

**2001 Jr2 DRAFTING REQUEST**

**Assembly Amendment (AA-AB1)**

Received: **03/01/2002**

Received By: **traderc**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Bonderud**

This file may be shown to any legislator: **NO**

Drafter: **traderc**

May Contact:

Addl. Drafters:

Subject: **Environment - recycling**

Extra Copies:

Submit via email: **NO**

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**Pre Topic:**

LFB:.....Bonderud -

---

**Topic:**

Recycling program changes

---

**Instructions:**

See Attached, motion 147

---

**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 03/01/2002	csicilia 03/06/2002		_____			
/1			kfollet 03/06/2002	_____	lrb_docadmin 03/06/2002		
/2	traderc 03/07/2002	csicilia 03/07/2002	pgreensl 03/07/2002	_____	lrb_docadmin 03/07/2002		

FE Sent For:

<END>

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/?	traderc 03/01/2002	csicilia 03/06/2002					
/1			kfollet 03/06/2002	3/7	lrb_docadmin 03/06/2002		

FE Sent For:

1245 3/7  
02

3/7 PG/LE  
P8 <END>

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1?	traderc	1 q= 3/6 02	KJ 3/6	KJ/PC 3/6			

FE Sent For:

<END>

**Tradewell, Becky**

---

**From:** Bonderud, Kendra  
**Sent:** Thursday, February 28, 2002 4:58 PM  
**To:** Tradewell, Becky  
**Subject:** Budget amendment drafting

Becky -  
JFC took action on DNR today during budget reform bill deliberations. I will fax the referenced motions to you. Please draft the following amendments:

1. Motion 131 - recycling position, appropriation s.20.370 (9)(is)
2. Motion 147(excluding part c) - some recycling changes that were in the biennial budget bill and were vetoed by the Governor. Note that the grant calendar year for the effective date of the grant formula changes is different from what the Legislature sent the Governor.
3. Paper 1202, alternative 1.

Thanks. Please call me if you have questions.

Kendra Bonderud  
Legislative Fiscal Bureau  
(608) 266-3847  
Kendra.Bonderud@legis.state.wi.us

**NATURAL RESOURCES**

**Recycling Program Changes**

**Motion:**

Move to make the following changes to recycling program provisions:

A. Change the municipal and county recycling grant formula beginning with grants awarded for calendar year 2004 (paid in 2003-04) and in subsequent years as follows:

1. Direct DNR to distribute the grants on a per capita basis to all responsible units of local government that operate effective recycling programs.

2. Limit the grants in 2004 and subsequent years to the eligible costs incurred by the responsible unit two years earlier and reported to DNR in the previous year. For example, a grant made for calendar year 2004 could not exceed eligible costs incurred in calendar year 2002 and reported to DNR in 2003.

3. Specify that for grant year 2004 only, a responsible unit that received a grant in 2003 would be eligible for an award equal to a minimum of 80% of the 2003 award. This provision would not apply to responsible units that did not receive an award in 2003.

4. Provide that in 2004 and in subsequent years, any county that is the responsible unit for at least 75% of the county's population would receive a grant equal to the greater of \$100,000 or the per capita grant amount, but no more than eligible costs incurred by the responsible unit two years earlier and reported to DNR in the previous year.

B. Make the following changes related to recycling enforcement:

1. Prohibit any solid waste facility from accepting solid waste from a building containing five or more dwelling units, or a commercial, retail, industrial or governmental facility that does not provide for the collection of recyclable materials that are subject to the 1995 landfill and incineration disposal bans and that are separated from solid waste by users or occupants of the building or facility. Authorize DNR to create an exception to this prohibition on a case-by-case basis where necessary to protect public health. In addition, specify that the provision would not apply to a person operating a solid waste disposal facility or a solid waste treatment facility if the person has implemented a program to minimize the acceptance of recyclable materials at the facility. DNR would be directed to promulgate administrative rules to establish minimum standards for a program to minimize the acceptance of recyclable materials at a solid waste disposal

facility or a solid waste treatment facility. Require that persons who violate the prohibition pay a forfeiture of \$50 for the first violation, \$200 for the second violation and \$2,000 for the third or subsequent violation. Authorize DNR to issue a citation to collect the forfeiture for the violation of the prohibition. (This would be the same as the penalties for violation of the current prohibition.)

