

1993 Assembly Bill 836

Date of enactment: **April 16, 1994**
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1993 WISCONSIN ACT 345

AN ACT to amend 159.11 (2) (dm) of the statutes, relating to: the requirement that an effective recycling program include volume-based solid waste fees.

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

SECTION 1. 159.11 (2) (dm) of the statutes is amended to read:

159.11 (2) (dm) -A- Beginning in 1997, a system of volume-based solid waste fees to generate revenue equal to the responsible unit's costs for solid waste management other than those reimbursed by the state. This criterion shall does not apply to any responsible unit that separates for recycling at least 25% by volume or by weight of the solid waste collected within the region by the responsible unit or by any person under contract with the responsible unit. This criterion does not apply to a responsible unit that provides solid waste to an operating solid waste treatment facility, as defined in s. 159.07 (7) (b) 1. b., under a contract that was in effect on January 1, 1993.

SECTION 2. Nonstatutory provisions; natural resources. (1) STUDY ON SOLID WASTE USER FEES. (a) In this subsection, "postconsumer waste" has the meaning given in section 159.01 (7) of the statutes.

(b) The department of natural resources, in cooperation with the university of Wisconsin-extension, shall study and develop recommendations for systems of volume-based or weight-based postconsumer waste user fees in lieu of the systems required under section 159.11 (2) (dm) of the statutes, as affected by this act, that do all of the following:

1. Encourage a reduction in the amount of postconsumer waste generated and encourage the reuse, recovery or recycling of postconsumer waste.
2. Where feasible, require each person, household or facility that generates postconsumer waste to pay a weight-based or volume-based user fee for a reasonable portion of the costs of collecting and disposing of the postconsumer waste that is generated by the person, household or facility and not reused, recovered or recycled.

(c) The department of natural resources shall forward its findings and recommendations under paragraph (b) to the department of administration and the legislative fiscal bureau as part of its biennial budget request for the 1995-97 fiscal biennium under section 16.42 of the statutes.
