



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2007 Assembly Bill 266**

**Assembly Amendment 1**

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*Assembly Bill 266* amends the current statute that requires the owner of a landfill to maintain proof of financial responsibility to ensure the availability of funds to cover the costs of closing the landfill and maintaining the property after the landfill is closed.

Under current rules of the Department of Natural Resources (DNR), the operator may use an irrevocable trust as the means of proving financial responsibility, which may include securities issued by the federal government. The bill allows the irrevocable trust to include securities issued by an instrumentality of the federal government as well as securities issued by the federal government. The purpose of this amendment is to allow the owner of the landfill to obtain higher interest rates on the money set aside for proof of financial responsibility.

*Assembly Amendment 1* requires that the securities issued by an instrumentality of the federal government must have a rating that is the highest rating category assigned by Standard & Poor's Corporation, Moody's Investors Service, or other similar nationally recognized rating agency. The amendment also authorizes the use of instrumentalities of the federal government that meet these financial standards in an escrow account, which is another approved means of maintaining proof of financial responsibility.

### Legislative History

Assembly Amendment 1 was offered by Representative Wieckert. The Assembly Committee on Natural Resources recommended adoption of Assembly Amendment 1 on May 30, 2007, by a vote of Ayes, 14; Noes, 0; and recommended passage of the bill, as amended, by the same vote.

MCP:jb:ksm