2. Prohibit any solid waste facility that provides a collection and transportation service from transporting solid waste for delivery to a solid waste disposal facility or a solid waste treatment facility that converts solid waste into fuel or that burns solid waste with or without energy recovery if the solid waste contains more than incidental amounts of materials subject to the 1995 landfill bans, as provided by DNR rule. The provision would not apply for activities currently exempt from the landfill and incineration bans. The prohibition would be subject to the same enforcement and penalties as for violations of current prohibitions and the new prohibition described above.

3. Revise the exception to the 1995 landfill and incineration bans to apply the exception to waste that contains no more than an incidental amount of the banned recyclables, as established by DNR rule, instead of to any waste that is generated in a region that has an effective recycling program under current law. Direct DNR to promulgate administrative rules to implement the provision. Retain the current exemption to the exception for solid waste that is separated for recycling as part of an effective recycling program.

~~C. Provide 1.0 recycling fund SEG program and planning analyst position to DNR (no funding would be provided).~~

D. Create an appropriation in DNR and direct DNR to provide \$20,000 recycling fund SEG in 2002-03 on a one-time basis to the Wheelchair Recycling Project of the Madison Chapter of the National Spinal Cord Injury Association, to provide recycled wheelchairs and other medical equipment to individuals and programs in need and for costs of equipment, parts, maintenance, and distribution.

---

**Note:**

Under the municipal and county recycling grant program, responsible units receive the same percent of the total appropriation as they received or would have received in 1999. Responsible units are limited to a grant amount that does not exceed eligible expenses during the calendar year for which an application is submitted for assistance under the program.

A recycling project position that expired on October 14, 2001, had been located in the waste management program but had been on loan to the communication and education program in recent years. The motion would restore this position as permanent, to staff the Council on Recycling,

provide information and assistance to citizens on waste reduction and recycling issues, serve on the Department's recycling team, and assist in the development of program policy, guidance, technical assistance initiatives and general delivery of services related to recycling.

Currently, there is one recycling fund position in the communication and education program that coordinates waste reduction and recycling communication and education activities, develops and distributes publications related to recycling programs and law changes, provides outreach to youth, students, citizens and businesses, researches and reports on the progress of the recycling program, assists the Department's recycling team in the development of program policy, guidance, technical assistance initiatives and general delivery of services related to recycling. The motion would increase the staff for DNR's recycling communication and education activities from one position to the two positions that performed the activities before the project position expired.

Under 1999 Act 9, DNR was required to provide the Wheelchair Recycling Project with grants from the waste reduction and recycling demonstration grant program totaling \$175,000 recycling fund SEG in 1999-00 and \$150,000 SEG in 2000-01. Under 2001 Act 16, the Department of Health and Family Services is required to provide the Wheelchair Recycling Project with \$20,000 GPR in 2001-02 on a one-time basis.

[Change to Bill: \$20,000 recycling fund SEG and 1.0 SEG position]

2001

Date (time) needed

SOON (in 3/1)

LRB b 2252 1.1

LFB BDGT ADJSTMNT AMDMNT [ONLY FOR LFB]

PUT : js :

See form AMENDMENTS — COMPONENTS & ITEMS.

SAV 7-Feb

LFB ADJUSTMENT AMENDMENT TO 2001 SPECIAL SESSION ASSEMBLY BILL 1

>>FOR JT. FIN. SUB. — NOT FOR INTRODUCTION<<

At the locations indicated, amend the bill as follows:

#. Page 41, line 6: after that line insert:

#. Page ....., line .....

#. Page ....., line .....

#. Page ....., line .....

#. Page ....., line .....

#. Page ....., line .....



2001

File With Statute **20.005 (3)** Schedule

LRB 62252 11

Ret : \_\_\_ : \_\_\_

**\$\$\$ SCHEDULE**

In the component bar:

For the action phrase, execute: ..... create → action: → ch20

For the table layout, execute: ..... create → <Table> → \$sched

**SECTION #.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

2001-02      2002-03

20.370 .. Natural resources, department of .....

✓

(6) .. Environmental aids .....

✓

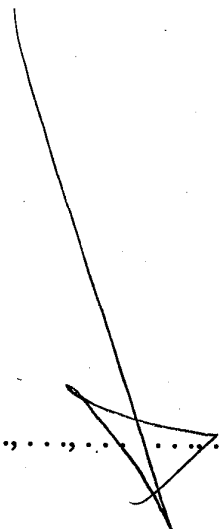
(bw) Wheelchair Recycling  
Project.

✓  
SEG A ..... -0- ..... 20,000 "

20. ....

( ) .....

( ) .....



