



Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #607

Reauthorize Funding for Cleanup of Electronic Waste (Natural Resources -- Waste, Remediation, and Air)

CURRENT LAW

2021 Wisconsin Act 234 and subsequent action by the Joint Committee on Finance provided \$2.5 million from the environmental management account of the segregated (SEG) environmental fund in the 2021-23 biennium for DNR to contract with third parties to conduct the assessment, collection, transportation, and disposal of cathode ray tube glass and related electronics waste from 5R Processors. The firm, now defunct, operated as an electronics and appliance recycling firm with several sites in Wisconsin, including Ladysmith (Rusk County), Glen Flora (Rusk County), Catawba (Price County) and West Bend (Washington County).

Act 234 intended to create a continuing appropriation for cleanup purposes. Monies in continuing appropriations do not lapse to the balance of the source fund, and Act 234 intended to allow DNR to expend all monies appropriated for the cleanup purposes until exhausted. However, Act 234 inadvertently provided funding as an annual appropriation. Unencumbered funds in annual appropriations revert to the balance of the source fund at the close of each fiscal year.

MODIFICATION

Modify the statutory language of s. 20.370 (4)(hs), the appropriation for electronic waste cleanup related to 5R Processors, to be continuing. Reauthorize the unencumbered, unexpended balance of the appropriation, \$1,450,000, so that DNR can continue the intended cleanup initiatives. The funds would be available until fully expended.

Explanation: Because the authorizing language of s. 20.370 (4)(hs) creates an annual appropriation, any amounts for the cathode ray tube glass cleanup not encumbered as of June 30, 2023, will lapse to the environmental management account balance. DNR will be unable to expend or encumber the entirety of the funds by the end of the current fiscal year due to unresolved property ownership matters and the subsequent inability of remediation

contractors to access the sites. The Department has currently encumbered \$1,050,000, but due to the varying timelines for contractor activities needs more time to conduct cleanup and expend the remaining \$1,450,000. This modification conforms with the intent of 2021 Act 234.

Change to Base	
SEG	\$1,450,000

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