

1999 DRAFTING REQUEST

Assembly Joint Resolution

Received: 02/22/99

Received By: traderc

Wanted: As time permits

Identical to LRB:

For: DuWayne Johnsrud (608) 266-3534

By/Representing: Scott Loomans

This file may be shown to any legislator: YES

Drafter: traderc

May Contact:

Alt. Drafters:

Subject: Environment - solid haz. waste
Memorials - Congress to

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Ask Congress to allow states to control interstate shipment of solid waste

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>
/?	traderc 02/22/99	gilfokm 02/22/99		_____			
/1			jfrantze 02/23/99	_____	lrb_docadmin 02/23/99	lrb_docadmin 02/23/99	

FE Sent For:

<END>

1999 DRAFTING REQUEST

Assembly Joint Resolution

Received: **02/22/99**

Received By: **traderc**

Wanted: **As time permits**

Identical to LRB:

For: **DuWayne Johnsrud (608) 266-3534**

By/Representing: **Scott Loomans**

This file may be shown to any legislator: **YES**

Drafter: **traderc**

May Contact:

Alt. Drafters:

Subject: **Environment - solid haz. waste
Memorials - Congress to**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Ask Congress to allow states to control interstate shipment of solid waste

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>
/?	traderc 02/22/99	gilfokm 02/22/99		_____			
/1			jfrantze 02/23/99	_____	lrb_docadmin 02/23/99		

FE Sent For:

<END>

1999 DRAFTING REQUEST

Assembly Joint Resolution

Received: 02/22/99

Received By: traderc

Wanted: As time permits

Identical to LRB:

For: DuWayne Johnsrud (608) 266-3534

By/Representing: Scott Loomans

This file may be shown to any legislator: YES

Drafter: traderc

May Contact:

Alt. Drafters:

Subject: **Environment - solid haz. waste
Memorials - Congress to**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Ask Congress to allow states to control interstate shipment of solid waste

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	1-2-22 King	2/23	2/23			

FE Sent For:

<END>

B I L L
REQUEST FORM

LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street

Use of this form is optional. It is often better to talk directly with the LRB attorney who will draft the bill.

Use this form only for **BILL** drafts. Attach more pages if necessary.

Legislator, agency or other body requesting this draft: Johnsrud

Date: 2-22-99 Person submitting request (name, phone number): Rep. Johnsrud
6-3534

Persons to contact for questions about this draft (names, phone numbers): Scott Loomans
6-3534

Describe the problem, including any helpful examples.

How do you want to solve the problem?

See attached

Call w/?'s.

Thanks.

Please attach a copy of any correspondence or other material that may help us.

If you know of any statute sections that might be affected, list them or provide a marked-up (not retyped) copy. _____

You may attach a marked-up (not retyped) copy of any LRB draft, or provide its number (e.g., 1997 LRB-2345/1 or 1995 AB-67): _____

Requests are confidential unless stated otherwise.

- May we tell others that we are working on this for you? Yes No
- If yes: Anyone who asks? Yes No Any legislator? Yes No Only the following persons: _____

Do you consider this request urgent? Yes No If yes, please indicate why: _____

Should we give this request priority over any other pending request of this legislator, agency or body? Yes No If yes, sign your name here: _____

ASSEMBLY JOINT RESOLUTION

1 **Relating to:** requesting Congress to enact legislation to allow states to control the
2 interstate shipment of solid waste.

3 **Whereas,** the amount of solid waste generated in the United States more than
4 doubled from 1960 to 1990; and

5 **Whereas,** in the next 15 years, 80% of the landfills that were operating in 1989
6 will be filled; and

7 **Whereas,** Congress, to date, has refused to address nonhazardous solid waste
8 regulation on a national level; and

9 **Whereas,** in 1990 this state passed a recycling law that prohibited the disposal
10 of solid waste in Wisconsin landfills unless the municipality generating the waste
11 had an effective recycling program in place; and this applied to municipalities both
12 in Wisconsin and outside of Wisconsin; and

13 **Whereas,** the recycling law also required states that ship waste to Wisconsin
14 to have effective landfill siting programs in place; and

5800

~~ASSEMBLY SUBSTITUTE AMENDMENT 1,~~
~~TO 1997 ASSEMBLY JOINT RESOLUTION 30~~

~~November 10, 1997 - Offered by Representative Benson.~~

1 **Relating to:** requesting Congress to enact legislation to allow states to control the
2 interstate shipment of solid waste.
3 Whereas, the amount of solid waste generated in the United States more than
4 doubled from 1960 to 1990; and
5 Whereas, in the next 15 years, 80% of the landfills that were operating in 1989
6 will be filled; and
7 Whereas, Congress, to date, has refused to address nonhazardous solid waste
8 regulation on a national level; and
9 Whereas, in 1990 this state passed a recycling law that prohibited the disposal
10 of solid waste in Wisconsin landfills unless the municipality generating the waste
11 had an effective recycling program in place; and this applied to municipalities both
12 in Wisconsin and outside of Wisconsin; and
13 Whereas, the recycling law also required states that ship waste to Wisconsin
14 to have effective landfill siting programs in place; and

1 Whereas, the U.S. district court for the western district of Wisconsin ruled that
2 the landfill siting provision violated the U.S. Constitution's commerce clause; and

3 Whereas, the 7th circuit court of appeals ruled that requiring out-of-state
4 communities to have effective recycling programs also violates the U.S.
5 Constitution's commerce clause; and

6 Whereas, resolving solid waste management issues under the commerce clause
7 alone does not give proper weight to environmental and land use considerations; and

8 Whereas, Wisconsin residents are required to recycle to conserve resources,
9 energy and landfill space; now, therefore, be it

10 **Resolved by the assembly, the senate concurring, That** the members of the
11 Wisconsin legislature request Congress to pass legislation giving a state the right to
12 regulate^{limit} the importing of solid waste from outside of the state, including the right
13 to establish standards for recycling and landfill siting programs; and, be it further

14 **Resolved, That** the assembly chief clerk shall provide a copy of this joint
15 resolution to all members of this state's congressional delegation.

16

(END)

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 2/23/99

To: Representative Johnsrud

Relating to LRB drafting number: LRB-2301

Topic

Ask Congress to allow states to control interstate shipment of solid waste

Subject(s)

Environment - solid haz. waste, Memorials - Congress to

1. **JACKET** the draft for introduction _____



in the **Senate** ____ or the **Assembly** ____ (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Rebecca C. Tradewell, Managing Attorney
Telephone: (608) 266-7290