
15 development. The program shall serve waste generators, ~~as defined in s. 287.40 (4);~~  
16 solid waste scrap brokers, dealers and processors; business entities that use or could  
17 use recovered materials or that produce or could produce products from recovered  
18 materials and persons who provide support services to those business entities; and  
19 the general public."

20          **10.** Page 1279, line 10: after that line insert:

21          **SECTION 2565c.** 287.40 (title) and (intro.) of the statutes are repealed.

22          **SECTION 2565d.** 287.40 (1) of the statutes is renumbered 560.031 (1) (a).

23          **SECTION 2565e.** 287.40 (2) of the statutes is renumbered 560.031 (1) (b).

1 SECTION 2565f. 287.40 (3) of the statutes is renumbered 560.031 (1) (c) and  
2 amended to read:

3 560.031 (1) (c) "Recovered material" means a material ~~specified by the board~~  
4 ~~under s. 287.42 (5)~~ that is recovered from solid waste for recycling.

5 SECTION 2565g. 287.40 (4) of the statutes is renumbered 560.031 (1) (e) and  
6 amended to read:

7 560.031 (1) (e) "Waste generator" means a person who generates solid waste  
8 that ~~contains a material specified by the board under s. 287.42 (5)~~ or a responsible  
9 unit.

10 SECTION 2565h. 287.41 of the statutes is repealed.

11 SECTION 2565i. 287.42 of the statutes is repealed.

12 SECTION 2565j. 287.44 of the statutes is repealed.

13 SECTION 2565k. 287.46 of the statutes is repealed.

14 SECTION 2565L. 287.48 of the statutes is repealed."

15 11. Page 1376, line 21: after that line insert:

16 "SECTION 2927m. 560.031 of the statutes is repealed and recreated to read:

17 560.031 Recycling market development. (1) In this section:

18 (d) "Responsible unit" has the meaning given in s. 287.01 (9).

19 (2) (a) At the request of the board, the department shall provide the financial  
20 assistance awarded ~~to eligible entities or by the board~~ by the board under

21 ~~sub. (3) and (4)~~ subs. (3) and (4)

22 (b) 1. The department shall provide the financial assistance awarded under  
23 appropriations under s. 20.143 (1) (L) and (tm).

→ ¶ 2. The department shall provide the financial assistance awarded under sub. (4) from the appropriation under s. 20.143 (1) (L). ✓

sub. (3) ↓

1 (3) The board may award a grant, loan or manufacturing rebate under this  
2 subsection to a governmental unit or business entity for a project to assist waste  
3 generators in the marketing of recovered materials or to develop markets for  
4 recovered materials. Before awarding a grant, loan or manufacturing rebate, the  
5 board shall consider the extent to which the project does the following:

6 (a) Maximizes the marketability of recovered materials on a statewide basis.

7 (b) Minimizes the amount of recovered materials disposed of in landfills or  
8 burned without energy recovery in incinerators.

9 (c) Includes materials that are banned from landfills and that will support  
10 community recycling efforts.

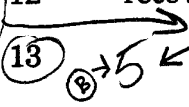
11 (d) Maintains present markets or creates new or expanded markets for  
12 recovered materials.

13 (3) If the board determines that financial assistance is required to stimulate  
14 an activity that it determines is needed to assist responsible units in the marketing  
15 of recovered materials or to develop markets for recovered materials, the board shall  
16 request the department to issue a request for proposals for that activity, unless the  
17 board determines that a request for proposals is not an effective means for  
18 distributing the financial assistance for that activity. Upon a request from the board  
19 under this subsection, the department shall issue a request for proposals for the  
20 activity specified by the board.

21 (3) The department shall annually contract for the operation of a statewide  
22 materials exchange program with a materials exchange program that received  
23 funding from the board in the 1997-99 fiscal biennium. The department shall  
24 provide funding for the materials exchange program from the appropriation under  
25 s. 20.143 (1) (tm).

5-20

Enact 5-12



1

ⓑ  
7

The department shall consult with the board and seek advice from the council on recycling before promulgating any rules under this section."

2

3

12. Page 1378, line 12: after that line insert:

4

"SECTION 2937m. 560.09 (5) of the statutes is repealed."

5

13. Page 1396, line 17: after that line insert:

6

"SECTION 2996p. 560.65 (4) (a) of the statutes is repealed."

7

14. Page 1400, line 18: after that line insert:

8

"SECTION 3020m. 560.835 (7) (b) of the statutes is amended to read:

9

560.835 (7) (b) The department shall deposit in the ~~recycling fund~~

10

appropriation account under s. 20.143 (1) (L) all moneys received after July 1, 1995

11

the effective date of this paragraph .... [revisor inserts date], in repayment of loans

12

made under this section."

13

15. Page 1462, line 24: after that line insert:

14

SECTION 3261dh. 1997 Wisconsin Act 27, sections 4338c, 4338e, 4338g and

15

4338i are repealed.

16

"SECTION 3261d. 1997 Wisconsin Act 27, section ~~433~~ is repealed.

17

SECTION 3261dc. 1997 Wisconsin Act 27, section 59d is repealed.

18

SECTION 3261dd. 1997 Wisconsin Act 27, section 119d is repealed.

19

SECTION 3261ddc. 1997 Wisconsin Act 27, section 200d is repealed.

20

SECTION 3261dde. 1997 Wisconsin Act 27, section 204d is repealed.

21

SECTION 3261ddg. 1997 Wisconsin Act 27, section 205d is repealed.

22

SECTION 3261de. 1997 Wisconsin Act 27, section 750 is repealed.

23

SECTION 3261df. 1997 Wisconsin Act 27, section 1167d is repealed.

24

SECTION 3261dg. 1997 Wisconsin Act 27, section 3620m is repealed.

5/ go here

44d

1           **SECTION 3261di.** 1997 Wisconsin Act 27, section 4349d is repealed.

2           **SECTION 3261dj.** 1997 Wisconsin Act 27, section 4497d is repealed.”.

3           **16.** Page 1463, line 21: delete “amended to read:” and substitute “repealed.”.

4           **17.** Page 1463, line 22: delete the material beginning with that line and  
5 ending with page 1464, line 3.

6           **18.** Page 1507, line 12: after that line insert:

7           “(7rm) GRANT FOR SLUDGE STUDY AND MARKETING.

8           (a) In this subsection, “board” means the recycling market development board.

9           (b) Subject to paragraph (e), the board shall award a grant of \$133,000 to the  
10 West Central Wisconsin Biosolids Facility Commission if all of the following apply:

11           1. The commission submits a plan to the board detailing the proposed use of  
12 the grant and the board approves the plan.

13           2. The commission enters into a written agreement with the board that  
14 specifies the conditions for use of the grant proceeds, including reporting and  
15 auditing requirements.

16           3. The commission agrees in writing to submit to the board the report required  
17 under paragraph (d) 2. by the time required under paragraph (d) 2.

18           (c) If the board awards a grant under this subsection, the department of  
19 commerce shall pay the grant proceeds from the appropriation under section 20.143  
20 (1) (tm) of the statutes, as affected by this act.

21           (d) If the commission receives a grant under this subsection, the commission  
22 shall do all of the following:

1           1. Use the grant proceeds to determine the feasibility of creating sludge-based  
2 products and of marketing those products and to develop markets for the biosolid  
3 materials being produced from waste products by the commission.

4           2. Within 6 months after spending the full amount of the grant, submit to the  
5 board a report detailing how the grant proceeds were used.

6           (e) The board may not award and the department may not pay grant proceeds  
7 under this subsection after June 30, 2001.”.

8           **19.** Page 1507, line 12: after that line insert:

9           “(8h) RECYCLING MARKET DEVELOPMENT STAFF.

10           (a) The authorized FTE positions for the department of commerce, funded from  
11 the appropriation under section 20.143 (1) (st) of the statutes, are decreased by 4.0  
12 SEG project positions for staff for the recycling market development board.

13           (b) The authorized FTE positions for the department of commerce, funded from  
14 the appropriation under section 20.143 (1) (st) of the statutes, are increased by 2.0  
15 SEG positions for a loan portfolio manager to manage past and future financial  
16 assistance awarded by the recycling market development board and for a commodity  
17 specialist to develop and direct strategy for recycling market development.”.

18           **20.** Page 1588, line 6: after that line insert:

19           “(6h) RECYCLING MARKET DEVELOPMENT BOARD CONTRACTS. If any contract under  
20 section 287.42 (3) or (3m) of the statutes is in effect on the effective date of this  
21 subsection, the treatment of sections 20.143 (1) (tm) and 287.42 (3) and (3m) of the  
22 statutes first applies to that contract after the termination of the contract.”.

23           (END)

*Insert 5-20*

1           20.143 (1) (L) *Recycling market development; repayments.* All moneys received  
 2           in repayment of loans awarded by the recycling market development board under s.  
 3           287.46 (1) ~~and~~, received under s. 287.46 (3) in repayment of loans made by recipients  
 4           of financial assistance awarded by the recycling market development board under  
 5           s. 287.46 (1) ~~and received in repayment of loans under s. 560.835, to be used for~~  
 6           ~~recycling market development board contracts under s. 287.42 (3) and (3m), for the~~  
 7           ~~grants awarded under s. 287.42 (4) and to provide financial assistance under subch.~~  
 8           III of ch. 287.