✓ ✓  
# Page 43, line 19: after that line insert:

¶ "Section 36 kb. CR' 20.370 (6) (bw)

¶ 20.370 (6) (bw) <sup>(B)</sup> <sup>(I)</sup> Wheelchair Recycling Project. From

the recycling fund, the amounts in the schedule for the

Wheelchair Recycling Project under 2001 Wisconsin Act

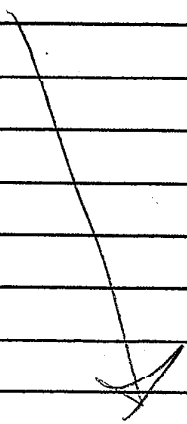
... (this act) ~~Section 9137~~ <sup>19</sup> ( ) .

plain text →

¶ Section 36 kc. RP; 20.370 (6) (bw), as created by 2001

Wisconsin Act ... (this act) " .

X



1  
2  
3  
4  
5  
6  
7  
8  
9

~~9. Page 264, line 17: decrease the dollar amount for fiscal year 2001-02 by \$27,000 and decrease the dollar amount for fiscal year 2002-03 by \$27,000 for the purpose of reducing funding for the purpose for which the appropriation is made and to reduce the authorized FTE positions by 0.5 SEG position.~~

~~10. Page 334, line 25: after that line insert:~~

~~"SECTION 615e. 20.370 (6) (bv) of the statutes is created to read:~~

~~20.370 (6) (bv) *Recycling efficiency incentive grants*. From the recycling fund, the amounts in the schedule for recycling efficiency incentive grants under s. 287.235."~~

10

→ 11. Page <sup>217</sup>~~1087~~, line <sup>16</sup>~~21~~: after that line insert:

①

"SECTION <sup>370e</sup>~~3222f~~ 287.03 (1) (e) <sup>and (f)</sup> ~~and (f)~~ of the statutes <sup>is</sup> ~~are~~ created to read:

12

287.03 (1) (e) Promulgate rules to implement s. 287.07 (7) (a) and (10) (a).

13

~~(f) Promulgate rules, for the purposes of s. 287.235 (1) (b), that specify the minimum elements of coordinated program delivery, including all of the following:~~

14

15

~~1. The joint provision of, a single program operated by the responsible unit for, or a single contract for, the collection from single-family residences of materials that are separated for recycling under an effective recycling program.~~

16

17

18

~~2. The joint provision of, a single program operated by the responsible unit for, or a single contract for, the processing and marketing of recyclable materials collected under an effective recycling program.~~

19

20

21

~~3. The joint or coordinated planning of solid waste management services within the responsible unit.~~

22

23

→ SECTION <sup>370f</sup>~~3222f~~ 287.07 (7) (a) of the statutes is amended to read:



1           287.07 (7) (a) The prohibitions in subs. (3) and (4) do not apply with respect to  
2 solid waste, except medical waste, as defined in par. (c) 1. cg., ~~that is generated in a~~  
3 ~~region that has an effective recycling program, as determined under s. 287.11 if the~~  
4 solid waste contains no more than an incidental amount of materials specified in  
5 subs. (3) and (4), as provided by the department by rule. This paragraph does not  
6 apply to solid waste that is separated for recycling as part of an effective recycling  
7 program under s. 287.11.

8           <sup>370g</sup>  
SECTION ~~3222g~~ 287.07 (9) of the statutes is created to read: ✓

9           287.07 (9) ACCEPTANCE BY SOLID WASTE FACILITY. (a) Except as provided under  
10 pars. (b) and (c), no person operating a solid waste facility may accept solid waste  
11 from a building containing 5 or more dwelling units or a commercial, retail,  
12 industrial, or governmental facility that does not provide for the collection of  
13 materials that are subject to subs. (3) and (4) and that are separated from other solid  
14 waste by users or occupants of the building or facility.

15           (b) The department may grant exceptions to par. (a) on a case-by-case basis  
16 as necessary to protect public health.

17           (c) 1. Paragraph (a) does not apply to a person operating a solid waste facility  
18 if the person has implemented a program to minimize the acceptance of recyclable  
19 materials at the solid waste facility, and the program complies with the rules  
20 promulgated under subd. 2.

21           2. The department shall promulgate rules that specify minimum standards for  
22 a program that minimizes the acceptance of recyclable materials at a solid waste  
23 facility for the purposes of subd. 1.

24           <sup>370h</sup>  
SECTION ~~3222h~~ 287.07 (10) of the statutes is created to read: ✓

1           287.07 (10) TRANSPORTATION TO FACILITY. (a) Except as provided in par. (b), no  
2 person operating a solid waste facility that provides a collection and transportation  
3 service may transport solid waste for delivery to a solid waste disposal facility or a  
4 solid waste treatment facility that converts solid waste into fuel or that burns solid  
5 waste if the solid waste contains more than incidental amounts of materials specified  
6 in subs. (3) and (4), as provided by the department by rule.

