

Solid Waste and Recycling Legislative Update – April 22, 2010

The legislature begins its last day of scheduled floor session today. Current status of bills introduced this legislative period related to recycling and solid waste are listed below. Generally speaking if bills do not pass both chambers before they adjourn from today's session the bills will "die". But remember the Governor does have the ability to call a special session of the legislature for action on specific issues should he see fit. Bills highlighted in yellow have passed both chambers and have been either signed into law or vetoed by the Governor.

Current comments listed in read – some of the comments are my opinion on what I think is going to happen with pending legislation based upon current legislative schedule; Joe Van Rossum.

AB 87 – Removes the landfill disposal requirement for ash from the burning of a structure for practice or instruction of firefighters or the testing of firefighting equipment – *Incorporated within state budget bill that was adopted*

AB 88 – Changes the definition of "biomass" to include garbage as it relates to the generation of electricity and determining whether utilities are satisfying renewable energy portfolio standards. – *Referred to committee on Energy and Utilities, no hearing scheduled – This bill will likely see no additional action this period -*

SB 107 – Recycling and disposal of Computers, video display devices and printers. This bill would require manufactures to register with the DNR and provide collection and recycling of certain electronic devices. – *Adopted by both Senate and Assembly, signed by Governor Doyle as Wisconsin Act 50*

AB 114/SB 119 – Would give the Wisconsin DNR authority to issue citations for open burning violations. The bill also contains a provision that relates to waste tire storage. *Assembly Natural Resources committee passed and bill is waiting action by full Assembly, Senate Committee on the Environment held a public hearing on October 6, 2009 and has reported the bill out for full Senate action. Status of this bill remains unchanged, both versions are available for scheduling, but the bill did not appear on the calendar for either chamber the morning of April 22.*

SB 126/AB 180– Under current law the Wisconsin DNR may not approve any applications for participation in the Environmental Results System (also called Green Tier) after July 1, 2009. This bill eliminates that restriction and makes various other changes to this and similar programs. – *Adopted by both Senate and Assembly, signed by Governor Doyle on July 7, 2009 as Wisconsin Act 30*

AB 139 – Increases the maximum penalty for litters from \$500 to \$1,000 – *Adopted by Assembly on June 23, forwarded to Senate and referred to Senate committee on Environment; public hearing held September 10, 2009 and reported out for full Senate action. Original bill has been amended and this version has been approved by the Senate and the Assembly, bill will be sent to Governor's office for his action.*

AB 170 – This bill would prohibit retailers from providing a bag for customers purchases unless the bag is a compostable plastic bag; a cloth or plastic bag intended for multiple reuses; or a recyclable paper bag. – *Referred to Assembly committee on Jobs, the Economy, and Small Business; no hearing scheduled – This bill will likely see no additional action this period -*

AB258/SB186 Bill to prohibit the disposal in landfills of used automotive oil filters and engine oil absorbents – *Adopted by Assembly on June 23 and by the Senate on November 5; The bill has been signed by the Governor as Wisconsin Act 86.*

SB 200 – This bill regulates the sale of non-essential products containing mercury. It phases out the retail sale of several products that have mercury added to them during the manufacturing process. The bill also prohibits schools from knowingly purchasing or using mercury containing products. The bill is designed to encourage manufacturers to find safe alternatives to mercury for use in their products. – *Adopted by both the Senate and Assembly on September 22; signed into law by Governor Doyle on October 6, 2009 as Wisconsin Act 44*

AB 372 This bill repeals s. 289.43 (5) – this section of the state statutes exempts from regulation any solid waste from a single family or household disposed of on the property where it is generated. – *Adopted by Assembly on January 26, forwarded to Senate and referred to Senate committee on Environment; Adopted by Assembly and available for scheduling for a full Senate vote, but the bill was not on the Senate Calendar the morning of April 22*

AB 544/SB364 - This bill would prohibit the installation, sale, and distribution of wheel weights and other wheel balancing products that contain lead. *Public hearing held November 18, 2009 by Assembly Natural Resources committee reported out on 1/14/10 for scheduling for full Assembly action, Senate version referred to the Senate committee on Environment. Has been reported out of committee and is on today's Senate Calendar for action.*

AB 138/SB 113 – This bill would give the Natural Resources board the authority to appoint the Secretary of Natural Resources; currently the Secretary is nominated the by Governor and confirmed by the Senate. The bill also sets the Secretary's term to 4 years beginning when he or she was appointed. – *Adopted by Assembly on September 22, 2009; Adopted by Senate November 5, 2009 vetoed by Governor Doyle on 11/13.*

AB 272/SB 198 – This bill addresses the donation of certain drugs under a program administered by the Wisconsin Department of Health Services. – *Assembly committee on Public Health held a public hearing and reported bill out for scheduling for full Assembly action. Senate version of the bill adopted by Senate on October 20, 2009. Adopted by Senate and available for scheduling for a full Assembly vote, but the bill was not on the Assembly Calendar the morning of April 22.*

AB 649/SB 450 – The Clean Energy Jobs Bill contains a variety of provisions that would impact utility, transportation, agriculture, forestry, industry and government sectors. *This bill has been amended during the past couple of weeks and it appears likely to pass in some version the Assembly. Many reports have this bill stuck in the Senate with no action likely.*

SB 459 This bill, suggested as remedial legislation by the Department of Commerce, impacts the regulation of certain above ground storage tanks that contain flammable or combustible liquids or federally regulated hazardous substances. - *Referred to Senate committee on Commerce, Utilities, Energy, and Rail*
– **This bill will likely see no additional action this period -**

SB 629 relating to: the sale, disposal, collection, and recycling of mercury-added lamps. *Recently introduced, no action expected.*

SB 700 This bill requires a person who sells a lead acid battery to a consumer to charge a deposit of not less than \$5. The bill also changes terminology in the law relating to the sale of lead acid batteries and defines the term “deposit” for the purposes of that law. *Recently introduced, no action expected.*

AB – Assembly Bill; SB – Senate Bill