9           **SECTION 210e.** 20.143 (1) (L) of the statutes, as affected by 1997 Wisconsin Acts  
 10          27 and 1999 Wisconsin Act .... (this act), is repealed and recreated to read:

11          20.143 (1) (L) *Recycling market development; repayments.* All moneys received  
 12          in repayment of loans awarded under s. 287.46 (1), 1995 stats., and s. 560.031,  
 13          received under s. 287.46 (3), 1995 stats., and s. 560.031 in repayment of loans made  
 14          by recipients of financial assistance awarded under s. 287.46 (1), 1995 stats., and s.  
 15          560.031 and received in repayment of loans under s. 560.835, to be used to provide  
 16          financial assistance under s. 560.031.”

17          **4.** Page 290, line 1: after that line insert:

18          “**SECTION 215c.** 20.143 (1) (tm) of the statutes, as affected by 1997 Wisconsin  
 19          Act 27, is repealed.”

20          **5.** Page 279, line 10: after that line insert:

21          “**SECTION 2565b.** 287.42 (4) of the statutes is created to read:

22          287.42 (4) Award a grant of \$50,000 in each fiscal year to a private, nonprofit,  
 23          industry-supported organization that is described in section 501 (c) (3) of the  
 24          Internal Revenue Code and that provides waste reduction and recycling assistance

→ **4** <sup>(3)</sup> ~~(4)~~ The board shall award

1 through business-to-business peer exchange. An organization that is awarded a  
2 grant must be instrumental in assisting and encouraging companies and institutions  
3 to reduce their operating costs through improved production and solid waste  
4 management practices and must be in existence on the effective date of this  
5 subsection .... [revisor inserts date].

6 **SECTION 2565d.** 287.46 (4) of the statutes, as affected by 1997 Wisconsin Acts  
7 27 and 1999 Wisconsin Act .... (this act), is repealed.

8 **SECTION 2565e.** 287.46 (4) (a) of the statutes is amended to read:

9 287.46 (4) (a) ~~From the appropriations Subject to par. (b), from the~~  
10 ~~appropriation~~ under s. 20.143 (1) (L) and (tm), the department of commerce shall  
11 provide financial assistance awarded by the board under this subchapter. ~~Subject~~  
12 ~~to par. (b), from the appropriation under s. 20.143 (1) (tm), the department of~~  
13 ~~commerce shall~~ and pay contracts entered into by the board under s. 287.42 (3) and  
14 ~~(3m) and grants awarded by the board under s. 287.42 (4).~~

15 **SECTION 2565f.** 287.46 (4) (b) of the statutes is amended to read:

16 287.46 (4) (b) In any biennium, the department of commerce may not expend  
17 more than 10% of the amount ~~appropriated credited to the appropriation account~~  
18 under s. 20.143 (1) (tm) ~~for (L) in that biennium for contracts with and financial~~  
19 ~~assistance to responsible units and other local units of government."~~

20 **6.** Page 1400, line 18: after that line insert:

21 "SECTION 3021c. 560.835 (7) (b) of the statutes is amended to read:

22 560.835 (7) (b) The department shall deposit in the recycling fund  
23 appropriation account under s. 20.143 (1) (L) all moneys received after July 1, 1995

(end of insert 5-20)





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1681/2  
PJK:wj:km

*r m is run*

LFB:.....Bonderud - Recycling market development board and transfer of  
certain functions to commerce

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

*SOON (7-15)  
D-note*

- 1 At the locations indicated, amend the substitute amendment as follows:
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- 3 "SECTION 14c. 15.07 (1) (b) 19. of the statutes is repealed."
- 4 2. Page 24, line 9: after that line insert:
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2           made from recycled materials, recover recyclable materials or develop markets for  
3           products made from recycled materials.”.

4           **3.** Page 108, line 2: increase the dollar amount for fiscal year 1999–00 by  
5           \$800,000 and increase the dollar amount for fiscal year 2000–01 by \$800,000 to  
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7           **4.** Page 108, line 14: decrease the dollar amount for fiscal year 1999–00 by  
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10          the conversion of 2 project positions to permanent positions for the department of  
11          commerce related to recycling market development.

12          **5.** Page 108, line 17: decrease the dollar amount for fiscal year 1999–00 by  
13          \$500,000 and decrease the dollar amount for fiscal year 2000–01 by \$500,000 to  
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15          **6.** Page 289, line 21: after that line insert:

16          “**SECTION 210f.** 20.143 (1) (L) of the statutes is amended to read:

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20          in repayment of loans made by recipients of financial assistance awarded by the  
21          recycling market development board under s. 287.46 (1), 1997 stats., and received in  
22          repayment of loans under s. 560.835, to be used to provide financial assistance under  
23          ~~subch. III of ch. 287 s. 560.031 (3) and (4).~~”.

24          **7.** Page 290, line 1: after that line insert:

1           **SECTION 215f.** 20.143 (1) (tm) of the statutes is amended to read:

2           20.143 (1) (tm) ~~Recycling market development board; contracts and; financial~~  
3 ~~assistance.~~ Biennially, from the recycling fund, the amounts in the schedule for  
4 ~~recycling market development board contracts under s. 287.42 (3) and (3m) and~~  
5 ~~financial assistance under subch. III of ch. 287 s. 560.031 (3), for the costs related to~~  
6 ~~the materials exchange program under s. 560.031 (6) and for the grant under 1999~~  
7 ~~Wisconsin Act .... (this act), section 9110 (7rm).".~~

8           **8.** Page 414, line 21: after that line insert:

9           **SECTION 645d.** 20.923 (4) (a) 4q. of the statutes is repealed.".

10          **9.** Page 507, line 3: after that line insert:

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13 establish in the extension, ~~in cooperation with the recycling market development~~  
14 ~~board,~~ a program of education and technical assistance related to recycling market  
15 development. The program shall serve waste generators, ~~as defined in s. 287.40 (4);~~  
16 solid waste scrap brokers, dealers and processors; business entities that use or could  
17 use recovered materials or that produce or could produce products from recovered  
18 materials and persons who provide support services to those business entities; and  
19 the general public.".

20          **10.** Page 1279, line 10: after that line insert:

21          **SECTION 2565c.** 287.40 (title) and (intro.) of the statutes are repealed.

22          **SECTION 2565d.** 287.40 (1) of the statutes is renumbered 560.031 (1) (a).

23          **SECTION 2565e.** 287.40 (2) of the statutes is renumbered 560.031 (1) (b).

1           **SECTION 2565f.** 287.40 (3) of the statutes is renumbered 560.031 (1) (c) and  
2 amended to read:

3           560.031 (1) (c) “Recovered material” means a material specified by the board  
4 under ~~s. 287.42 (5)~~ that is recovered from solid waste for recycling.

5           **SECTION 2565g.** 287.40 (4) of the statutes is renumbered 560.031 (1) (e) and  
6 amended to read:

7           560.031 (1) (e) “Waste generator” means a person who generates solid waste  
8 that contains a material specified by the board under ~~s. 287.42 (5)~~ or a responsible  
9 unit.

10           **SECTION 2565h.** 287.41 of the statutes is repealed.

11           **SECTION 2565i.** 287.42 of the statutes is repealed.

12           **SECTION 2565j.** 287.44 of the statutes is repealed.

13           **SECTION 2565k.** 287.46 of the statutes is repealed.

14           **SECTION 2565L.** 287.48 of the statutes is repealed.”.

15           **11.** Page 1376, line 21: after that line insert:

16           “**SECTION 2927m.** 560.031 of the statutes is repealed and recreated to read:

17           **560.031 Recycling market development. (1)** In this section:

18           (d) “Responsible unit” has the meaning given in s. 287.01 (9).

19           (2) (a) At the request of the board, the department shall provide the financial  
20 assistance awarded by the board under subs. (3) and (4).

21           (b) 1. The department shall provide the financial assistance awarded under  
22 sub. (3) from the appropriations under s. 20.143 (1) (L) and (tm).

23           2. The department shall provide the financial assistance awarded under sub.  
24 (4) from the appropriation under s. 20.143 (1) (L).

1           (3) The board may award a grant, loan or manufacturing rebate under this  
2 subsection to a governmental unit or business entity for a project to assist waste  
3 generators in the marketing of recovered materials or to develop markets for  
4 recovered materials. Before awarding a grant, loan or manufacturing rebate, the  
5 board shall consider the extent to which the project does the following:

6           (a) Maximizes the marketability of recovered materials on a statewide basis.

7           (b) Minimizes the amount of recovered materials disposed of in landfills or  
8 burned without energy recovery in incinerators.

9           (c) Includes materials that are banned from landfills and that will support  
10 community recycling efforts.

11           (d) Maintains present markets or creates new or expanded markets for  
12 recovered materials.

13           (4) The board shall award a grant of \$50,000 in each fiscal year to a private,  
14 nonprofit, industry-supported organization that is described in section 501 (c) (3) of  
15 the Internal Revenue Code and that provides waste reduction and recycling  
16 assistance through business-to-business peer exchange. An organization that is  
17 awarded a grant must be instrumental in assisting and encouraging companies and  
18 institutions to reduce their operating costs through improved production and solid  
19 waste management practices and must be in existence on the effective date of this  
20 subsection .... [revisor inserts date].