7           (b) Paragraph (a) does not apply with respect to solid waste to which the  
8 prohibitions in subs. (3) and (4) do not apply because of sub. (7) (b), (bg), (c) 2., (d),  
9 (f), (g), or (h).

10       ~~SECTION 3222m. 287.11 (4) of the statutes is created to read:~~

11           287.11 (4) PILOT PROGRAM FOR ALTERNATE METHOD OF COMPLIANCE. (a) The  
12 department shall administer a pilot program that provides an alternate method of  
13 complying with sub. (2) (b). The department shall promulgate rules for the pilot  
14 program under this subsection that do all of the following:

- 15           1. Set goals for amounts of materials to be recycled as a percentage of solid  
16 waste generated in the geographic area served by a responsible unit.
- 17           2. Include a list of recyclable materials, including the materials identified  
18 under s. 287.07 (3) and (4), that a responsible unit may choose under this subsection  
19 to require to be separated for recycling under its recycling program.
- 20           3. Specify a procedure for a responsible unit to identify the materials that it will  
21 require to be separated for recycling under its recycling program.
- 22           4. Specify a procedure to be used by the department to determine whether a  
23 responsible unit has achieved the goals under par. (a).

24           (b) The department shall select 3 responsible units with a population of less  
25 than 5,000, 3 responsible units with a population of at least 5,000 but less than

1 recipients of grants in the previous year to ~~ensure that programs and activities~~  
 2 ~~funded by grants under this section meet the requirements of this section. do all of~~  
 3 the following:

4 SECTION 3222q. 287.23 (2) (b) 1. to 3. of the statutes are created to read:

5 287.23 (2) (b) 1. Ensure compliance with s. 287.07 (1m), (2), (3), and (4).

6 2. Ensure compliance with s. 287.11 and rules promulgated under that section.

7 3. Identify activities, methods, or procedures that would enable the responsible  
 8 units to make their recycling programs more efficient or effective.

9 SECTION 3222r. 287.23 (2) (c) of the statutes is created to read:

10 287.23 (2) (c) By June 30 annually, the department shall report to the joint  
 11 committee on finance the number of recycling programs reviewed under par. (b)  
 12 during the previous year."

13 12. Page 1058, line 2: after that line insert:

14 SECTION <sup>370j</sup> ~~3225q~~ 287.23 (5b) ~~(title)~~ and (intro.) of the statutes <sup>IS</sup> are amended to  
 15 read:

16 287.23 (5b) ~~(title)~~ <sup>to 2003</sup> GRANT AWARD FOR 2000 <sup>CS</sup> AND 2001. (intro.) The For 2000 ~~and~~  
 17 <sup>to 2003</sup> ~~2001~~ the department shall award a grant under this subsection to each eligible  
 18 responsible unit that submits a complete grant application under sub. (4) for  
 19 expenses allowable under sub. (3) (b). The department shall determine the amount  
 20 of the grants under this subsection as follows:

21 SECTION <sup>370k</sup> ~~3225r~~ 287.23 (5d) of the statutes is created to read:

22 287.23 (5d) GRANT AMOUNT FOR YEARS AFTER <sup>2003</sup> ~~2001~~ (a) Beginning with grants for  
 23 the year <sup>2004</sup> ~~2002~~, the department shall award a grant under this subsection to each

1 eligible responsible unit that submits a complete grant application under sub. (4) for  
2 expenses allowable under sub. (3) (b).

3 (b) Except as provided in pars. (c), (d), ~~(e)~~ and sub. (5p), the  
4 department shall award an eligible responsible unit a grant under this subsection  
5 equal to ~~\$5.30 times~~ the population of the responsible unit

6 (c) A grant under this subsection may not exceed the allowable expenses under  
7 sub. (3) (b) that the responsible unit incurred in the year 2 years before the year for  
8 which the grant is made.

9 (d) For a county that is the responsible unit for at least 75% of the population  
10 of the county, the department shall award a grant under this subsection equal to the  
11 greater of \$100,000 or the amount determined under par. (a), but not more than the  
12 allowable expenses under sub. (3) (b).

