

2015 DRAFTING REQUEST

Bill

Received: 1/8/2016 Received By: emueller
For: Mike Rohrkaste (608) 266-5719 Same as LRB: -3829
May Contact: By/Representing: Tyler
Subject: Local Gov't - counties Drafter: emueller
Local Gov't - munis generally
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Extra Copies:

Submit via email: YES
Requester's email: Rep.Rohrkaste@legis.wisconsin.gov
Carbon copy (CC) to: eric.mueller@legis.wisconsin.gov
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Pre Topic:

No specific pre topic given

Topic:

Prohibit certain local regulation of plastic bags and other similar containers

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	emueller 1/8/2016	csicilia 1/11/2016	_____	sbasford 1/11/2016	sbasford 1/11/2016	

FE Sent For:

NOT
NEEDED

<END>



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-3829/2
EVM:cjs&ahe

4344/1

2015 BILL

5/11/16
comp ✓

1/11/16

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:

BILL

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.

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)

Basford, Sarah

From: Rep.Rohrkaste
Sent: Monday, January 11, 2016 12:51 PM
To: LRB.Legal
Subject: Draft Review: LRB -4344/1

Please Jacket LRB -4344/1 for the ASSEMBLY.