21           (5) If the board determines that financial assistance is required to stimulate  
22 an activity that it determines is needed to assist responsible units in the marketing  
23 of recovered materials or to develop markets for recovered materials, the board shall  
24 request the department to issue a request for proposals for that activity, unless the  
25 board determines that a request for proposals is not an effective means for

1 distributing the financial assistance for that activity. Upon a request from the board  
2 under this subsection, the department shall issue a request for proposals for the  
3 activity specified by the board.

4 (6) The department shall annually contract for the operation of a statewide  
5 materials exchange program with a materials exchange program that received  
6 funding from the board in the 1997-99 fiscal biennium. The department shall  
7 provide funding for the materials exchange program from the appropriation under  
8 s. 20.143 (1) (tm).

9 (7) The department shall consult with the board and seek advice from the  
10 council on recycling before promulgating any rules under this section.”.

11 **12.** Page 1378, line 12: after that line insert:

12 “SECTION 2937m. 560.09 (5) of the statutes is repealed.”.

13 **13.** Page 1396, line 17: after that line insert:

14 “SECTION 2996p. 560.65 (4) (a) of the statutes is repealed.”.

15 **14.** Page 1400, line 18: after that line insert:

16 “SECTION 3020m. 560.835 (7) (b) of the statutes is amended to read:

17 560.835 (7) (b) The department shall deposit in the ~~recycling fund~~  
18 appropriation account under s. 20.143 (1) (L) all moneys received after ~~July 1, 1995~~  
19 the effective date of this paragraph .... [revisor inserts date], in repayment of loans  
20 made under this section.”.

21 **15.** Page 1462, line 24: after that line insert:

22 “SECTION 3261d. 1997 Wisconsin Act 27, section 44d is repealed.

23 SECTION 3261dc. 1997 Wisconsin Act 27, section 59d is repealed.

24 SECTION 3261dd. 1997 Wisconsin Act 27, section 119d is repealed.

1           **SECTION 3261ddc.** 1997 Wisconsin Act 27, section 200d is repealed.

2           **SECTION 3261dde.** 1997 Wisconsin Act 27, section 204d is repealed.

3           **SECTION 3261ddg.** 1997 Wisconsin Act 27, section 205d is repealed.

4           **SECTION 3261de.** 1997 Wisconsin Act 27, section 750 is repealed.

5           **SECTION 3261df.** 1997 Wisconsin Act 27, section 1167d is repealed.

6           **SECTION 3261dg.** 1997 Wisconsin Act 27, section 3620m is repealed.

7           **SECTION 3261dh.** 1997 Wisconsin Act 27, sections 4338c, 4338e, 4338g and  
8 4338i are repealed.

9           **SECTION 3261di.** 1997 Wisconsin Act 27, section 4349d is repealed.

10          **SECTION 3261dj.** 1997 Wisconsin Act 27, section 4497d is repealed.”.

11          **16.** Page 1463, line 21: delete “amended to read:” and substitute “repealed.”.

12          **17.** Page 1463, line 22: delete the material beginning with that line and  
13 ending with page 1464, line 3.

14          **18.** Page 1507, line 12: after that line insert:

15           “(7rm) GRANT FOR SLUDGE STUDY AND MARKETING.

16           (a) In this subsection, “board” means the recycling market development board.

17           (b) Subject to paragraph (e), the board shall award a grant of \$133,000 to the  
18 West Central Wisconsin Biosolids Facility Commission if all of the following apply:

19           1. The commission submits a plan to the board detailing the proposed use of  
20 the grant and the board approves the plan.

21           2. The commission enters into a written agreement with the board that  
22 specifies the conditions for use of the grant proceeds, including reporting and  
23 auditing requirements.

1           3. The commission agrees in writing to submit to the board the report required  
2 under paragraph (d) 2. by the time required under paragraph (d) 2.

3           (c) If the board awards a grant under this subsection, the department of  
4 commerce shall pay the grant proceeds from the appropriation under section 20.143  
5 (1) (tm) of the statutes, as affected by this act.

6           (d) If the commission receives a grant under this subsection, the commission  
7 shall do all of the following:

8           1. Use the grant proceeds to determine the feasibility of creating sludge-based  
9 products and of marketing those products and to develop markets for the biosolid  
10 materials being produced from waste products by the commission.

11           2. Within 6 months after spending the full amount of the grant, submit to the  
12 board a report detailing how the grant proceeds were used.

13           (e) The board may not award and the department may not pay grant proceeds  
14 under this subsection after June 30, 2001.”

15           **19.** Page 1507, line 12: after that line insert:

16           “(8h) RECYCLING MARKET DEVELOPMENT STAFF.

17           (a) The authorized FTE positions for the department of commerce, funded from  
18 the appropriation under section 20.143 (1) (st) of the statutes, are decreased by 4.0  
19 SEG project positions for staff for the recycling market development board.

20           (b) The authorized FTE positions for the department of commerce, funded from  
21 the appropriation under section 20.143 (1) (st) of the statutes, are increased by 2.0  
22 SEG positions for a loan portfolio manager to manage past and future financial  
23 assistance awarded by the recycling market development board and for a commodity  
24 specialist to develop and direct strategy for recycling market development.”



1           **20.** Page 1588, line 6: after that line insert:

2           “(6h) RECYCLING MARKET DEVELOPMENT BOARD CONTRACTS. If any contract under  
3           section 287.42 (3) or (3m) of the statutes is in effect on the effective date of this  
4           subsection, the treatment of sections 20.143 (1) (tm) and 287.42 ~~(3) and (3m)~~ of the  
5           statutes first applies to that contract after the termination of the contract.”

6

(END)

(as it relates to the duty of the recycling  
market development board to enter  
into contracts)

S-note

Kendra:

¶ This redraft changes some language  
in the initial applicability provision.

PJK

1           **SECTION 3261ddc.** 1997 Wisconsin Act 27, section 200d is repealed.

2           **SECTION 3261dde.** 1997 Wisconsin Act 27, section 204d is repealed.

3           **SECTION 3261ddg.** 1997 Wisconsin Act 27, section 205d is repealed.

4           **SECTION 3261de.** 1997 Wisconsin Act 27, section 750 is repealed.

5           **SECTION 3261df.** 1997 Wisconsin Act 27, section 1167d is repealed.

6           **SECTION 3261dg.** 1997 Wisconsin Act 27, section 3620m is repealed.

7           **SECTION 3261dh.** 1997 Wisconsin Act 27, sections 4338c, 4338e, 4338g and

8           4338i are repealed.

9           **SECTION 3261di.** 1997 Wisconsin Act 27, section 4349d is repealed.

10          **SECTION 3261dj.** 1997 Wisconsin Act 27, section 4497d is repealed.”

11          **16.** Page 1463, line 21: delete “amended to read:” and substitute “repealed.”

12          **17.** Page 1463, line 22: delete the material beginning with that line and  
13 ending with page 1464, line 3.

14          **18.** Page 1507, line 12: after that line insert:

15          “(7rm) GRANT FOR SLUDGE STUDY AND MARKETING.

16          (a) In this subsection, “board” means the recycling market development board.

17          (b) Subject to paragraph (e), the board shall award a grant of \$133,000 to the  
18 West Central Wisconsin Biosolids Facility Commission if all of the following apply:

19           1. The commission submits a plan to the board detailing the proposed use of  
20 the grant and the board approves the plan.

21           2. The commission enters into a written agreement with the board that  
22 specifies the conditions for use of the grant proceeds, including reporting and  
23 auditing requirements.



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1681/1

DJK:wlj:km

D

LFB:.....Bonderud - Recycling market development board and transfer of  
certain functions to commerce

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 1. Page 22, line 14: after that line insert:
- 3 "SECTION 14c. 15.07 (1) (b) 19. of the statutes is repealed."
- 4 2. Page 24, line 9: after that line insert:
- 5 "SECTION 28b. 15.155 (2) (c) 1. of the statutes is repealed.
- 6 SECTION 28d. 15.155 (2) (c) 3. of the statutes is amended to read:
- 7 15.155 (2) (c) 3. ~~Six~~ Two members representing responsible units.
- 8 SECTION 28f. 15.155 (2) (c) 4. of the statutes is repealed and recreated to read:

1           15.155 (2) (c) 4. Two members representing businesses that market products  
2           made from recycled materials, recover recyclable materials or develop markets for  
3           products made from recycled materials.”.

4           **3.** Page 108, line 2: increase the dollar amount for fiscal year 1999–00 by  
5           \$800,000 and increase the dollar amount for fiscal year 2000–01 by \$800,000 to  
6           increase funding for the purposes for which the appropriation is made.

7           **4.** Page 108, line 14: decrease the dollar amount for fiscal year 1999–00 by  
8           \$204,800 and decrease the dollar amount for fiscal year 2000–01 by \$204,800 to  
9           decrease funding for staff support to the recycling market development board and for  
10          the conversion of 2 project positions to permanent positions for the department of  
11          commerce related to recycling market development.

12          **5.** Page 108, line 17: decrease the dollar amount for fiscal year 1999–00 by  
13          \$500,000 and decrease the dollar amount for fiscal year 2000–01 by \$500,000 to  
14          decrease funding for the purposes for which the appropriation is made.