13 (e) For grants for the year <sup>2004</sup> 2002, the department shall award a grant to a  
14 responsible unit that received an award in <sup>2003</sup> 2001 that is equal to at least 80% of the  
15 amount received in <sup>2003</sup> 2001

16 ~~(f) Beginning with grants for the year 2005, the department shall reduce a~~  
17 ~~grant calculated under par. (b) by \$1.50 times the population of the responsible unit~~  
18 ~~if the responsible unit is not eligible for a grant under s. 287.235.~~

19 ~~(g) If the available funds are insufficient to pay the grant amounts determined~~  
20 ~~under this subsection, the department shall achieve the necessary reduction in the~~  
21 ~~total amount of the grants by reducing the amount of each grant determined under~~  
22 ~~this subsection, except a grant determined under par. (d) or (e), by an equal~~  
23 ~~percentage."~~

24 **13.** Page 1058, line 6: after that line insert:

times an amount that the department determines will result in distributing  
as much as possible of the amount appropriated under s. 20,370(6)  
(b.w), taking into account pars. (c), (d), and (e) and sub. (5p)

1 amount of the grants by reducing the grant amount determined under par. (a) for  
2 each eligible responsible unit by an equal percentage.

3 (c) A grant under this section plus a grant under s. 287.23 may not exceed the  
4 allowable expenses under s. 287.23 (3) (b) that the responsible unit incurred in the  
5 year 2 years before the year for which the grants are made.

6 (3) APPLICATION AND PAYMENT. (a) Applications for grants under this subsection  
7 are due on October 1 of the year preceding the year for which the grant is sought.  
8 If a responsible unit submits its application after that date, the department shall  
9 reduce the grant, or deny the application, as provided in s. 287.23 (5p).

10 (b) The department shall disburse 50% of a grant to the applicant no later than  
11 June 1 of the year for which the grant is made and the balance no later than  
12 December 1 of the year for which the grant is made. For grants for 2002, the  
13 department shall disburse a total of \$3,800,000.

14 → SECTION <sup>370L</sup>~~3227c~~ 287.95 (3) (b) of the statutes is amended to read:

15 287.95 (3) (b) After December 31, 1996, any person who violates s. 287.07 (3)  
16 and, (4), (9), or (10) may be required to forfeit \$50 for a first violation, may be required  
17 to forfeit \$200 for a 2nd violation, and may be required to forfeit not more than \$2,000  
18 for a 3rd or subsequent violation.”

19 **14.** Page 1059, line 9: after that line insert:

20 “SECTION ~~3228db~~. 289.645 (3) (intro.) and (a) of the statutes are consolidated,  
21 renumbered 289.645 (3) and amended to read:

22 289.645 (3) AMOUNT OF RECYCLING FEE. The fee imposed under this section is  
23 as follows: (a) For \$3 per ton for all solid waste other than high-volume industrial  
24 waste, 30 cents per ton.”



2001

Nonstat File Sequence: **AAA**

LRB 62252 / 11

Ret : \_\_\_\_ : \_\_\_\_

**NONSTAT SESSLAW**

1. In the component bar:

For the action phrase, execute: ..... create → action: → \*NS: → nonstat

For the budget action phrase, execute: ..... create → action: → \*NS: → 91XX

For a subsection, execute: ..... create → text: → \*NS: → sub

For a paragraph, execute: ..... create → text: → \*NS: → par

For a subdivision, execute: ..... create → text: → \*NS: → subd

For a subdivision paragraph, execute: ..... create → text: → \*NS: → subpar

2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9100 department code.

# #. Page 393, line 8: after that line insert:

SECTION # [91] . Nonstatutory provisions; ...

.....

A <sup>(1a)</sup> <sup>(CS)</sup> ~~(#)~~ Wheelchair recycling project.

no A From the appropriation under section 20.370(6)

(bw), as created by this act, the department of natural resources shall provide funding to the Wheelchair Recycling Project, of the Madison Chapter of the National Spinal Cord Injury Association, to provide recycled wheelchairs and other medical equipment to individuals and programs in need and for costs of equipment, parts, maintenance, and distribution."

*[Handwritten signature]*



2001

Nonstat File Sequence: **FFF**

LRB b 225211

RET : \_\_\_\_\_

**EFFECTIVE DATE**

1. In the component bar: For the action phrase, execute: ... **create** → **action:** → \*NS: → **effdate**  
For the text, execute: ..... **create** → **text:** → \*NS: → **effdateA**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

**SECTION #** \_\_\_\_ . **Effective date.**

( #1 ) ( ) ..... This act takes effect on .....

1. In the component bar: For the action phrase, execute: .. **create** → **action:** → \*NS: → **effdateE**  
For the text, execute: ..... **create** → **text:** → \*NS: → **effdate**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

**SECTION #** \_\_\_\_ . **Effective dates;** .....

..... This act takes effect on the day after publication, except as follows:

( #1 ) ( ) ..... The treatment of sections ..... of the statutes takes effect on .....

