

2007 DRAFTING REQUEST

Bill

Received: **12/12/2006**

Received By: **btradewe**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Miner**

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

Drafter: **btradewe**

May Contact:

Addl. Drafters:

Subject: **Environment - solid haz. waste**
Environment - env. cleanup

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Miner, BB0220 -

Topic:

Environmental repair tipping fee increase

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>
/?				_____			S&L
/P1	btradewe 12/13/2006	kfollett 12/13/2006	nnatzke 12/13/2006	_____	cduerst 12/13/2006		S&L
/1	btradewe 01/14/2007	kfollett 01/15/2007	nnatzke 01/15/2007	_____	mbarman 01/16/2007		S&L
/2	btradewe 01/29/2007	kfollett 01/29/2007	rschluet 01/29/2007	_____	sbasford 01/29/2007		

FE Sent For:

<END>

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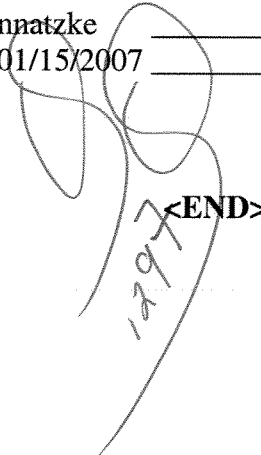
See Attached

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/1	btradewe 01/14/2007	kfollett 01/15/2007	nnatzke 01/15/2007	_____	mbarman 01/16/2007		

FE Sent For:

12/13/06
1/2/07


1297

<END>

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/P1	btradewe 12/13/2006	kfollett 12/13/2006	nmatzke 12/13/2006	_____	cduerst 12/13/2006		

FE Sent For:

1/15 Kjf
1/15 nwn
1/15 nwn
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/?	btradewe	1P1kf 12/13	nwn 12/13	nwn 12/13			

FE Sent For:

<END>

2007-09 Budget Bill Statutory Language Drafting Request

- Topic: Environmental Repair Tipping Fee Increase
- Tracking Code: BB0220
- SBO team: Environmental and Commercial Resources
- SBO analyst: Andrew Miner AM 12/11/06
 - Phone: 266-1103
 - Email: Andrew.Miner@Wisconsin.gov
- Agency acronym: DNR
- Agency number: 370
- Priority (Low, Medium, High): High

DEPARTMENT OF NATURAL RESOURCES

REVENUE REQUEST

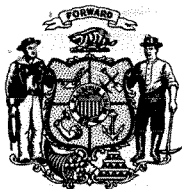
REVENUE ISSUE TITLE: Environmental Repair Tipping Fee Increase

REVENUE PROPOSAL: The Department proposes to increase to \$1.00 per ton the current Environmental Repair tipping fee, which, per existing Wis. Stat. s. 289.67(1)(cp) is 50¢/ton for each ton or equivalent volume of solid or hazardous waste disposed of at a licensed solid or hazardous waste disposal facility.

NEW REVENUE GENERATED: The Department estimates that this fee increase would generate approximately \$4 million in additional revenue annually to the Environmental Management Account of the Environmental Fund.

CURRENT REVENUE GENERATED: Approved facilities that dispose of municipal, hazardous or non-high volume industrial waste (high-volume industrial waste includes paper mill sludge, bottom ash, foundry process waste and fly ash) pay 50¢ per ton. The calendar year 2004 amount generated was 7.5 million tons, which, at the 50¢/ton rate, resulted in approximately \$3.8 million in revenue. The calendar year 2005 amount generated was 7.9 million tons, which at the 50¢/ton rate, resulted in approximately \$4 million in revenue.

SPENDING ASSOCIATED WITH REVENUE INCREASE: This proposed revenue increase would stabilize funding for programs funded from the Environmental Management Account of the Segregated Environmental Fund. In the DNR, these programs include: brownfields redevelopment; state funded remediation site response; Bureau of Remediation and Redevelopment grant programs; spill response; groundwater management; waste and materials management; and environmental enforcement. In addition to these programs, the Environmental Fund supports substantial efforts in the Department of Agriculture, Trade, and Consumer Protection, the Department of Commerce, the UW System, the Department of Health and Family Services and Department of Military Affairs.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1113/P1

RCT...

in 12/13

DN/ste

DOA:.....Miner, BB0220 - Environmental repair tipping fee increase
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

Don't Gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

ENVIRONMENT

OTHER ENVIRONMENT

Current law imposes an environmental repair fee on solid and hazardous waste disposed of at a waste disposal facility (such as a landfill). This type of fee is often called a tipping fee. The environmental repair fee is 50 cents per ton, except that the fee is lower for mining waste and certain kinds of high-volume industrial waste. The environmental repair fee is deposited into the environmental fund.

