

1993 Senate Bill 678

Date of enactment: April 8, 1994
Date of publication*: April 22, 1994

1993 WISCONSIN ACT 245

AN ACT to amend 100.297 (3), 159.01 (3), 159.01 (9), 159.07 (1m) (a), 159.11 (2m) (d) and 159.25 (4s) of the statutes, relating to: prohibitions on landfill disposal and incineration of major appliances, the requirement that certain plastic containers include recycled or remanufactured material, awards of waste reduction and recycling demonstration grants, responsible units for recycling programs and waivers of requirements for effective recycling programs.

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

SECTION 1. 100.297 (3) of the statutes is amended to read:

100.297 (3) EXCEPTION. Subsection (2) applies to a person who sells or offers to sell a product that is a food, beverage or drug, cosmetic or medical device and that is regulated under the federal food, drug and cosmetic act, 21 USC 301 to 394, in a plastic container only if the federal food and drug administration has approved the use of the specified recycled or remanufactured content in that plastic container.

SECTION 2. 159.01 (3) of the statutes is amended to read:

159.01 (3) "Major appliance" means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, furnace, boiler, dehumidifier, water heater or stove.

SECTION 3. 159.01 (9) of the statutes is amended to read:

159.01 (9) "Responsible unit" means a municipality, county ~~or~~ solid waste management system under s. 59.07 (135) or other unit of government, that is designated under s. 159.09 (1).

SECTION 4. 159.07 (1m) (a) of the statutes is amended to read:

159.07 (1m) (a) Dispose of a lead acid battery or a major appliance in a solid waste disposal facility ~~or burn in this state,~~ except that a person may dispose of a microwave oven in a solid waste disposal facility in this state if the capacitor has been removed and disposed of in accordance with s. 144.79 (7), if applicable.

(am) Burn a lead acid battery or a major appliance in a solid waste treatment facility in this state.

SECTION 5. 159.11 (2m) (d) of the statutes is amended to read:

159.11 (2m) (d) The department may grant a responsible unit with an effective recycling program a variance to a requirement in sub. (2) (b) or (er) for up to one year for a material identified in s. 159.07 (3) or (4) in the event of an unexpected emergency condition.

SECTION 6. 159.25 (4s) of the statutes, as affected by 1993 Wisconsin Acts 16 and 75, is amended to read:

159.25 (4s) REQUESTS FOR PROPOSALS. The department may request proposals for a waste reduction and recycling activity eligible for funding under this section. Notwithstanding sub. (4) (f) and (g), the department may award a demonstration grant for a project proposed in response to a request under this subsection that does not implement innovative technology. The amount awarded for demonstration grants under this subsection in a fiscal year biennium may not exceed 50% of the total amount awarded available for demonstration grants under this section in that fiscal year biennium.