

2001 DRAFTING REQUEST

Bill

Received: 03/01/2002

Received By: traderc

Wanted: As time permits

Identical to LRB:

For: Sheila Harsdorf (608) 266-7745

By/Representing: Chris Schneider

This file may be shown to any legislator: NO

Drafter: traderc

May Contact:

Addl. Drafters:

Subject: Environment - solid haz. waste

Extra Copies:

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Disposal of used oil absorbants

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>
/1	traderc 03/04/2002	gilfokm 03/04/2002	jfrantze 03/05/2002	_____	lrb_docadmin 03/05/2002	lrb_docadminState 03/05/2002	
				_____		lrb_docadmin	
				_____		03/05/2002	

FE Sent For: At intro.

<END>

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1?	traderc	1 - 3/4 Kmg	6 3/5	Self 3/5			

FE Sent For:

<END>

Tradewell, Becky

From: Schneider, Christian
Sent: Friday, March 01, 2002 9:49 AM
To: Tradewell, Becky
Subject: Used Oil Absorbents

Becky:

We have been working with constituents on introducing legislation to set up a committee to investigate used oil absorbents (see the attached e-mail below). Apparently, they have spoken with you about this issue. We are still waiting on word from Commerce about timelines, but if you wanted to start drafting the nuts and bolts, we will probably need a draft by Tuesday. Please let me know if this is possible.

Thanks,

Chris Schneider
Senator Harsdorf's Office

Elements of legislation on used oil filters and absorbents.

1) Direct Department of Commerce to assemble a Task Force to:

Develop baseline data

On total number of oil filters in state

On used oil filter recycling

On amount of oil absorbents disposed of in state

On amount of absorbents recycled/recovered in state

Establish a percentage goal that is far enough away from current practice to make a difference but still attainable with the technology available to us today

Develop a plan of action to reach the above goal

Set a deadline to meet the goals

Suggest a remedy (such as a ban on disposal) if the goal is not met.

Suggest a timeframe for the remedy.

2) Set timetable for Commerce to assemble Task Force

3) Set a timetable for Commerce to send recommendations to the legislature.

Note: If the language passes in this form, it would be necessary to pass enabling legislation after Commerce has forwarded their recommendations.

Note: I talked to one of the LRB drafters, Becky Tradewell. She said that legislation can include 'rates, dates and penalties' as long as the 'trigger' for the penalty is clear and the effective date is far enough out to allow affected parties to come into compliance. (E.g. if <50% of used oil filters and absorbents, as determined by the DNR and the Department of Commerce, are recycled by July 1, 2004, then the material will be banned from disposal in landfills in Wisconsin after January 1, 2005. Becky did not OK this specific language.)

Tradewell, Becky

From: Schneider, Christian
Sent: Monday, March 04, 2002 10:46 AM
To: Tradewell, Becky
Subject: RE: Used Oil Absorbents

Becky - thanks for moving so quickly on this for us. For a total deadline, we are looking at 2 years - Commerce would have 9 months to choose and convene a committee, and the committee would meet once a month for 15 months before making a recommendation to the Governor, for a total of 24 months.

Again, thanks.

Chirs

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

From: Tradewell, Becky
Sent: Monday, March 04, 2002 10:20 AM
To: Schneider, Christian
Subject: RE: Used Oil Absorbents

Chris,

Have you gotten deadlines for this proposal? If not, would you like me to complete the draft (it could be in preliminary form) using deadlines that I choose so that you will have something for review?

Becky Tradewell
6-7290

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

From: Schneider, Christian
Sent: Friday, March 01, 2002 9:49 AM
To: Tradewell, Becky
Subject: Used Oil Absorbents

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Tues a.m. (3/5)

RCT:.....

King

2001 BILL

LPS: check
auto refs.

Gen. Cat.

1 AN ACT Gen. Cat.; relating to: disposal of oil-absorbant materials.

Analysis by the Legislative Reference Bureau

This bill requires the secretary of commerce to appoint a committee to study the use and disposal of used oil filters and other oil-absorbant materials, to establish percentage goals for recycling used oil filters and for recycling or recovering other oil-absorbant materials, and to recommend measures to be taken if those goals are not met.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 **SECTION 1. Nonstatutory provisions.**

3 (1) DISPOSAL OF OIL-ABSORBANT MATERIALS.

4 (a) No later than the first day of the 9th month beginning after the effective date
5 of this paragraph, the secretary of commerce shall appoint and convene a committee
6 under section 15.04 (1) (c) of the statutes to do all of the following:

7 1. Gather data concerning the following:

BILL**SECTION 1**

- 1 a. The number of oil filters used in this state annually.
- 2 b. The number of used oil filters recycled in this state annually.
- 3 c. The amount of oil-absorbent material disposed of in this state annually.
- 4 d. The amount of oil-absorbent material recycled or recovered in this state
- 5 annually.

6 2. Establish percentage goals for recycling used oil filters and for recycling or

7 recovering other oil-absorbent materials that are enough higher than current

8 practice to ^{make a difference} be significant but are attainable with current technology.

- 9 3. Set a deadline for meeting the goals under subdivision 2. *a.r.*
- 10 4. Suggest measures to be taken if the goals under subdivision 2. *a.r.* are not met
- 11 and dates for taking those measures.

12 (b) The department of commerce [✓] shall schedule meetings of the committee

13 under paragraph (a) ^{✓ a.r.} once a month for 15 months.

14 (c) The department [✓] shall submit recommendations based on the work of the

15 committee under paragraph (a) ^{✓ a.r.} to the chief clerk of each house of the legislature for

16 distribution in the manner provided in section 13.172 (2) [✓] of the statutes and to the

17 governor no later than the first day of the 25th month beginning after the effective

18 date of this paragraph.

19 (END)

Emery, Lynn

From: Emery, Lynn
Sent: Tuesday, March 05, 2002 10:15 AM
To: Schneider, Christian
Subject: LRB-5021/1 (attached as requested)

Lynn Emery

Program Asst. (PH. 608-266-3561)
(E-Mail: lynn.emery@legis.state.wi.us)

Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

March 5, 2002

MEMORANDUM

To: Senator Harsdorf

From: Rebecca C. Tradewell, Managing Attorney

Re: LRB-5021/1 Disposal of used oil absorbants

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

____ JACKET FOR ASSEMBLY ~~X~~ JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-7290 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.