

2015 Assembly Bill 730 (LRB -4344)

An Act to create 66.0419 of the statutes; relating to: local regulation of certain containers.

2016

01-15.	A.	Introduced by Representatives Rohrkaste, Vorpapel, Swearingen, Craig, Kleefisch, Czaja, Gannon, R. Brooks, Kremer, Jarchow, Kuglitsch, Kooyenga, Murphy, Katsma, Brandtjen, Quinn and A. Ott ; cosponsored by Senators Roth, Lasee, Kapenga, LeMahieu, Gudex and Tiffany .	502
01-15.	A.	Read first time and referred to Committee on State Affairs and Government Operations	502
01-20.	A.	Public hearing held	
01-25.	A.	Assembly Amendment 1 offered by Representative Rohrkaste (LRB a1703)	538
01-26.	A.	Assembly Amendment 2 offered by Representatives Sinicki, Zamarripa, Brostoff, Kahl and Ohnstad (LRB a1742)	542
01-27.	A.	Executive session held	
02-01.	A.	Representative Bernier added as a coauthor	556
02-02.	A.	Report Assembly Amendment 1 adoption recommended by Committee on State Affairs and Government Operations, Ayes 11, Noes 2	561
02-02.	A.	Report passage as amended recommended by Committee on State Affairs and Government Operations, Ayes 8, Noes 5	562
02-02.	A.	Referred to committee on Rules	562
02-10.	A.	Assembly Amendment 3 offered by Representative Rohrkaste (LRB a2109)	623
02-11.	A.	Placed on calendar 2-16-2016 by Committee on Rules	
02-16.	A.	Read a second time	686
02-16.	A.	Assembly Amendment 1 adopted	686
02-16.	A.	Assembly Amendment 3 adopted	686
02-16.	A.	Assembly Amendment 4 offered by Representatives Kahl and Sinicki (LRB a2294)	686
02-16.	A.	Assembly Amendment 4 laid on table, Ayes 63, Noes 35, Paired 1	686
02-16.	A.	Assembly Amendment 5 offered by Representative Sinicki (LRB a2306)	687
02-16.	A.	Assembly Amendment 5 withdrawn and returned to author	687
02-16.	A.	Assembly Amendment 6 offered by Representative Kahl (LRB a2233)	687
02-16.	A.	Assembly Amendment 6 laid on table, Ayes 63, Noes 35, Paired 1	687
02-16.	A.	Ordered to a third reading	687
02-16.	A.	Rules suspended	687
02-16.	A.	Read a third time and passed , Ayes 63, Noes 35	687
02-16.	A.	Representatives August and Jacque added as coauthors	687
02-16.	A.	Ordered immediately messaged	687
02-17.	S.	Received from Assembly	753
02-17.	S.	Read first time and referred to committee on Elections and Local Government	756
03-01.	S.	Executive action taken	
03-10.	S.	Report concurrence recommended by Committee on Elections and Local Government, Ayes 3, Noes 2	798
03-10.	S.	Available for scheduling	
03-14.	S.	Public hearing requirement waived by committee on Senate Organization, pursuant to Senate Rule 18 (1m), Ayes 3, Noes 2	806
03-14.	S.	Placed on calendar 3-15-2016 pursuant to Senate Rule 18(1)	807
03-15.	S.	Read a second time	
03-15.	S.	Ordered to a third reading	
03-15.	S.	Rules suspended	
03-15.	S.	Read a third time and concurred in , Ayes 19, Noes 13	
03-15.	S.	Ordered immediately messaged	
03-16.	A.	Received from Senate concurred in	782

SB

**2015
ENROLLED BILL**

15en A B-73 0

ADOPTED DOCUMENTS:

Orig **Engr** **SubAmdt**

15 -4344/1

Amendments to above (if none, write "NONE"): AA1, AA3

Corrections - show date (if none, write "NONE"): None

Topic Rec course

3/17/16

Date

[Signature]

Enrolling Drafter



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-4344/1
EVM:cjs&ahe

2015 ASSEMBLY BILL 730

January 15, 2016 - Introduced by Representatives ROHRKASTE, VORPAGEL, SWEARINGEN, CRAIG, KLEEFISCH, CZAJA, GANNON, R. BROOKS, KREMER, JARCHOW, KUGLITSCH, KOOYENGA, MURPHY, KATSMA, BRANDTJEN, QUINN and A. OTT, cosponsored by Senators ROTH, LASEE, KAPENGA, LEMAHIEU, GUDEX and TIFFANY. Referred to Committee on State Affairs and Government Operations.

1 **AN ACT to create** 66.0419 of the statutes; **relating to:** local regulation of certain
2 containers.

Analysis by the Legislative Reference Bureau

This bill limits the authority of a political subdivision (a city, village, town, or county) to regulate auxiliary containers. "Auxiliary container" is defined as "a bag, cup, bottle, or other packaging that is designed to be reusable or single-use; that is made of cloth, paper, plastic, cardboard, corrugated material, aluminum, glass, postconsumer recycled material, or similar material or substrates, including coated, laminated, or multi-layer substrates; and that is designed for transporting or protecting merchandise, food, or beverages from a food service or retail facility." Specifically, with certain exceptions, a political subdivision may not 1) enact or enforce an ordinance regulating the use, disposition, or sale of auxiliary containers, 2) prohibit or restrict auxiliary containers, or 3) impose a fee, charge, or surcharge on auxiliary containers.

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

3 **SECTION 1.** 66.0419 of the statutes is created to read:
4 **66.0419 Local regulation of auxiliary containers.** (1) In this section:

ASSEMBLY BILL 730

can,

*AA1
1.*

1 (a) "Auxiliary container" means a bag, cup, bottle, or other packaging that is
2 designed to be reusable or single-use; that is made of cloth, paper, plastic, cardboard,
3 corrugated material, aluminum, glass, postconsumer recycled material, or similar
4 material or substrates, including coated, laminated, or multi-layer substrates; and
5 that is designed for transporting or protecting merchandise, food, or beverages from
6 a food service or retail facility.

7 (b) "Political subdivision" means a city, village, town, or county.

8 (2) No political subdivision may do any of the following:

9 (a) Enact or enforce an ordinance or adopt or enforce a resolution regulating
10 the use, disposition, or sale of auxiliary containers.

11 (b) Prohibit or restrict auxiliary containers.

12 (c) Impose a fee, charge, or surcharge on auxiliary containers.

13 (3) (a) This section does not limit the authority of a political subdivision in
14 operating a curbside recycling or commercial recycling program or in designating a
15 recycling location.

*or an effective recycling program
under s. 287.11*

*AAJ
1.*

16 (b) Subsection (2) (b) and (c) does not apply to the use of auxiliary containers
17 on a property owned by the political subdivision.

18 (END)



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBa1703/1
EVM:amn

**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY BILL 730**

January 25, 2016 – Offered by Representative ROHRKASTE.

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

2 **1.** Page 2, line 1: after “bottle,” insert “can,”.

3 (END)