1. In the component bar: For the budget action phrase, execute:..**create** → **action:** → \*NS: → **94XX**  
For the text, execute: ..... **create** → **text:** → \*NS: → **effdate**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9400 department code.

#. Page 468, line 13; after that line insert:

**SECTION 94** \_\_\_\_ . **Effective dates;** .....

( #1 ) ( ) ..... The <sup>repeal</sup> treatment of sections 20.370(6) (bw) wheelchair recycling project ..... of the statutes takes effect on July 1, 2003. "

(19) (CS) (End)





State of Wisconsin  
2001 - 2002 LEGISLATURE  
January 2002 Special Session

LRBb2252/2  
RCT:cjs:kjf

SOON

rmy

LFB:.....Bonderud - Recycling program changes

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY BILL 1

see p. 4

1 At the locations indicated, amend the bill as follows:

2 1. Page 41, line 6: after that line insert:

3 "20.370 Natural resources, department of

4 (6) ENVIRONMENTAL AIDS

5 (bw) Wheelchair Recycling Project SEG A -0- 20,000".

6 2. Page 43, line 19: after that line insert:

7 "SECTION 36kb. 20.370 (6) (bw) of the statutes is created to read:

8 20.370 (6) (bw) *Wheelchair Recycling Project*. From the recycling fund, the  
9 amounts in the schedule for the Wheelchair Recycling Project under 2001 Wisconsin  
10 Act .... (this act) section 9137 (1q).

1           **SECTION 36kc.** 20.370 (6) (bw) of the statutes, as created by 2001 Wisconsin Act  
2 .... (this act), is repealed.”.

3           **3.** Page 217, line 16: after that line insert:

4           **“SECTION 370e.** 287.03 (1) (e) of the statutes is created to read:

5           287.03 (1) (e) Promulgate rules to implement s. 287.07 (7) (a) and (10) (a).

6           **SECTION 370f.** 287.07 (7) (a) of the statutes is amended to read:

7           287.07 (7) (a) The prohibitions in subs. (3) and (4) do not apply with respect to  
8 solid waste, except medical waste, as defined in par. (c) 1. ~~cg., that is generated in a~~  
9 ~~region that has an effective recycling program, as determined under s. 287.11 if the~~  
10 solid waste contains no more than an incidental amount of materials specified in  
11 subs. (3) and (4), as provided by the department by rule. This paragraph does not  
12 apply to solid waste that is separated for recycling as part of an effective recycling  
13 program under s. 287.11.

14           **SECTION 370g.** 287.07 (9) of the statutes is created to read:

15           287.07 (9) ACCEPTANCE BY SOLID WASTE FACILITY. (a) Except as provided under  
16 pars. (b) and (c), no person operating a solid waste facility may accept solid waste  
17 from a building containing 5 or more dwelling units or a commercial, retail,  
18 industrial, or governmental facility that does not provide for the collection of  
19 materials that are subject to subs. (3) and (4) and that are separated from other solid  
20 waste by users or occupants of the building or facility.

21           (b) The department may grant exceptions to par. (a) on a case-by-case basis  
22 as necessary to protect public health.

23           (c) 1. Paragraph (a) does not apply to a person operating a solid waste facility  
24 if the person has implemented a program to minimize the acceptance of recyclable

1 materials at the solid waste facility, and the program complies with the rules  
2 promulgated under subd. 2.

3 2. The department shall promulgate rules that specify minimum standards for  
4 a program that minimizes the acceptance of recyclable materials at a solid waste  
5 facility for the purposes of subd. 1.

6 **SECTION 370h.** 287.07 (10) of the statutes is created to read:

7 287.07 (10) TRANSPORTATION TO FACILITY. (a) Except as provided in par. (b), no  
8 person operating a solid waste facility that provides a collection and transportation  
9 service may transport solid waste for delivery to a solid waste disposal facility or a  
10 solid waste treatment facility that converts solid waste into fuel or that burns solid  
11 waste if the solid waste contains more than incidental amounts of materials specified  
12 in subs. (3) and (4), as provided by the department by rule.

13 (b) Paragraph (a) does not apply with respect to solid waste to which the  
14 prohibitions in subs. (3) and (4) do not apply because of sub. (7) (b), (bg), (c) 2., (d),  
15 (f), (g), or (h).