15          **6.** Page 289, line 21: after that line insert:

16          “**SECTION 210f.** 20.143 (1) (L) of the statutes is amended to read:

17          20.143 (1) (L) *Recycling market development; repayments.* All moneys received  
18          in repayment of loans awarded by ~~the recycling market development board~~ under s.  
19          287.46 (1) ~~and, 1997 stats., and s. 560.031,~~ received under s. 287.46 (3), 1997 stats.,  
20          in repayment of loans made by recipients of financial assistance awarded by ~~the~~  
21          ~~recycling market development board~~ under s. 287.46 (1), 1997 stats., and received in  
22          repayment of loans under s. 560.835, to be used to provide financial assistance under  
23          ~~subch. III of ch. 287 s. 560.031 (3) and (4).”.~~

24          **7.** Page 290, line 1: after that line insert:

1           **"SECTION 215f.** 20.143 (1) (tm) of the statutes is amended to read:

2           20.143 (1) (tm) ~~Recycling market development board; contracts and; financial~~  
3 ~~assistance.~~ Biennially, from the recycling fund, the amounts in the schedule for  
4 ~~recycling market development board contracts under s. 287.42 (3) and (3m) and~~  
5 ~~financial assistance under subch. III of ch. 287 s. 560.031 (3), for the costs related to~~  
6 ~~the materials exchange program under s. 560.031 (6) and for the grant under 1999~~  
7 ~~Wisconsin Act.... (this act), section 9110 (7rm)."~~

8           **8.** Page 414, line 21: after that line insert:

9           **"SECTION 645d.** 20.923 (4) (a) 4q. of the statutes is repealed."

10          **9.** Page 507, line 3: after that line insert:

11          **"SECTION 892b.** 36.25 (30g) of the statutes is amended to read:

12          **36.25 (30g)** RECYCLING MARKET DEVELOPMENT PROGRAM. The board shall  
13 establish in the extension, ~~in cooperation with the recycling market development~~  
14 ~~board,~~ a program of education and technical assistance related to recycling market  
15 development. The program shall serve waste generators, ~~as defined in s. 287.40(4);~~  
16 solid waste scrap brokers, dealers and processors; business entities that use or could  
17 use recovered materials or that produce or could produce products from recovered  
18 materials and persons who provide support services to those business entities; and  
19 the general public."

20          **10.** Page 1279, line 10: after that line insert:

21          **"SECTION 2565c.** 287.40 (title) and (intro.) of the statutes are repealed.

22          **SECTION 2565d.** 287.40 (1) of the statutes is renumbered 560.031 (1) (a).

23          **SECTION 2565e.** 287.40 (2) of the statutes is renumbered 560.031 (1) (b).

1           **SECTION 2565f.** 287.40 (3) of the statutes is renumbered 560.031 (1) (c) and  
2 amended to read:

3           560.031 (1) (c) "Recovered material" means a material specified by the board  
4 under ~~s. 287.42 (5)~~ that is recovered from solid waste for recycling.

5           **SECTION 2565g.** 287.40 (4) of the statutes is renumbered 560.031 (1) (e) and  
6 amended to read:

7           560.031 (1) (e) "Waste generator" means a person who generates solid waste  
8 that contains a material specified by the board under ~~s. 287.42 (5)~~ or a responsible  
9 unit.

10           **SECTION 2565h.** 287.41 of the statutes is repealed.

11           **SECTION 2565i.** 287.42 of the statutes is repealed.

12           **SECTION 2565j.** 287.44 of the statutes is repealed.

13           **SECTION 2565k.** 287.46 of the statutes is repealed.

14           **SECTION 2565L.** 287.48 of the statutes is repealed."

15           **11.** Page 1376, line 21: after that line insert:

16           "SECTION 2927m. 560.031 of the statutes is repealed and recreated to read:

17           **560.031 Recycling market development.** (1) In this section:

18           (d) "Responsible unit" has the meaning given in s. 287.01 (9).

19           (2) (a) At the request of the board, the department shall provide the financial  
20 assistance awarded by the board under subs. (3) and (4).

21           (b) 1. The department shall provide the financial assistance awarded under  
22 sub. (3) from the appropriations under s. 20.143 (1) (L) and (tm).

23           2. The department shall provide the financial assistance awarded under sub.  
24 (4) from the appropriation under s. 20.143 (1) (L).

1           (3) The board may award a grant, loan or manufacturing rebate under this  
2 subsection to a governmental unit or business entity for a project to assist waste  
3 generators in the marketing of recovered materials or to develop markets for  
4 recovered materials. Before awarding a grant, loan or manufacturing rebate, the  
5 board shall consider the extent to which the project does the following:

6           (a) Maximizes the marketability of recovered materials on a statewide basis.

7           (b) Minimizes the amount of recovered materials disposed of in landfills or  
8 burned without energy recovery in incinerators.

9           (c) Includes materials that are banned from landfills and that will support  
10 community recycling efforts.

11           (d) Maintains present markets or creates new or expanded markets for  
12 recovered materials.

13           (4) The board shall award a grant of \$50,000 in each fiscal year to a private,  
14 nonprofit, industry-supported organization that is described in section 501 (c) (3) of  
15 the Internal Revenue Code and that provides waste reduction and recycling  
16 assistance through business-to-business peer exchange. An organization that is  
17 awarded a grant must be instrumental in assisting and encouraging companies and  
18 institutions to reduce their operating costs through improved production and solid  
19 waste management practices and must be in existence on the effective date of this  
20 subsection .... [revisor inserts date].

21           (5) If the board determines that financial assistance is required to stimulate  
22 an activity that it determines is needed to assist responsible units in the marketing  
23 of recovered materials or to develop markets for recovered materials, the board shall  
24 request the department to issue a request for proposals for that activity, unless the  
25 board determines that a request for proposals is not an effective means for

1 distributing the financial assistance for that activity. Upon a request from the board  
2 under this subsection, the department shall issue a request for proposals for the  
3 activity specified by the board.

4 (6) The department shall annually contract for the operation of a statewide  
5 materials exchange program with a materials exchange program that received  
6 funding from the board in the 1997–99 fiscal biennium. The department shall  
7 provide funding for the materials exchange program from the appropriation under  
8 s. 20.143 (1) (tm).

9 (7) The department shall consult with the board and seek advice from the  
10 council on recycling before promulgating any rules under this section.”.

11 **12.** Page 1378, line 12: after that line insert:

12 “SECTION 2937m. 560.09 (5) of the statutes is repealed.”.

13 **13.** Page 1396, line 17: after that line insert:

14 “SECTION 2996p. 560.65 (4) (a) of the statutes is repealed.”.

15 **14.** Page 1400, line 18: after that line insert:

16 “SECTION 3020m. 560.835 (7) (b) of the statutes is amended to read:

17 560.835 (7) (b) The department shall deposit in the ~~recycling fund~~  
18 appropriation account under s. 20.143 (1) (L) all moneys received after July 1, 1995  
19 the effective date of this paragraph ... [revisor inserts date], in repayment of loans  
20 made under this section.”.

21 **15.** Page 1462, line 24: after that line insert:

22 “SECTION 3261d. 1997 Wisconsin Act 27, section 44d is repealed.

23 SECTION 3261dc. 1997 Wisconsin Act 27, section 59d is repealed.

24 SECTION 3261dd. 1997 Wisconsin Act 27, section 119d is repealed.



1           **SECTION 3261ddc.** 1997 Wisconsin Act 27, section 200d is repealed.

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3           **SECTION 3261ddg.** 1997 Wisconsin Act 27, section 205d is repealed.

4           **SECTION 3261de.** 1997 Wisconsin Act 27, section 750 is repealed.

5           **SECTION 3261df.** 1997 Wisconsin Act 27, section 1167d is repealed.

6           **SECTION 3261dg.** 1997 Wisconsin Act 27, section 3620m is repealed.

7           **SECTION 3261dh.** 1997 Wisconsin Act 27, sections 4338c, 4338e, 4338g and  
8 4338i are repealed.

9           **SECTION 3261di.** 1997 Wisconsin Act 27, section 4349d is repealed.

10          **SECTION 3261dj.** 1997 Wisconsin Act 27, section 4497d is repealed.”.

11          **16.** Page 1463, line 21: delete “amended to read:” and substitute “repealed.”.

12          **17.** Page 1463, line 22: delete the material beginning with that line and  
13 ending with page 1464, line 3.

14          **18.** Page 1507, line 12: after that line insert:

15           “(7rm) GRANT FOR SLUDGE STUDY AND MARKETING.

16           (a) In this subsection, “board” means the recycling market development board.

17           (b) Subject to paragraph (e), the board shall award a grant of \$133,000 to the  
18 West Central Wisconsin Biosolids Facility Commission if all of the following apply:

19           1. The commission submits a plan to the board detailing the proposed use of  
20 the grant and the board approves the plan.

21           2. The commission enters into a written agreement with the board that  
22 specifies the conditions for use of the grant proceeds, including reporting and  
23 auditing requirements.

1           3. The commission agrees in writing to submit to the board the report required  
2 under paragraph (d) 2. by the time required under paragraph (d) 2.

3           (c) If the board awards a grant under this subsection, the department of  
4 commerce shall pay the grant proceeds from the appropriation under section 20.143  
5 (1) (tm) of the statutes, as affected by this act.

