

2001 Jr2 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB1)

Received: 03/11/2002

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**

Pre Topic:

LFB:.....Bonderud -

Topic:

Alternate recycling compliance

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 03/12/2002	csicilia 03/12/2002		_____			
/1			rschluet 03/13/2002	_____	lrb_docadmin 03/13/2002		

FE Sent For:

<END>

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FE Sent For:

3.13-3

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Working Group Recommendation: Expand the alternate recycling compliance pilot program established in 2001 Act 16 to be statewide and permanent. The program would offer responsible units of local government an alternative method of complying with the effective program requirement that a responsible unit's program require that the occupants of residential, commercial, retail, industrial and governmental facilities within the responsible unit separate the materials subject to the 1995 landfill and incineration bans, from postconsumer waste. Include the following:

1. Require that the program be available to all responsible units of government in the state, instead of to nine responsible units under the pilot program.
2. DNR would be required to promulgate administrative rules for the statewide program, and would be authorized to promulgate administrative rules without the finding of emergency, for administration of the program.
3. The administrative rules established by DNR for the statewide program would be required to do all of the following that the rules required under 2001 Act 16 for the pilot program would have done: (a) set goals for materials to be recycled as a percentage of solid waste generated in the geographic area served by a responsible unit of local government; (b) establish a list of recyclable materials that could be collected for recycling by responsible units, including materials currently subject to the 1995 landfill bans and other recyclable materials; (c) specify a procedure for a responsible unit to identify the materials that it will require to be separated for recycling under its recycling program; and (d) specify a procedure to be used by DNR to determine whether a responsible unit has achieved the recycled materials percentage goals.
4. Responsible units that comply with the alternate method of compliance with requiring materials to be recycled would not have to comply with the 1995 landfill and incineration bans that are currently required in order to maintain an effective recycling program.
5. Eliminate the repeal date of December 31, 2005, for the pilot program. The alternative method of compliance would be established permanently.

2001

Date (time) needed SOON (in 3/12)

LRB b 2400 1 1

**ARC CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]**

RET : gs : _____

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**January 2002 SPECIAL SESSION CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 2001 ASSEMBLY BILL 1**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page , line :

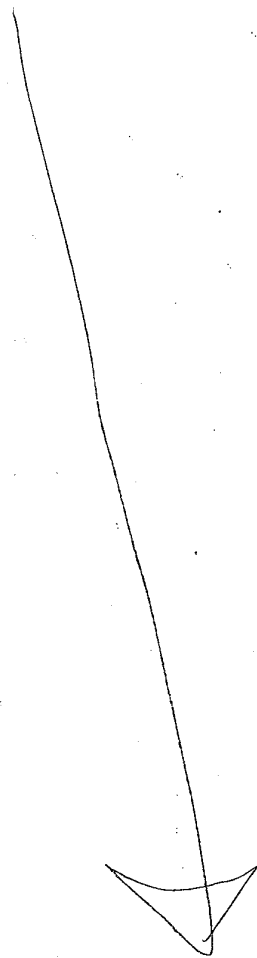
#. Page , line :

#. Page , line :

#. Page , line :

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#. Page , line :



ARC:..... Tessmer = AM94, Recycling pilot program and other changes related to local recycling program requirements

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

1 At the locations indicated, amend the substitute amendment as follows:

2

1. Page ¹⁸⁴ 1037, line ⁹ 24: after that line insert:

3

"SECTION ³⁷⁰ⁱ ~~3222g~~. 287.09 (2) (a) of the statutes is amended to read: ✓

4

287.09 (2) (a) Develop and implement a recycling or other program to manage

5

the solid waste generated within its region in compliance with s. 287.07 (1m) to (4)

6

and (2), with either s. 287.07 (3) and (4) or the rules promulgated under s. 287.11 (4),

7

and with the priorities under s. 287.05 (12).

8

SECTION ³⁷⁰ⁱ ~~3222g~~. 287.11 (2) (a) of the statutes is amended to read: ✓

9

287.11 (2) (a) A public education component to inform residents of the region

10

of the reasons to recycle, local opportunities to recycle and the prohibitions in s.

1 287.07 (3) and (4) materials that residents are required to recycle under the program
2 under par. (b).

3 ^{370id} SECTION ~~3222h~~. 287.11 (2) (b) of the statutes is renumbered 287.11 (2) (b) 1. ✓

4 ^{370le} SECTION ~~3222i~~. 287.11 (2) (b) (intro.) of the statutes is created to read: ✓

5 287.11 (2) (b) (intro.) One of the following:

6 ^{370if} SECTION ~~3222j~~. 287.11 (2) (b) 2. of the statutes is created to read: ✓

7 287.11 (2) (b) 2. A program that the department determines complies with the
8 rules promulgated under sub. (4).

