



2013 ASSEMBLY BILL 494

November 5, 2013 – Introduced by Representative LOUDENBECK, cosponsored by Senator KEDZIE. Referred to Committee on Environment and Forestry.

1 **AN ACT to amend** 289.63 (1), 289.64 (1), 289.645 (1) and 289.67 (1) (a); and **to**
2 **create** 289.675 of the statutes; **relating to:** the waiver of fees imposed on waste
3 disposed of at a solid or hazardous waste disposal facility.

Analysis by the Legislative Reference Bureau

Current law imposes several fees, often called tipping fees, that are based on the weight of solid or hazardous waste disposed of at a landfill or other waste disposal facility. This bill authorizes the Department of Natural Resources (DNR) to waive these tipping fees to provide an incentive for participation in waste removal activities at DNR's request.

For further information see the **state** 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:

4 **SECTION 1.** 289.63 (1) of the statutes is amended to read:
5 289.63 (1) IMPOSITION OF GROUNDWATER AND WELL COMPENSATION FEES ON
6 GENERATORS. Except as provided under sub. (6) and s. 289.675 (1), a generator of solid
7 or hazardous waste shall pay separate groundwater and well compensation fees for

ASSEMBLY BILL 494**SECTION 1**

1 each ton or equivalent volume of solid or hazardous waste which is disposed of at a
2 licensed solid or hazardous waste disposal facility. If a person arranges for collection
3 or disposal services on behalf of one or more generators, that person shall pay the
4 groundwater and well compensation fees to the licensed solid or hazardous waste
5 disposal facility or to any intermediate hauler used to transfer wastes from collection
6 points to a licensed facility. An intermediate hauler who receives groundwater and
7 well compensation fees under this subsection shall pay the fees to the licensed solid
8 or hazardous waste disposal facility. Tonnage or equivalent volume shall be
9 calculated in the same manner as the calculation made for tonnage fees under s.
10 289.62 (1).

11 **SECTION 2.** 289.64 (1) of the statutes is amended to read:

12 **289.64 (1) IMPOSITION OF SOLID WASTE FACILITY SITING BOARD FEE ON GENERATORS.**

13 Except as provided under sub. (4) and s. 289.675 (1), a generator of solid waste or
14 hazardous waste shall pay a solid waste facility siting board fee for each ton or
15 equivalent volume of solid waste or hazardous waste that is disposed of at a licensed
16 solid waste or hazardous waste disposal facility. If a person arranges for collection
17 or disposal services on behalf of one or more generators, that person shall pay the
18 solid waste facility siting board fee to the licensed solid waste or hazardous waste
19 disposal facility or to any intermediate hauler used to transfer wastes from collection
20 points to a licensed facility. An intermediate hauler who receives the solid waste
21 facility siting board fee under this subsection shall pay the fee to the licensed solid
22 waste or hazardous waste disposal facility. Tonnage or equivalent volume shall be
23 calculated in the same manner as the calculation made for tonnage fees under s.
24 289.62 (1).

25 **SECTION 3.** 289.645 (1) of the statutes is amended to read:

ASSEMBLY BILL 494

1 289.645 (1) IMPOSITION OF RECYCLING FEE ON GENERATORS. Except as provided
2 under sub. (4) and 289.675 (1), a generator of solid waste or hazardous waste shall
3 pay a recycling fee for each ton or equivalent volume of solid waste or hazardous
4 waste that is disposed of at a licensed solid waste or hazardous waste disposal
5 facility. If a person arranges for collection or disposal services on behalf of one or
6 more generators, that person shall pay the recycling fee to the licensed solid waste
7 or hazardous waste disposal facility or to any intermediate hauler used to transfer
8 wastes from collection points to a licensed facility. An intermediate hauler who
9 receives the recycling fee under this subsection shall pay the fee to the licensed solid
10 waste or hazardous waste disposal facility. Tonnage or equivalent volume shall be
11 calculated in the same manner as the calculation made for tonnage fees under s.
12 289.62 (1).

13 **SECTION 4.** 289.67 (1) (a) of the statutes is amended to read:

14 289.67 (1) (a) *Imposition of fee.* Except as provided under pars. (f) and (fm) and
15 s. 289.675 (1), a generator of solid or hazardous waste shall pay an environmental
16 repair fee for each ton or equivalent volume of solid or hazardous waste which is
17 disposed of at a licensed solid or hazardous waste disposal facility. If a person
18 arranges for collection or disposal services on behalf of one or more generators, that
19 person shall pay the environmental repair fee to the licensed solid or hazardous
20 waste disposal facility or to any intermediate hauler used to transfer wastes from
21 collection points to a licensed facility. An intermediate hauler who receives
22 environmental repair fees under this paragraph shall pay the fees to the licensed
23 solid or hazardous waste disposal facility. Tonnage or equivalent volume shall be
24 calculated in the same manner as the calculation made for tonnage fees under s.
25 289.62 (1).