16 **SECTION 370j.** 287.23 (5b) (intro.) of the statutes is amended to read:

17 287.23 (5b) GRANT AWARD FOR 2000 TO 2003. (intro.) The For 2000 to 2003, the  
18 department shall award a grant under this subsection to each eligible responsible  
19 unit that submits a complete grant application under sub. (4) for expenses allowable  
20 under sub. (3) (b). The department shall determine the amount of the grants under  
21 this subsection as follows:

22 **SECTION 370k.** 287.23 (5d) of the statutes is created to read:

23 287.23 (5d) GRANT AMOUNT FOR YEARS AFTER 2003. (a) Beginning with grants for  
24 the year 2004, the department shall award a grant under this subsection to each

1 eligible responsible unit that submits a complete grant application under sub. (4) for  
2 expenses allowable under sub. (3) (b).

3 (b) Except as provided in pars. (c), (d), and (e) and sub. (5p), the department  
4 shall award an eligible responsible unit a grant under this subsection equal to the  
5 population of the responsible unit times an amount <sup>that is the same for each responsible</sup> that the department determines <sup>unit</sup>  
6 will result in distributing as much as possible of the amount appropriated under s. <sup>and</sup>  
7 20.370 (6) (bu), taking into account pars. (c), (d), and (e) and sub. (5p).

8 (c) A grant under this subsection may not exceed the allowable expenses under  
9 sub. (3) (b) that the responsible unit incurred in the year 2 years before the year for  
10 which the grant is made.

11 (d) For a county that is the responsible unit for at least 75% of the population  
12 of the county, the department shall award a grant under this subsection equal to the  
13 greater of \$100,000 or the amount determined under par. (a), but not more than the  
14 allowable expenses under sub. (3) (b).

15 (e) For grants for the year 2004, the department shall award a grant to a  
16 responsible unit that received an award in 2003 that is equal to at least 80% of the  
17 amount received in 2003.

18 **SECTION 370L.** 287.95 (3) (b) of the statutes is amended to read:

19 287.95 (3) (b) After December 31, 1996, any person who violates s. 287.07 (3)  
20 ~~and, (4), (9), or (10)~~ may be required to forfeit \$50 for a first violation, may be required  
21 to forfeit \$200 for a 2nd violation, and may be required to forfeit not more than \$2,000  
22 for a 3rd or subsequent violation.”.

23 **4.** Page 393, line 8: after that line insert:



State of Wisconsin  
2001 - 2002 LEGISLATURE  
January 2002 Special Session

LRBb2252/2  
RCT:cjs:pg

LFB:.....Bonderud – Recycling program changes

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,  
TO ASSEMBLY BILL 1

1 At the locations indicated, amend the bill as follows:

2 1. Page 41, line 6: after that line insert:

3 “20.370 Natural resources, department of

4 (6) ENVIRONMENTAL AIDS

5 (bw) Wheelchair Recycling Project SEG A -0- 20,000”.

6 2. Page 43, line 19: after that line insert:

7 “SECTION 36kb. 20.370 (6) (bw) of the statutes is created to read:

8 20.370 (6) (bw) *Wheelchair Recycling Project*. From the recycling fund, the  
9 amounts in the schedule for the Wheelchair Recycling Project under 2001 Wisconsin  
10 Act .... (this act) section 9137 (1q).



1           **SECTION 36kc.** 20.370 (6) (bw) of the statutes, as created by 2001 Wisconsin Act  
2     ... (this act), is repealed.”.

3           **3.** Page 217, line 16: after that line insert:

4           “**SECTION 370e.** 287.03 (1) (e) of the statutes is created to read:

5           287.03 (1) (e) Promulgate rules to implement s. 287.07 (7) (a) and (10) (a).

6           **SECTION 370f.** 287.07 (7) (a) of the statutes is amended to read:

7           287.07 (7) (a) The prohibitions in subs. (3) and (4) do not apply with respect to  
8     solid waste, except medical waste, as defined in par. (c) 1. cg., ~~that is generated in a~~  
9     ~~region that has an effective recycling program, as determined under s. 287.11 if the~~  
10    solid waste contains no more than an incidental amount of materials specified in  
11    subs. (3) and (4), as provided by the department by rule. This paragraph does not  
12    apply to solid waste that is separated for recycling as part of an effective recycling  
13    program under s. 287.11.

14           **SECTION 370g.** 287.07 (9) of the statutes is created to read:

15           287.07 (9) ACCEPTANCE BY SOLID WASTE FACILITY. (a) Except as provided under  
16    pars. (b) and (c), no person operating a solid waste facility may accept solid waste  
17    from a building containing 5 or more dwelling units or a commercial, retail,  
18    industrial, or governmental facility that does not provide for the collection of  
19    materials that are subject to subs. (3) and (4) and that are separated from other solid  
20    waste by users or occupants of the building or facility.