6           (d) If the commission receives a grant under this subsection, the commission  
7 shall do all of the following:

8           1. Use the grant proceeds to determine the feasibility of creating sludge-based  
9 products and of marketing those products and to develop markets for the biosolid  
10 materials being produced from waste products by the commission.

11           2. Within 6 months after spending the full amount of the grant, submit to the  
12 board a report detailing how the grant proceeds were used.

13           (e) The board may not award and the department may not pay grant proceeds  
14 under this subsection after June 30, 2001.”.

15           **19.** Page 1507, line 12: after that line insert:

16           “(8h) RECYCLING MARKET DEVELOPMENT STAFF.

17           (a) The authorized FTE positions for the department of commerce, funded from  
18 the appropriation under section 20.143 (1) (st) of the statutes, are decreased by 4.0  
19 SEG project positions for staff for the recycling market development board.

20           (b) The authorized FTE positions for the department of commerce, funded from  
21 the appropriation under section 20.143 (1) (st) of the statutes, are increased by 2.0  
22 SEG positions for a loan portfolio manager to manage past and future financial  
23 assistance awarded by the recycling market development board and for a commodity  
24 specialist to develop and direct strategy for recycling market development.”.

1           **20.** Page 1588, line 6: after that line insert:

2           “(6h) RECYCLING MARKET DEVELOPMENT BOARD CONTRACTS. If any contract under  
3 section 287.42 (3) or (3m) of the statutes is in effect on the effective date of this  
4 subsection, the treatment of sections 20.143 (1) (tm) and 287.42 (3) and (3m) of the  
5 statutes first applies to that contract after the termination of the contract.”.

6

(END)

how do the stats apply to contract after termination of contract?

where in draft?

draft reads 287.42 but doesn't affect only these 5/5 sections

This is confusing to me  
RTD

comes do

treatment of a 287.42 (as it relates to the ~~by~~ ~~end~~ ~~of~~ ~~section~~ ~~of~~ ~~the~~ ~~statutes~~)

to enter into contracts

duty of ~~the~~ ~~contract~~ ~~to~~ ~~see~~ ~~287~~ ~~(3) & (3m)~~

specific in a 287.42(3) & (3-1)

In addition, direct DNR to provide grants from the demonstration grant appropriation totaling up to \$175,000 in 1999-00 and \$150,000 in 2000-01 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 or needed or appropriate equipment. The grants would include: (a) \$75,000 on the first day of the first month after the effective date of the bill and \$50,000 on July 1, 2000; and (b) \$100,000 on June 15, 2000, contingent on the project raising \$100,000 from any source by June 15, 2000 and \$100,000 on June 15, 2001, contingent on the project raising an additional \$100,000 by June 15, 2001, for the purpose of opening a Milwaukee facility. (The Conference Committee tentatively agreed to the funding amount for the Wheelchair Recycling Project but did not decide on whether to fund other demonstration grants.)

6. *DNR Administration.* Include the Senate provision (tentatively agreed to by the Conference Committee) to provide DNR with: (a) one-time funding of \$325,000 in each of 1999-00 and 2000-01 for recycling computer system upgrades; (b) \$15,000 in 1999-00 to restore 0.25 position and \$480,000 in 2000-01 to restore 8.0 DNR Waste Management program staff in the regional offices for administration of recycling law provisions; and (c) \$60,000 in each of 1999-00 and 2000-01 to restore 1.0 DNR grant administration position in the Bureau of Community Financial Assistance. This would provide a total DNR recycling staffing level of 19.0 in each year.

In addition, provide \$199,800 annually for limited-term employees and supplies costs in the Bureau of Administrative and Field Services. This would restore funds deleted in the Governor's budget bill, as adopted by the Joint Finance Committee, to support operations in DNR service centers and administrative facilities throughout the state, including utilities, janitorial services, building and grounds maintenance, telephone costs and other operations costs. It should be noted that the fund condition in Table 1 includes the Conference Committee agreement to include \$200,000 in 1999-00 in one-time funds for a study of the landfill cleanup issue in the state.

7. *DOR Surcharge Administration.* Provide the Department of Revenue with \$123,000 in 1999-00 and \$243,900 in 2000-01 to retain 1.5 positions to administer the recycling surcharge. (This would be a reduction of 1.0 staff from the 2.5 positions in 1998-99.)

8. *Recycling Market Development Board Grants.* Provide \$1,000,000 SEG in 2000-01 (instead of \$2,000,000 annually under the Senate and tentative Conference Committee agreement). Reestimate the program revenue loan repayments appropriation for financial assistance to be \$2,300,000 PR annually (\$800,000 higher than estimated under AB 133). The proposal would provide a total of \$5.6 million for financial assistance in the biennium. (The Board made awards of approximately \$2.3 million in each of the last two years.)

Include the Senate provisions (tentatively agreed to by the Conference Committee) to make the following changes related to Commerce staff: (a) delete \$166,100 SEG and 2.0 SEG positions annually; (b) provide that the remaining 2.0 SEG positions would be Commerce recycling market development staff instead of RMDB staff, and would include a loan portfolio manager to manage

past and future financial assistance funded by the RMDB and a commodity specialist to develop and direct strategy for recycling market development (these positions would be instead of the executive director and financial specialist under AB 133); (c) eliminate the authorization for an unclassified executive director; (d) delete \$38,700 SEG annually to reflect reduced staff costs; and (e) provide the 2.0 positions as permanent instead of the current project positions expiring June 30, 2001.

In addition, include the Senate provisions (tentatively agreed to by the Conference Committee) to generally restructure the operation of the RMDB similarly to the existing Commerce Development Finance Board, Minority Business Development Board and Rural Economic Development Board, including the following changes: (a) change the membership of the RMDB to delete the currently-designated members and instead include two representatives of responsible units of local governments, two representatives of businesses that market products made from recycled materials, recover recyclable materials or develop markets for products made from recycled materials and the Secretary of Commerce or the Secretary's designee, and specify that the non-Commerce members would be appointed by the Governor for three-year terms; (b) repeal s. 287.40 through 287.48 of the statutes related to the RMDB and instead create recycling market development program provisions under Chapter 560; (c) authorize Commerce to provide grants, loans or manufacturing rebates, after the approval of the RMDB, to a governmental entity or a business entity to assist waste generators in the marketing of recovered materials or to develop markets for recovered materials; (d) require that before the RMDB awards a grant, loan or rebate, the Board shall consider the extent to which the project: (1) maximizes the marketability of recovered materials on a statewide basis; (2) minimizes the amounts of recovered materials disposed of in landfills or burned without energy recovery in incinerators; (3) includes the materials that are banned from landfills that will support community recycling efforts; (4) maintains present markets or creates new or expanded markets for recovered materials; (e) authorize Commerce, after the approval of the RMDB, to request proposals for activities, if Commerce determines that financial assistance is necessary to assist responsible units in the marketing of recovered materials or to develop markets for recovered materials; (f) delete the authority of Commerce to use the SEG or PR financial assistance appropriations for contracts with persons to carry out the duties of the Board (currently the RMDB uses the financial assistance appropriation and as of July 1, 2001, Commerce may use the PR appropriation for contracts); (g) direct Commerce to use the financial assistance appropriation to annually contract with a materials exchange program that received funding from the RMDB during 1997-99 to operate a statewide materials exchange program; (h) specify that loan repayments from the former Department of Development recycling market development loan programs (which ended June 30, 1995) be deposited in the RMDB loan repayments appropriation instead of currently being deposited in the recycling fund (this would result in an increase in program revenues of an estimated \$379,200 and a corresponding decrease of segregated recycling fund revenues during the 1999-01 biennium).

Finally, include the Assembly provision (tentatively agreed to by the Conference Committee) to direct the RMDB to use the PR financial assistance appropriation to provide a grant of \$50,000 annually to an existing private nonprofit industry-supported organization described in

501 (c)(3) of the IRS tax code that provides waste reduction and recycling assistance through business-to-business peer exchange, that is instrumental in assisting and encouraging companies and institutions to reduce their operating costs through improved production and solid waste management practices, and that is in existence on the effective date of the biennial budget act.

9. *University of Wisconsin - Extension.* Include the Senate provision to provide an additional \$200,000 SEG annually (as modified to provide \$100,000 SEG in 1999-00 instead of \$200,000 SEG) with 3.0 SEG positions for the UW-Extension Solid and Hazardous Waste Education Center for educational and technical assistance related to recycling and recycling market development. (This would be in addition to retaining base funding of \$527,400 annually with 4.5 positions for the UW System and UW-Extension.)

10. *Corrections.* As included by both Houses, restore the Governor's recommendation to provide \$500,000 SEG annually with 4.0 SEG project positions to support a computer recycling program operated by the Bureau of Correctional Enterprises at the Racine Youthful Offender Correctional Facility (RYOCF) and Taycheedah Correctional Institution (TCI). Create an annual, SEG appropriation in Corrections for the computer recycling program. The project positions would expire on June 30, 2001.

