

State of Wisconsin



1999 Senate Joint Resolution 12

ENROLLED JOINT RESOLUTION

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

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

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

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

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

Whereas, the recycling law also required states that ship waste to Wisconsin 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.

Representative Scott R. Jensen
Speaker of the Assembly

Senator Fred A. Risser
President of the Senate

Date

Donald J. Schneider
Senate Chief Clerk

1999

Joint Resolution Passed by Both Houses

ENROLL JOINT RES

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ADOPTED DOCUMENTS:

X Orig SubAmdt

99-2321,1

Amendments to above (if none, write "NONE"):

none

Corrections - show date (if none, write "NONE"):

none

Topic

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

3/31/99

Date

[Signature]

Drafter

ELECTRONIC PROCEDURE:

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- Secretary of State's envelope containing 4 copies plus newspaper notice
Original and all remaining copies plus bill jacket

1 **BILL HISTORY FOR SENATE JOINT RESOLUTION 12 (LRB -2321)**

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

1999

03-16. S. Introduced by Senators **Wirch, Robson, Clausing, Cowles, Baumgart, Schultz, Grobschmidt, Lazich, Breske, Farrow, Erpenbach, Darling, Huelsman and Moen**; cosponsored by Representatives **Johnsrud, Albers, Bock, Freese, Goetsch, Gunderson, Hasenohrl, Hoven, Huber, Kelso, Kestell, Klusman, Ladwig, Lassa, Montgomery, Musser, Nass, Owens, Petrowski, Plouff, Reynolds, Skindrud, Spillner, Stone, Suder, Urban, Ward and Berceau.**

3	03-16. S.	Read and referred to committee on Agriculture, Environmental Resources and Campaign Finance Reform .	93
4	03-17. S.	Executive action taken.	
5	03-18. S.	Report adoption recommended by committee on Agriculture, Environmental Resources and Campaign	
6		Finance Reform, Ayes 5, Noes 0	97
7	03-18. S.	Available for scheduling.	
8	03-18. S.	Rules suspended and taken up	102
9	03-18. S.	Adopted	102
10	03-18. S.	Ordered immediately messaged	103
11	03-23. A.	Received from Senate	130
12	03-23. A.	Read and referred to committee on Rules	130
13	03-23. A.	Placed on calendar 3-25-99 by committee on Rules.	
14	03-25. A.	Concurred in	138
15	03-25. A.	Ordered immediately messaged	138
16	03-31. S.	Received from Assembly concurred in.	