9 ^{370ih} SECTION ~~3222k~~. 287.11 (2) (er) of the statutes is amended to read: ✓

10 287.11 (2) (er) A prohibition on disposing of in a solid waste disposal facility or
11 burning in a solid waste treatment facility any material ~~identified under s. 287.07~~
12 ~~(3) and (4) that is required to be separated for recycling under the program under par.~~
13 ~~(b) and~~ that is separated for recycling as part of the program.

14 ^{370ij} SECTION ~~3222l~~. 287.11 (2) (i) of the statutes is amended to read: ✓

15 287.11 (2) (i) A reasonable effort, through the implementation of pars. (a) to (h),
16 as applicable, to reduce to the maximum extent feasible the amount, by weight, of
17 each material ~~specified in s. 287.07 (3) and (4) of a type that is recycled in the program~~
18 under par. (b) that is generated as solid waste within the region and disposed of in
19 a solid waste disposal facility or converted into fuel or burned without energy
20 recovery in a solid waste treatment facility.

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

22 ~~287.11 (4) ALTERNATE METHOD OF COMPLIANCE. The department shall~~
23 ~~promulgate rules that do all of the following:~~

24 ~~(a) Set goals for amounts of materials to be recycled as a percentage of solid~~
25 ~~waste generated in the geographic area served by a responsible unit.~~

✂

370, m

Section ~~287.11~~ (4) (title) of the statutes, as created by 2001 Wisconsin Act 16, is amended to read:

(CS)

Alternate

287.11 (4) (title) ~~PILOT PROGRAM FOR ALTERNATE~~ METHOD OF COMPLIANCE.

History: 1989 a. 335, 359; 1993 a. 245, 345; 1995 a. 142; 1995 a. 227 s. 894; Stats. 1995 s. 287.11; 1997 a. 27, 60; 1999 a. 9; 2001 a. 16.



370in
Section # 287.11 (4) (a) ~~(intro)~~ of the statutes, as created by 2001 Wisconsin Act 16, is
renumbered 287.11 (4) ~~(intro)~~ ^{287.11(4) (intro)} and amended to read: *as renumbered, is*

287.11 (4) (intro.) ~~The department shall administer a pilot program that provides an alternate method of complying with sub. (2) (b). The department shall promulgate rules for the pilot program under this subsection that do all of the following:~~

History: 1989 a. 335, 359; 1993 a. 245, 345; 1995 a. 142; 1995 a. 227 s. 894; Stats. 1995 s. 287.11; 1997 a. 27, 60; 1999 a. 9; 2001 a. 16.

Section 370^{ip} RP; 287.11 (4) (b) to (e); as created by 2001 Wisconsin Act 16.

(End)

CS

~~P~~ ~~ILOT PROGRAM FOR ALTERNATE~~ ALTERNATE METHOD
OF COMPLIANCE.

Ed - FYI - extra pages of base draft

1 (b) Include a list of recyclable materials, including the materials identified
2 under s. 287.07 (3) and (4), that a responsible unit may choose under this subsection
3 to require to be separated for recycling under its recycling program.

4 (c) Specify a procedure for a responsible unit to identify the materials that it
5 will require to be separated for recycling under its recycling program.

6 (d) Specify a procedure to be used by the department to determine whether a
7 responsible unit has achieved the goals under par. (a).

8 **SECTION 3222p.** 287.23 (2) of the statutes is amended to read:

9 287.23 (2) DEPARTMENT POWERS AND DUTIES. The department shall develop,
10 implement and administer a program to provide financial assistance to responsible
11 units. The department shall develop criteria for reporting on and evaluating the
12 program. Each year the department shall audit review at least 5% of the recipients
13 of grants in the previous year to ensure that the recycling programs and activities
14 funded by grants under this section meet the requirements of this section of the
15 recipients are effective recycling programs.

16 **SECTION 3222q.** 287.23 (3) (am) (intro.) and 1. of the statutes are consolidated,
17 renumbered 287.23 (3) (am) and amended to read:

18 287.23 (3) (am) The department may withhold all or a portion of the assistance
19 for a responsible unit for one year if the department determines ~~any of the following:~~
20 ~~1. That that~~ the responsible unit has not maintained an effective recycling program
21 following approval of the recycling program under s. 287.11.

22 **SECTION 3222r.** 287.23 (3) (am) 2. of the statutes is repealed.

23 **SECTION 3222s.** 287.23 (3) (b) of the statutes is repealed.