11. *State Procurement of Toner Cartridges.* Include the Senate provision (as tentatively agreed to by the Conference Committee) to require the Department of Administration, every other state agency to which DOA delegates purchasing authority other than the University of Wisconsin Hospitals and Clinics Authority and the World Dairy Center Authority, and state legislative and judicial branch entities to ensure that the specifications that they use for purchasing prohibit the procurement of toner cartridges whose original manufacturer places restrictions on the remanufacturing of the toner cartridges by any person other than the manufacturer. Define "toner cartridge" as any cartridge containing a dry, powdered ink for application to paper by use of a photocopier, laser printer or similar device. Provide restrictions on remanufacturing that include reducing the price of the toner cartridge in exchange for an agreement not to remanufacture the toner cartridge, a licensing agreement on the toner cartridge that forbids remanufacturing and any contract that forbids the remanufacturing or recycling of a toner cartridge. The provision would first apply to specifications for notices inviting bids or competitive sealed proposals for purchases and to specifications for orders for purchases placed on the first day of the seventh month after the effective date of the bill.

In addition, a decision has not been made by the Conference Committee regarding whether to include the Senate provision to prohibit cities, villages, towns, counties and other local units of government from purchasing toner cartridges that have such restrictions on remanufacturing.

12. *Recycling Requirements.* Include the Senate provision to maintain the current state recycling requirements related to: (a) landfill and incineration bans of certain recyclable materials; (b) effective recycling program criteria that responsible units of local government must meet; and (c) designation of municipalities as responsible units for purposes of administering recycling statutes; and (d) the current prohibition against a responsible unit that receives a county or local



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1681/3  
PJK:wlj:jf

*rmission*

LFB:.....Bonderud - Recycling market development board and transfer of certain functions to commerce

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

*Today  
(Fri)  
D-note*

*TODAY*

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 22, line 14: after that line insert:
- 3 "SECTION 14c. 15.07 (1) (b) 19. of the statutes is repealed."
- 4 **2.** Page 24, line 9: after that line insert:
- 5 "SECTION 28b. 15.155 (2) (c) 1. of the statutes is repealed.
- 6 SECTION 28d. 15.155 (2) (c) 3. of the statutes is amended to read:
- 7 15.155 (2) (c) 3. ~~Six~~ Two members representing responsible units.
- 8 SECTION 28f. 15.155 (2) (c) 4. of the statutes is repealed and recreated to read:

1 15.155 (2) (c) 4. Two members representing businesses that market products  
2 made from recycled materials, recover recyclable materials or develop markets for  
3 products made from recycled materials.”

4 3. Page 108, line 2: increase the dollar amount for fiscal year 1999-00 by  
5 \$800,000 and increase the dollar amount for fiscal year 2000-01 by \$800,000 to  
6 increase funding for the purposes for which the appropriation is made.

7 4. Page 108, line 14: decrease the dollar amount for fiscal year 1999-00 by  
8 \$204,800 and decrease the dollar amount for fiscal year 2000-01 by \$204,800 to  
9 decrease funding for staff support to the recycling market development board and for  
10 the conversion of 2 project positions to permanent positions for the department of  
11 commerce related to recycling market development.

12 5. Page 108, line 17: decrease the dollar amount for fiscal year 1999-00 by  
13 ~~\$2,500,000~~ and decrease the dollar amount for fiscal year 2000-01 by ~~\$2,500,000~~ to  
14 decrease funding for the purposes for which the appropriation is made.

\$2,500,000

\$1,500,000

15 6. Page 289, line 21: after that line insert:

16 “SECTION 210f. 20.143 (1) (L) of the statutes is amended to read:

17 20.143 (1) (L) *Recycling market development; repayments.* All moneys received  
18 in repayment of loans awarded by the recycling market development board under s.  
19 287.46 (1) and, 1997 stats., and s. 560.031, received under s. 287.46 (3), 1997 stats.,  
20 in repayment of loans made by recipients of financial assistance awarded by the  
21 recycling market development board under s. 287.46 (1), 1997 stats., and received in  
22 repayment of loans under s. 560.835, to be used to provide financial assistance under  
23 subch. III of ch. 287 s. 560.031 (3) and (4).”

24 7. Page 290, line 1: after that line insert:



1           **“SECTION 215f.** 20.143 (1) (tm) of the statutes is amended to read:

2           20.143 (1) (tm) ~~Recycling market development board; contracts and; financial~~  
3 ~~assistance.~~ Biennially, from the recycling fund, the amounts in the schedule for  
4 ~~recycling market development board contracts under s. 287.42 (3) and (3m) and~~  
5 ~~financial assistance under subch. III of ch. 287 s. 560.031 (3), for the costs related to~~  
6 ~~the materials exchange program under s. 560.031 (6) and for the grant under 1999~~  
7 ~~Wisconsin Act .... (this act), section 9110 (7rm).”.~~

8           **8.** Page 414, line 21: after that line insert:

9           **“SECTION 645d.** 20.923 (4) (a) 4q. of the statutes is repealed.”.

10          **9.** Page 507, line 3: after that line insert:

11          **“SECTION 892b.** 36.25 (30g) of the statutes is amended to read:

12          **36.25 (30g)** RECYCLING MARKET DEVELOPMENT PROGRAM. The board shall  
13 establish in the extension, ~~in cooperation with the recycling market development~~  
14 ~~board,~~ a program of education and technical assistance related to recycling market  
15 development. The program shall serve waste generators, ~~as defined in s. 287.40 (4);~~  
16 solid waste scrap brokers, dealers and processors; business entities that use or could  
17 use recovered materials or that produce or could produce products from recovered  
18 materials and persons who provide support services to those business entities; and  
19 the general public.”.

20          **10.** Page 1279, line 10: after that line insert:

21          **“SECTION 2565c.** 287.40 (title) and (intro.) of the statutes are repealed.

22          **SECTION 2565d.** 287.40 (1) of the statutes is renumbered 560.031 (1) (a).

23          **SECTION 2565e.** 287.40 (2) of the statutes is renumbered 560.031 (1) (b).

1           **SECTION 2565f.** 287.40 (3) of the statutes is renumbered 560.031 (1) (c) and  
2 amended to read:

3           560.031 (1) (c) “Recovered material” means a material ~~specified by the board~~  
4 ~~under s. 287.42 (5)~~ that is recovered from solid waste for recycling.

5           **SECTION 2565g.** 287.40 (4) of the statutes is renumbered 560.031 (1) (e) and  
6 amended to read:

7           560.031 (1) (e) “Waste generator” means a person who generates solid waste  
8 ~~that contains a material specified by the board under s. 287.42 (5)~~ or a responsible  
9 unit.

10           **SECTION 2565h.** 287.41 of the statutes is repealed.

11           **SECTION 2565i.** 287.42 of the statutes is repealed.

12           **SECTION 2565j.** 287.44 of the statutes is repealed.

13           **SECTION 2565k.** 287.46 of the statutes is repealed.

14           **SECTION 2565L.** 287.48 of the statutes is repealed.”.

15           **11.** Page 1376, line 21: after that line insert:

16           “**SECTION 2927m.** 560.031 of the statutes is repealed and recreated to read:

17           **560.031 Recycling market development.** (1) In this section:

18           (d) “Responsible unit” has the meaning given in s. 287.01 (9).

19           (2) (a) At the request of the board, the department shall provide the financial  
20 assistance awarded by the board under subs. (3) and (4).

21           (b) 1. The department shall provide the financial assistance awarded under  
22 sub. (3) from the appropriations under s. 20.143 (1) (L) and (tm).

23           2. The department shall provide the financial assistance awarded under sub.  
24 (4) from the appropriation under s. 20.143 (1) (L).

1           **(3)** The board may award a grant, loan or manufacturing rebate under this  
2 subsection to a governmental unit or business entity for a project to assist waste  
3 generators in the marketing of recovered materials or to develop markets for  
4 recovered materials. Before awarding a grant, loan or manufacturing rebate, the  
5 board shall consider the extent to which the project does the following:

6           (a) Maximizes the marketability of recovered materials on a statewide basis.

7           (b) Minimizes the amount of recovered materials disposed of in landfills or  
8 burned without energy recovery in incinerators.

9           (c) Includes materials that are banned from landfills and that will support  
10 community recycling efforts.

11           (d) Maintains present markets or creates new or expanded markets for  
12 recovered materials.

13           **(4)** The board shall award a grant of \$50,000 in each fiscal year to a private,  
14 nonprofit, industry-supported organization that is described in section 501 (c) (3) of  
15 the Internal Revenue Code and that provides waste reduction and recycling  
16 assistance through business-to-business peer exchange. An organization that is  
17 awarded a grant must be instrumental in assisting and encouraging companies and  
18 institutions to reduce their operating costs through improved production and solid  
19 waste management practices and must be in existence on the effective date of this  
20 subsection .... [revisor inserts date].

21           **(5)** If the board determines that financial assistance is required to stimulate  
22 an activity that it determines is needed to assist responsible units in the marketing  
23 of recovered materials or to develop markets for recovered materials, the board shall  
24 request the department to issue a request for proposals for that activity, unless the  
25 board determines that a request for proposals is not an effective means for

1 distributing the financial assistance for that activity. Upon a request from the board  
2 under this subsection, the department shall issue a request for proposals for the  
3 activity specified by the board.

4 (6) The department shall annually contract for the operation of a statewide  
5 materials exchange program with a materials exchange program that received  
6 funding from the board in the 1997–99 fiscal biennium. The department shall  
7 provide funding for the materials exchange program from the appropriation under  
8 s. 20.143 (1) (tm).

9 (7) The department shall consult with the board and seek advice from the  
10 council on recycling before promulgating any rules under this section.”.

