

2013 DRAFTING REQUEST

Bill

Received: 1/21/2013 Received By: btradewe
Wanted: As time permits Same as LRB:
For: Administration-Budget By/Representing: Stinebrink
May Contact: Drafter: btradewe
Subject: Environment - other Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email:
Carbon copy (CC) to:

Pre Topic:

DOA:.....Stinebrink, BB0409 -

Topic:

Use of environmental repair tipping fee

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>
/?	btradewe 1/21/2013			_____			
/1	btradewe 1/24/2013	csicilia 1/22/2013	rschluet 1/22/2013	_____	mbarman 1/22/2013		
/2		csicilia 1/25/2013	phenry 1/25/2013	_____	sbasford 1/25/2013		

FE Sent For:

<END>

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/1		csicilia 1/22/2013	rschluet 1/22/2013	<i>[Handwritten initials]</i>	mbarman 1/22/2013		

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2 cjs 1/25/12
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/?	btradewe	1 cjs	1/22				
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Handwritten notes:
 1 cjs
 1/22
 MWB
 jr

FE Sent For:

<END>

Tradewell, Becky

From: Hanaman, Cathlene
Sent: Monday, January 21, 2013 9:39 AM
To: Tradewell, Becky
Subject: FW: [Possible SPAM] Statutory Language Drafting Request - BB0409

Importance: Low

From: Cory.Stinebrink@Wisconsin.gov [mailto:Cory.Stinebrink@Wisconsin.gov]
Sent: Sunday, January 20, 2013 4:06 PM
To: Hanaman, Cathlene
Cc: Wavrunek, Leah J - DOA; Stinebrink, Cory R - DOA; Thornton, Scott - DOA
Subject: [Possible SPAM] Statutory Language Drafting Request - BB0409
Importance: Low

Biennial Budget: 2013-15

DOA Tracking Code: BB0409

Topic: Environmental Management Tipping Fee

SBO Team: AEJ

SBO Analyst: Stinebrink, Cory R - DOA
Phone: (608) 266-1103
E-mail: Cory.Stinebrink@Wisconsin.gov

Agency Acronym: DNR

Agency Number: 370

Priority: High

Intent:

Change \$.50 of the Environmental Management Account - Environmental Repair Tipping Fee so that it is deposited into the Nonpoint Account of the Environmental Fund instead of the Environmental Management Account of the Environmental Fund.

Attachments: False

Please send completed drafts to statlanguage@wisapps.wi.gov



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1260/1
RCT.

In 1/21

DOA:.....Stinebrink, BB0409 - Use of environmental repair tipping fee

ejs

FOR 2013-2015 BUDGET - NOT READY FOR INTRODUCTION

Note

do NOT gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

ENVIRONMENT

OTHER ENVIRONMENT

Current law imposes fees on the disposal of solid waste, commonly called tipping fees. Under current law, the environmental repair tipping fee is used for environmental management and nonpoint source water pollution abatement. Under this bill more of the environmental repair tipping fee is used for nonpoint source water pollution abatement and less is used for environmental management.

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

2 SECTION 1. 25.46 (7) of the statutes is amended to read:

3 25.46 (7) The fees imposed under s. 289.67 (1) for environmental management,
4 except that for each ton of waste, ~~\$3.20~~ of the fees imposed under s. 289.67 (1) (cp)
5 and (cv), \$3.70 ^{for each ton of waste} is for nonpoint source water pollution abatement.

History: 1983 a. 410; 1985 a. 29; 1987 a. 27; 1989 a. 31, 335; 1991 a. 39, 112, 269, 309; 1993 a. 16, 261, 453, 458; 1995 a. 27, 227; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 139; 2005 a. 45; 2007 a. 20; 2009 a. 28; 2011 a. 32 ss. 886 to 888, 892 to 893.

Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1260/1dn

RCT...
↓

gs

- date -

Cory Stinebrink:

There is a problem with s. 25.46 (7) under current law. The environmental repair tipping fee for mining waste is only one cent per ton, which doesn't leave \$3.00 for nonpoint source water pollution abatement. I have tried to remedy the problem in this draft. (2)

Please let me know if you have questions or if the draft needs to be changed.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.wisconsin.gov

(A) → Perhaps the draft should have an initial applicability provision to make clear how this change takes effect.
or effective date

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

LRB-1260/1dn
RCT:cjs:rs

January 22, 2013

Cory Stinebrink:

There is a problem with s. 25.46 (7) under current law. The environmental repair tipping fee for mining waste is only one cent per ton, which doesn't leave \$3.20 for nonpoint source water pollution abatement. I have tried to remedy the problem in this draft.