24 **SECTION 3223b.** 287.23 (4) (intro.) of the statutes is amended to read:

1 287.23 (4) APPLICATION. (intro.) A responsible unit that seeks assistance under
2 the program shall submit an application to the department. ~~To qualify for a full~~
3 ~~grant, the responsible unit must submit the application no later than October 1 in~~
4 ~~the year preceding the year for which the assistance is sought. For the purpose of~~
5 ~~this subsection and sub. (5p), if an application is postmarked, it is considered to be~~
6 ~~submitted on the date that it is postmarked.~~ An application shall include all of the
7 following:

8 **SECTION 3323p.** 287.23 (5) (intro.) of the statutes is amended to read:

9 287.23 (5) GRANT AWARD FOR YEARS BEFORE 2000. (intro.) For years before 2000,
10 the department shall award a grant under this subsection to each eligible
11 responsible unit that submits a complete grant application under sub. (4) for
12 expenses allowable under ~~sub. s. 287.23 (3) (b), 1999 stats.~~ Except as provided under
13 ~~s. 287.23 (5p), 1999 stats., or sub. (5m) or (5p),~~ the amount of the grant under this
14 subsection shall be determined as follows:"

15 **2.** Page 1058, line 2: after that line insert:

16 **"SECTION 3225e.** 287.23 (5b) (intro.) of the statutes is amended to read:

17 287.23 (5b) GRANT AWARD FOR 2000 AND 2001. (intro.) ~~The For grants for 2000 and~~
18 2001, the department shall award a grant under this subsection to each eligible
19 responsible unit that submits a complete grant application under sub. (4) for
20 expenses allowable under ~~sub. s. 287.23 (3) (b), 1999 stats.~~ The department shall
21 determine the amount of the grants under this subsection as follows:

22 **SECTION 3225h.** 287.23 (5b) (a) of the statutes is amended to read:



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2400/1
RCT:cjs:rs

LFB:.....Bonderud – Alternate recycling compliance

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 184, line 9: after that line insert:

3 “SECTION 370i. 287.09 (2) (a) of the statutes is amended to read:

4 287.09 (2) (a) Develop and implement a recycling or other program to manage
5 the solid waste generated within its region in compliance with s. 287.07 (1m) ~~to (4)~~
6 and (2), with either s. 287.07 (3) and (4) or the rules promulgated under s. 287.11 (4),
7 and with the priorities under s. 287.05 (12).

8 SECTION 370ic. 287.11 (2) (a) of the statutes is amended to read:

9 287.11 (2) (a) A public education component to inform residents of the region
10 of the reasons to recycle, local opportunities to recycle and the ~~prohibitions in s.~~

1 287.07 (3) and (4) materials that residents are required to recycle under the program
2 under par. (b).

3 **SECTION 370id.** 287.11 (2) (b) (intro.) of the statutes is created to read:

4 287.11 (2) (b) (intro.) One of the following:

5 **SECTION 370ie.** 287.11 (2) (b) of the statutes is renumbered 287.11 (2) (b) 1.

6 **SECTION 370if.** 287.11 (2) (b) 2. of the statutes is created to read:

7 287.11 (2) (b) 2. A program that the department determines complies with the
8 rules promulgated under sub. (4).

9 **SECTION 370ih.** 287.11 (2) (er) of the statutes is amended to read:

10 287.11 (2) (er) A prohibition on disposing of in a solid waste disposal facility or
11 burning in a solid waste treatment facility any material identified under s. 287.07
12 (3) and (4) that is required to be separated for recycling under the program under par.
13 (b) and that is separated for recycling as part of the program.

14 **SECTION 370ij.** 287.11 (2) (i) of the statutes is amended to read:

15 287.11 (2) (i) A reasonable effort, through the implementation of pars. (a) to (h),
16 as applicable, to reduce to the maximum extent feasible the amount, by weight, of
17 each material specified in s. 287.07 (3) and (4) of a type that is recycled in the program
18 under par. (b) that is generated as solid waste within the region and disposed of in
19 a solid waste disposal facility or converted into fuel or burned without energy
20 recovery in a solid waste treatment facility.

21 **SECTION 370in.** 287.11 (4) (a) of the statutes, as created by 2001 Wisconsin Act
22 16, is renumbered 287.11 (4) and 287.11 (4) (intro.), as renumbered, is amended to
23 read:

24 287.11 (4) ~~PILOT PROGRAM FOR ALTERNATE~~ ALTERNATE METHOD OF COMPLIANCE.
25 (intro.) ~~The department shall administer a pilot program that provides an alternate~~

1 ~~method of complying with sub. (2) (b).~~ The department shall promulgate rules for
2 ~~the pilot program under this subsection~~ that do all of the following:

3 **SECTION 370ip.** 287.11 (4) (b) to (e) of the statutes, as created by 2001 Wisconsin
4 Act 16, are repealed.”

5 (END)