11 **12.** Page 1378, line 12: after that line insert:

12 “SECTION 2937m. 560.09 (5) of the statutes is repealed.”.

13 **13.** Page 1396, line 17: after that line insert:

14 “SECTION 2996p. 560.65 (4) (a) of the statutes is repealed.”.

15 **14.** Page 1400, line 18: after that line insert:

16 “SECTION 3020m. 560.835 (7) (b) of the statutes is amended to read:

17 560.835 (7) (b) The department shall deposit in the ~~recycling fund~~  
18 appropriation account under s. 20.143 (1) (L) all moneys received after July 1, 1995  
19 the effective date of this paragraph .... [revisor inserts date], in repayment of loans  
20 made under this section.”.

21 **15.** Page 1462, line 24: after that line insert:

22 “SECTION 3261d. 1997 Wisconsin Act 27, section 44d is repealed.

23 SECTION 3261dc. 1997 Wisconsin Act 27, section 59d is repealed.

24 SECTION 3261dd. 1997 Wisconsin Act 27, section 119d is repealed.

1       **SECTION 3261ddc.** 1997 Wisconsin Act 27, section 200d is repealed.

2       **SECTION 3261dde.** 1997 Wisconsin Act 27, section 204d is repealed.

3       **SECTION 3261ddg.** 1997 Wisconsin Act 27, section 205d is repealed.

4       **SECTION 3261de.** 1997 Wisconsin Act 27, section 750 is repealed.

5       **SECTION 3261df.** 1997 Wisconsin Act 27, section 1167d is repealed.

6       **SECTION 3261dg.** 1997 Wisconsin Act 27, section 3620m is repealed.

7       **SECTION 3261dh.** 1997 Wisconsin Act 27, section 4338c is repealed.

8       **SECTION 3261dha.** 1997 Wisconsin Act 27, section 4338e is repealed.

9       **SECTION 3261dhb.** 1997 Wisconsin Act 27, section 4338g is repealed.

10       **SECTION 3261dhc.** 1997 Wisconsin Act 27, section 4338i is repealed.

11       **SECTION 3261di.** 1997 Wisconsin Act 27, section 4349d is repealed.

12       **SECTION 3261dj.** 1997 Wisconsin Act 27, section 4497d is repealed.”.

13       **16.** Page 1463, line 21: delete “amended to read:” and substitute “repealed.”.

14       **17.** Page 1463, line 22: delete the material beginning with that line and  
15 ending with page 1464, line 3.

16       **18.** Page 1507, line 12: after that line insert:

17       “(7rm) GRANT FOR SLUDGE STUDY AND MARKETING.

18       (a) In this subsection, “board” means the recycling market development board.

19       (b) Subject to paragraph (e), the board shall award a grant of \$133,000 to the  
20 West Central Wisconsin Biosolids Facility Commission if all of the following apply:

21       1. The commission submits a plan to the board detailing the proposed use of  
22 the grant and the board approves the plan.

1           2. The commission enters into a written agreement with the board that  
2 specifies the conditions for use of the grant proceeds, including reporting and  
3 auditing requirements.

4           3. The commission agrees in writing to submit to the board the report required  
5 under paragraph (d) 2. by the time required under paragraph (d) 2.

6           (c) If the board awards a grant under this subsection, the department of  
7 commerce shall pay the grant proceeds from the appropriation under section 20.143  
8 (1) (tm) of the statutes, as affected by this act.

9           (d) If the commission receives a grant under this subsection, the commission  
10 shall do all of the following:

11           1. Use the grant proceeds to determine the feasibility of creating sludge-based  
12 products and of marketing those products and to develop markets for the biosolid  
13 materials being produced from waste products by the commission.

14           2. Within 6 months after spending the full amount of the grant, submit to the  
15 board a report detailing how the grant proceeds were used.

16           (e) The board may not award and the department may not pay grant proceeds  
17 under this subsection after June 30, 2001.”

18           **19.** Page 1507, line 12: after that line insert:

19           “(8h) RECYCLING MARKET DEVELOPMENT STAFF.

20           (a) The authorized FTE positions for the department of commerce, funded from  
21 the appropriation under section 20.143 (1) (st) of the statutes, are decreased by 4.0  
22 SEG project positions for staff for the recycling market development board.

23           (b) The authorized FTE positions for the department of commerce, funded from  
24 the appropriation under section 20.143 (1) (st) of the statutes, are increased by 2.0

1 SEG positions for a loan portfolio manager to manage past and future financial  
2 assistance awarded by the recycling market development board and for a commodity  
3 specialist to develop and direct strategy for recycling market development.”

4 **20.** Page 1588, line 6: after that line insert:

5 “(6h) RECYCLING MARKET DEVELOPMENT BOARD CONTRACTS. If any contract under  
6 section 287.42 (3) or (3m) of the statutes is in effect on the effective date of this  
7 subsection, the treatment of sections 20.143 (1) (tm) and 287.42 (as it relates to the  
8 duty of the recycling market development board to enter into contracts) of the  
9 statutes first applies to that contract after the termination of the contract.”

10

(END)

D-note

Kendra:  
# As we discussed, the only  
change from version 12 is to the  
dollar amounts on page 2, line 13. ✓

PJK

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

LRBb1681/3dn  
PJK:wlj:mrc

October 2, 1999

**Kendra:**

As we discussed, the only change from version /2 is to the dollar amounts on page 2, line 13.

Pamela J. Kahler  
Senior Legislative Attorney  
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State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1681/3  
PJK:wlj:mrc

LFB:.....Bonderud – Recycling market development board and transfer of  
certain functions to commerce

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1999 ASSEMBLY BILL 133

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 22, line 14: after that line insert:
- 3 “SECTION 14c. 15.07 (1) (b) 19. of the statutes is repealed.”.
- 4 **2.** Page 24, line 9: after that line insert:
- 5 “SECTION 28b. 15.155 (2) (c) 1. of the statutes is repealed.
- 6 SECTION 28d. 15.155 (2) (c) 3. of the statutes is amended to read:
- 7 15.155 (2) (c) 3. ~~Six~~ Two members representing responsible units.
- 8 SECTION 28f. 15.155 (2) (c) 4. of the statutes is repealed and recreated to read:

1           15.155 (2) (c) 4. Two members representing businesses that market products  
2 made from recycled materials, recover recyclable materials or develop markets for  
3 products made from recycled materials.”.

4           **3.** Page 108, line 2: increase the dollar amount for fiscal year 1999–00 by  
5 \$800,000 and increase the dollar amount for fiscal year 2000–01 by \$800,000 to  
6 increase funding for the purposes for which the appropriation is made.

7           **4.** Page 108, line 14: decrease the dollar amount for fiscal year 1999–00 by  
8 \$204,800 and decrease the dollar amount for fiscal year 2000–01 by \$204,800 to  
9 decrease funding for staff support to the recycling market development board and for  
10 the conversion of 2 project positions to permanent positions for the department of  
11 commerce related to recycling market development.

12           **5.** Page 108, line 17: decrease the dollar amount for fiscal year 1999–00 by  
13 \$2,500,000 and decrease the dollar amount for fiscal year 2000–01 by \$1,500,000 to  
14 decrease funding for the purposes for which the appropriation is made.

15           **6.** Page 289, line 21: after that line insert:

16           “**SECTION 210f.** 20.143 (1) (L) of the statutes is amended to read:

17           20.143 (1) (L) *Recycling market development; repayments.* All moneys received  
18 in repayment of loans awarded by ~~the recycling market development board~~ under s.  
19 287.46 (1) ~~and, 1997 stats., and s. 560.031,~~ received under s. 287.46 (3), 1997 stats.,  
20 in repayment of loans made by recipients of financial assistance awarded by ~~the~~  
21 ~~recycling market development board~~ under s. 287.46 (1), 1997 stats., and received in  
22 repayment of loans under s. 560.835, to be used to provide financial assistance under  
23 ~~subch. III of ch. 287 s. 560.031 (3) and (4).”.~~

24           **7.** Page 290, line 1: after that line insert:

1           **“SECTION 215f.** 20.143 (1) (tm) of the statutes is amended to read:

2           20.143 (1) (tm) ~~Recycling market development board; contracts and; financial~~  
3 ~~assistance.~~ Biennially, from the recycling fund, the amounts in the schedule for  
4 ~~recycling market development board contracts under s. 287.42 (3) and (3m) and~~  
5 ~~financial assistance under subch. III of ch. 287 s. 560.031 (3), for the costs related to~~  
6 ~~the materials exchange program under s. 560.031 (6) and for the grant under 1999~~  
7 ~~Wisconsin Act .... (this act), section 9110 (7rm).”.~~

8           **8.** Page 414, line 21: after that line insert:

9           **“SECTION 645d.** 20.923 (4) (a) 4q. of the statutes is repealed.”.

10          **9.** Page 507, line 3: after that line insert:

11          **“SECTION 892b.** 36.25 (30g) of the statutes is amended to read:

12          **36.25 (30g) RECYCLING MARKET DEVELOPMENT PROGRAM.** The board shall  
13 establish in the extension, ~~in cooperation with the recycling market development~~  
14 ~~board,~~ a program of education and technical assistance related to recycling market  
15 development. The program shall serve waste generators, ~~as defined in s. 287.40 (4);~~  
16 solid waste scrap brokers, dealers and processors; business entities that use or could  
17 use recovered materials or that produce or could produce products from recovered  
18 materials and persons who provide support services to those business entities; and  
19 the general public.”.