Perhaps the draft should have an initial applicability or effective date provision to make clear how this change takes effect.

Please let me know if you have questions or if the draft needs to be changed.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.wisconsin.gov

Tradewell, Becky

From: Stinebrink, Cory R - DOA <Cory.Stinebrink@wisconsin.gov>
Sent: Thursday, January 24, 2013 11:42 AM
To: Tradewell, Becky
Subject: RE: Use of environmental repair tipping fee

I would think that, if there's a way of drafting it this way, we would like the change in fee allocation applicable to the first quarterly payment after the effective date of the bill. If the bill isn't signed until after July 1st, then the department would be able to switch out revenue retroactively if they have some difficulty with their accounting systems to begin allocating it differently by the time the first payment is made. Sorry, that's kind of rambling a bit. But, bottom line I would say we would want the change effective for the first quarterly payment after the effective date of the bill.

Thanks,
Cory

From: Tradewell, Becky [<mailto:Becky.Tradewell@legis.wisconsin.gov>]
Sent: Tuesday, January 22, 2013 3:43 PM
To: Stinebrink, Cory R - DOA
Subject: RE: Use of environmental repair tipping fee

Well, I think that the fees are paid on a quarterly basis, that is, sometime after the end of each calendar quarter. The budget may or may not take effect on July 1. I'm wondering whether there be any questions about which fees the change in allocation should apply to.

From: Stinebrink, Cory R - DOA [<mailto:Cory.Stinebrink@wisconsin.gov>]
Sent: Tuesday, January 22, 2013 3:39 PM
To: Tradewell, Becky
Subject: RE: Use of environmental repair tipping fee

Becky-

I think I understand what you're saying about the problem under current law, and the language (Granted, to an untrained eye) looks good to me. What concerns are you having with the initial applicability or effective date suggestion?

From: Scott.Thornton@Wisconsin.Gov [<mailto:Scott.Thornton@Wisconsin.Gov>]
Sent: Tuesday, January 22, 2013 12:36 PM
To: Stinebrink, Cory R - DOA
Cc: Thornton, Scott - DOA; Sachse, Diane - DOA; Wavrunek, Leah J - DOA
Subject: Use of environmental repair tipping fee

We have received an LRB draft for DOA Tracking Code: BB0409

LRB Draft Number: 1260/1

Drafter: RCT

Drafting Attorney: Rebecca C. Tradewell
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.wisconsin.gov

Drafter's Note: There is a problem with s. 25.46 (7) under current law. The environmental repair tipping fee for mining waste is only one cent per ton, which doesn't leave \$3.20 for nonpoint source water pollution abatement. I have tried to remedy the problem in this draft. Perhaps the draft should have an initial applicability or effective date provision to make clear how this change takes effect. Please let me know if you have questions or if the draft needs to be changed.

PDF of Drafter's Note is found in the [Drafter's Notes Library](#).

The [document](#) can be found in the Stat Language site on SharePoint.



State of Wisconsin
2013 - 2014 LEGISLATURE

In 1/24



LRB-1260#2

RCT:cjs:rs

stays

YMW

DOA:.....Stinebrink, BB0409 – Use of environmental repair tipping fee

FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION

perf ✓

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

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5 and (cv), \$3.70 for each ton of waste is for nonpoint source water pollution abatement.

6

(END)

Insert 1-5

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1260/2ins
RCT:.....

- 1 **Insert 1-5** ✓
- 2 **SECTION 9332. Initial applicability; Natural Resources.**
- 3 (1) ENVIRONMENTAL REPAIR FEE. The treatment of section 25.46 (7) of the statutes ✓
- 4 first applies to fees paid on the effective date of this subsection. ✓



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1260/2

RCT:cjs:ph

DOA:.....Stinebrink, BB0409 – Use of environmental repair tipping fee

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

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