This bill increases the environmental repair fee on solid and hazardous waste, other than mining waste and certain kinds of high-volume industrial waste, to \$1 per ton.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 289.67 (1) (cp) of the statutes is amended to read:

3 289.67 (1) (cp) *Amount of environmental repair fee.* Notwithstanding par. (cm)

4 and except as provided under par. (d), the environmental repair fee imposed under

1 par. (a) is ~~30~~ 50 cents per ton for solid or hazardous waste, other than high-volume
2 industrial waste, disposed of ~~on or after January 1, 1988, but before July 1, 1989,~~
3 ~~and 50 cents per ton disposed of on or after July 1, 1989 before July 1, 2007, and \$1~~
4 per ton disposed of on or after July 1, 2007.

5 **History:** 1995 a. 227 s. 601 to 604, 991; 1997 a. 27; 1999 a. 9.

(END)

ONde

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1113/P1dn

RCT..*kgf*

Date

Andrew Miner:

This is a preliminary version of the draft increasing the environmental repair tipping fee. The draft needs to specify when the fee increase takes effect, based on date of disposal. A workable date may depend on how and when the fee is collected (keeping in mind that the budget will not become law until late next summer, in all likelihood). I do not recall how and when this fee is collected. For this version, I specified that the increase first applies to waste disposed of on July 1, 2007. Please let me know what the date should be.

Rebecca C. Tradewell

Managing Attorney

Phone: (608) 266-7290

E-mail: becky.tradewell@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1113/P1dn
RCT:kjf:nwn

December 13, 2006

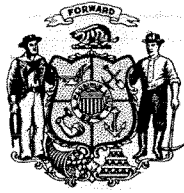
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Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.wisconsin.gov

Environmental Repair Bonding (1117): increase the amount of the bond to \$100,000.

Environmental Repair Tipping Fee Increase (1113): Increase the tipping fee by \$1.10 instead of \$0.50, so the new amount will be \$1.60 instead of \$1.00. The July 1, 2007 effective date is fine.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1113/1

RCT:kjf:rw

In 1/14

RMV

DOA:.....Miner, BB0220 - Environmental repair tipping fee increase
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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3 and 50 cents per ton disposed of on or after July 1, 1989 before July 1, 2007, and ~~\$1~~ ^{\$1.60}
4 per ton disposed of on or after July 1, 2007.

5 (END)

1/28 5:07 pm. Per Andrew - in 289.67 (1)(h),
specify that 75% of Env. repair fee goes
for nonpoint

RET



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1113/E 2
RCT:kjf:na

In 1/29

rmv

DOA:.....Miner, BB0220 - Environmental repair tipping fee increase
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

Note

Don't Gen

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Insert
1-2

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3 ~~and 50 cents per ton disposed of on or after July 1, 1989~~ before July 1, 2007, and \$1.60
4 per ton disposed of on or after July 1, 2007.

~~Insert~~ →

(END)

2-4

Note

**2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1113/2ins
RCT:.....

Insert 1-2

SECTION 1. 25.46 (7) of the statutes is amended to read:

25.46 (7) The fees imposed under s. 289.67 (1) for environmental management, except that for each ton of waste for which the fee is \$1.60 per ton, 75 cents is for nonpoint source water pollution abatement.

History: 1983 a. 410; 1985 a. 29; 1987 a. 27; 1989 a. 31, 335; 1991 a. 39, 112, 269, 309; 1993 a. 16, 261, 453, 458; 1995 a. 27, 227; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 139; 2005 a. 45.

Insert 2-4

SECTION 2. 289.67 (1) (h) of the statutes is amended to read:

289.67 (1) (h) *Use of environmental repair fee.* The fees collected under par. (b) shall be credited to the environmental fund ~~for environmental management.~~

History: 1995 a. 227 s. 601 to 604, 991; 1997 a. 27; 1999 a. 9.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1113/2dn

RCT...*kyf*

Date

Andrew Miner,

* The environmental repair fee is lower for certain kinds of waste and this draft does *not* change the rate for those kinds of waste. I have assumed that none of the fee for those kinds of waste is to be used for nonpoint *purposes*.

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Managing Attorney
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E-mail: becky.tradewell@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1113/2dn
RCT:kjf:rs

January 29, 2007

Andrew Miner,

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State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1113/2
RCT:kjf:rs

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FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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