20          **10.** Page 1279, line 10: after that line insert:

21          **“SECTION 2565c.** 287.40 (title) and (intro.) of the statutes are repealed.

22          **SECTION 2565d.** 287.40 (1) of the statutes is renumbered 560.031 (1) (a).

23          **SECTION 2565e.** 287.40 (2) of the statutes is renumbered 560.031 (1) (b).

1           **SECTION 2565f.** 287.40 (3) of the statutes is renumbered 560.031 (1) (c) and  
2 amended to read:

3           560.031 (1) (c) “Recovered material” means a material ~~specified by the board~~  
4 ~~under s. 287.42 (5)~~ that is recovered from solid waste for recycling.

5           **SECTION 2565g.** 287.40 (4) of the statutes is renumbered 560.031 (1) (e) and  
6 amended to read:

7           560.031 (1) (e) “Waste generator” means a person who generates solid waste  
8 ~~that contains a material specified by the board under s. 287.42 (5)~~ or a responsible  
9 unit.

10          **SECTION 2565h.** 287.41 of the statutes is repealed.

11          **SECTION 2565i.** 287.42 of the statutes is repealed.

12          **SECTION 2565j.** 287.44 of the statutes is repealed.

13          **SECTION 2565k.** 287.46 of the statutes is repealed.

14          **SECTION 2565L.** 287.48 of the statutes is repealed.”.

15          **11.** Page 1376, line 21: after that line insert:

16          “**SECTION 2927m.** 560.031 of the statutes is repealed and recreated to read:

17          **560.031 Recycling market development.** (1) In this section:

18          (d) “Responsible unit” has the meaning given in s. 287.01 (9).

19          (2) (a) At the request of the board, the department shall provide the financial  
20 assistance awarded by the board under subs. (3) and (4).

21          (b) 1. The department shall provide the financial assistance awarded under  
22 sub. (3) from the appropriations under s. 20.143 (1) (L) and (tm).

23          2. The department shall provide the financial assistance awarded under sub.  
24 (4) from the appropriation under s. 20.143 (1) (L).

1           (3) The board may award a grant, loan or manufacturing rebate under this  
2 subsection to a governmental unit or business entity for a project to assist waste  
3 generators in the marketing of recovered materials or to develop markets for  
4 recovered materials. Before awarding a grant, loan or manufacturing rebate, the  
5 board shall consider the extent to which the project does the following:

6           (a) Maximizes the marketability of recovered materials on a statewide basis.

7           (b) Minimizes the amount of recovered materials disposed of in landfills or  
8 burned without energy recovery in incinerators.

9           (c) Includes materials that are banned from landfills and that will support  
10 community recycling efforts.

11           (d) Maintains present markets or creates new or expanded markets for  
12 recovered materials.

13           (4) The board shall award a grant of \$50,000 in each fiscal year to a private,  
14 nonprofit, industry-supported organization that is described in section 501 (c) (3) of  
15 the Internal Revenue Code and that provides waste reduction and recycling  
16 assistance through business-to-business peer exchange. An organization that is  
17 awarded a grant must be instrumental in assisting and encouraging companies and  
18 institutions to reduce their operating costs through improved production and solid  
19 waste management practices and must be in existence on the effective date of this  
20 subsection .... [revisor inserts date].

21           (5) If the board determines that financial assistance is required to stimulate  
22 an activity that it determines is needed to assist responsible units in the marketing  
23 of recovered materials or to develop markets for recovered materials, the board shall  
24 request the department to issue a request for proposals for that activity, unless the  
25 board determines that a request for proposals is not an effective means for

1 distributing the financial assistance for that activity. Upon a request from the board  
2 under this subsection, the department shall issue a request for proposals for the  
3 activity specified by the board.

4 (6) The department shall annually contract for the operation of a statewide  
5 materials exchange program with a materials exchange program that received  
6 funding from the board in the 1997–99 fiscal biennium. The department shall  
7 provide funding for the materials exchange program from the appropriation under  
8 s. 20.143 (1) (tm).

9 (7) The department shall consult with the board and seek advice from the  
10 council on recycling before promulgating any rules under this section.”.

11 **12.** Page 1378, line 12: after that line insert:

12 “SECTION 2937m. 560.09 (5) of the statutes is repealed.”.

13 **13.** Page 1396, line 17: after that line insert:

14 “SECTION 2996p. 560.65 (4) (a) of the statutes is repealed.”.

15 **14.** Page 1400, line 18: after that line insert:

16 “SECTION 3020m. 560.835 (7) (b) of the statutes is amended to read:

17 560.835 (7) (b) The department shall deposit in the ~~recycling fund~~  
18 appropriation account under s. 20.143 (1) (L) all moneys received after July 1, 1995  
19 the effective date of this paragraph ... [revisor inserts date], in repayment of loans  
20 made under this section.”.

21 **15.** Page 1462, line 24: after that line insert:

22 “SECTION 3261d. 1997 Wisconsin Act 27, section 44d is repealed.

23 SECTION 3261dc. 1997 Wisconsin Act 27, section 59d is repealed.

24 SECTION 3261dd. 1997 Wisconsin Act 27, section 119d is repealed.

1           **SECTION 3261ddc.** 1997 Wisconsin Act 27, section 200d is repealed.

2           **SECTION 3261dde.** 1997 Wisconsin Act 27, section 204d is repealed.

3           **SECTION 3261ddg.** 1997 Wisconsin Act 27, section 205d is repealed.

4           **SECTION 3261de.** 1997 Wisconsin Act 27, section 750 is repealed.

5           **SECTION 3261df.** 1997 Wisconsin Act 27, section 1167d is repealed.

6           **SECTION 3261dg.** 1997 Wisconsin Act 27, section 3620m is repealed.

7           **SECTION 3261dh.** 1997 Wisconsin Act 27, section 4338c is repealed.

8           **SECTION 3261dha.** 1997 Wisconsin Act 27, section 4338e is repealed.

9           **SECTION 3261dhb.** 1997 Wisconsin Act 27, section 4338g is repealed.

10          **SECTION 3261dhc.** 1997 Wisconsin Act 27, section 4338i is repealed.

11          **SECTION 3261di.** 1997 Wisconsin Act 27, section 4349d is repealed.

12          **SECTION 3261dj.** 1997 Wisconsin Act 27, section 4497d is repealed.”.

13          **16.** Page 1463, line 21: delete “amended to read:” and substitute “repealed.”.

14          **17.** Page 1463, line 22: delete the material beginning with that line and  
15 ending with page 1464, line 3.

16          **18.** Page 1507, line 12: after that line insert:

17           “(7rm) GRANT FOR SLUDGE STUDY AND MARKETING.

18           (a) In this subsection, “board” means the recycling market development board.

19           (b) Subject to paragraph (e), the board shall award a grant of \$133,000 to the  
20 West Central Wisconsin Biosolids Facility Commission if all of the following apply:

21           1. The commission submits a plan to the board detailing the proposed use of  
22 the grant and the board approves the plan.

1           2. The commission enters into a written agreement with the board that  
2 specifies the conditions for use of the grant proceeds, including reporting and  
3 auditing requirements.

4           3. The commission agrees in writing to submit to the board the report required  
5 under paragraph (d) 2. by the time required under paragraph (d) 2.

6           (c) If the board awards a grant under this subsection, the department of  
7 commerce shall pay the grant proceeds from the appropriation under section 20.143  
8 (1) (tm) of the statutes, as affected by this act.

9           (d) If the commission receives a grant under this subsection, the commission  
10 shall do all of the following:

11           1. Use the grant proceeds to determine the feasibility of creating sludge-based  
12 products and of marketing those products and to develop markets for the biosolid  
13 materials being produced from waste products by the commission.

14           2. Within 6 months after spending the full amount of the grant, submit to the  
15 board a report detailing how the grant proceeds were used.

16           (e) The board may not award and the department may not pay grant proceeds  
17 under this subsection after June 30, 2001.”

18           **19.** Page 1507, line 12: after that line insert:

19           “(8h) RECYCLING MARKET DEVELOPMENT STAFF.

20           (a) The authorized FTE positions for the department of commerce, funded from  
21 the appropriation under section 20.143 (1) (st) of the statutes, are decreased by 4.0  
22 SEG project positions for staff for the recycling market development board.

23           (b) The authorized FTE positions for the department of commerce, funded from  
24 the appropriation under section 20.143 (1) (st) of the statutes, are increased by 2.0



1 SEG positions for a loan portfolio manager to manage past and future financial  
2 assistance awarded by the recycling market development board and for a commodity  
3 specialist to develop and direct strategy for recycling market development.”

4 **20.** Page 1588, line 6: after that line insert:

5 “(6h) RECYCLING MARKET DEVELOPMENT BOARD CONTRACTS. If any contract under  
6 section 287.42 (3) or (3m) of the statutes is in effect on the effective date of this  
7 subsection, the treatment of sections 20.143 (1) (tm) and 287.42 (as it relates to the  
8 duty of the recycling market development board to enter into contracts) of the  
9 statutes first applies to that contract after the termination of the contract.”

10

(END)