21           (b) The department may grant exceptions to par. (a) on a case-by-case basis  
22    as necessary to protect public health.

23           (c) 1. Paragraph (a) does not apply to a person operating a solid waste facility  
24    if the person has implemented a program to minimize the acceptance of recyclable

1 materials at the solid waste facility, and the program complies with the rules  
2 promulgated under subd. 2.

3 2. The department shall promulgate rules that specify minimum standards for  
4 a program that minimizes the acceptance of recyclable materials at a solid waste  
5 facility for the purposes of subd. 1.

6 **SECTION 370h.** 287.07 (10) of the statutes is created to read:

7 287.07 (10) TRANSPORTATION TO FACILITY. (a) Except as provided in par. (b), no  
8 person operating a solid waste facility that provides a collection and transportation  
9 service may transport solid waste for delivery to a solid waste disposal facility or a  
10 solid waste treatment facility that converts solid waste into fuel or that burns solid  
11 waste if the solid waste contains more than incidental amounts of materials specified  
12 in subs. (3) and (4), as provided by the department by rule.

13 (b) Paragraph (a) does not apply with respect to solid waste to which the  
14 prohibitions in subs. (3) and (4) do not apply because of sub. (7) (b), (bg), (c) 2., (d),  
15 (f), (g), or (h).

16 **SECTION 370j.** 287.23 (5b) (intro.) of the statutes is amended to read:

17 287.23 (5b) GRANT AWARD FOR 2000 TO 2003. (intro.) The For 2000 to 2003, the  
18 department shall award a grant under this subsection to each eligible responsible  
19 unit that submits a complete grant application under sub. (4) for expenses allowable  
20 under sub. (3) (b). The department shall determine the amount of the grants under  
21 this subsection as follows:

22 **SECTION 370k.** 287.23 (5d) of the statutes is created to read:

23 287.23 (5d) GRANT AMOUNT FOR YEARS AFTER 2003. (a) Beginning with grants for  
24 the year 2004, the department shall award a grant under this subsection to each

1 eligible responsible unit that submits a complete grant application under sub. (4) for  
2 expenses allowable under sub. (3) (b).

3 (b) Except as provided in pars. (c), (d), and (e) and sub. (5p), the department  
4 shall award an eligible responsible unit a grant under this subsection equal to the  
5 population of the responsible unit times an amount that is the same for each  
6 responsible unit and that the department determines will result in distributing as  
7 much as possible of the amount appropriated under s. 20.370 (6) (bu), taking into  
8 account pars. (c), (d), and (e) and sub. (5p).

9 (c) A grant under this subsection may not exceed the allowable expenses under  
10 sub. (3) (b) that the responsible unit incurred in the year 2 years before the year for  
11 which the grant is made.

12 (d) For a county that is the responsible unit for at least 75% of the population  
13 of the county, the department shall award a grant under this subsection equal to the  
14 greater of \$100,000 or the amount determined under par. (a), but not more than the  
15 allowable expenses under sub. (3) (b).

16 (e) For grants for the year 2004, the department shall award a grant to a  
17 responsible unit that received an award in 2003 that is equal to at least 80% of the  
18 amount received in 2003.

19 **SECTION 370L.** 287.95 (3) (b) of the statutes is amended to read:

20 287.95 (3) (b) After December 31, 1996, any person who violates s. 287.07 (3)  
21 and, (4), (9), or (10) may be required to forfeit \$50 for a first violation, may be required  
22 to forfeit \$200 for a 2nd violation, and may be required to forfeit not more than \$2,000  
23 for a 3rd or subsequent violation.”

24 **4.** Page 393, line 8: after that line insert:

1           “(1q) WHEELCHAIR RECYCLING PROJECT. From the appropriation under section  
2           20.370 (6) (bw), as created by this act, the department of natural resources shall  
3           provide funding to the Wheelchair Recycling Project, of the Madison Chapter of the  
4           National Spinal Cord Injury Association, to provide recycled wheelchairs and other  
5           medical equipment to individuals and programs in need and for costs of equipment,  
6           parts, maintenance, and distribution.”.

7           **5.** Page 468, line 13: after that line insert:

8           “(1q) WHEELCHAIR RECYCLING PROJECT. The repeal of section 20.370 (6) (bw) of  
9           the statutes takes effect on July 1, 2003.”.

10

(END)