## 1999 SENATE JOINT RESOLUTION 12

1	<b>Relating to:</b> 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

Whereas, the U.S. district court for the western district of Wisconsin ruled that
the landfill siting provision violated the U.S. Constitution's commerce clause; and
Whereas, the 7th circuit court of appeals ruled that requiring out-of-state
communities to have effective recycling programs also violates the U.S.
Constitution's commerce clause; and
Whereas, resolving solid waste management issues under the commerce clause
alone does not give proper weight to environmental and land use considerations; and
Whereas, Wisconsin residents are required to recycle to conserve resources,
energy and landfill space; now, therefore, be it
Resolved by the senate, the assembly concurring, That the members of the
Wisconsin legislature request Congress to pass legislation giving a state the right to
limit the importing of solid waste from outside of the state; and, be it further
Resolved, That the senate chief clerk shall provide a copy of this joint
resolution to all members of this state's congressional delegation.

(END)