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LRB-0657/1 PEN:gm:km

1999 ASSEMBLY BILL 21

January 14, 1999 - Introduced by Representatives Schneider and Plale. Referred to Committee on Environment.

1 AN ACT to renumber and amend 287.08; to amend 287.08 (title); and to create

287.08 (2) of the statutes; **relating to:** the placement of postconsumer waste and recyclable materials in transparent trash bags.

Analysis by the Legislative Reference Bureau

Current law prohibits the disposal of yard waste in any trash bag that does not decompose when exposed to weather elements. This bill prohibits the required use of transparent trash bags for disposal or collection of postconsumer waste or recyclable materials. The bill prohibits charging a fee for the collection of postconsumer waste or recyclable materials in opaque trash bags that is higher than the fee charged for collection of the same type of materials in transparent trash bags. Any person who violates these prohibitions is subject to a forfeiture of not less than \$50 nor more than \$2,000.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

- **SECTION 1.** 287.08 (title) of the statutes is amended to read:
- 5 **287.08** (title) **Yard waste Waste bags.**

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SECTION 2.	287.08 of the	statutes is	renumbered	287.08 (1) and	amended to
read:					

287.08 (1) Yard waste bags. After December 31, 1990, no No person may discharge, deposit, inject, dump or place in a solid waste facility that is for solid waste treatment or for solid waste storage yard waste that is in a bag unless the bag is constructed of a material that decomposes within a reasonable time after exposure to weather elements and is labeled as being so constructed.

Section 3. 287.08 (2) of the statutes is created to read:

287.08 (2) Transparent trash bags. No person may require the use of transparent bags for the collection or disposal of postconsumer waste or recyclable materials. No person may charge a higher fee for the collection or disposal of postconsumer waste or recyclable materials in bags that are not transparent than the fee charged to collect or dispose of the same type of materials in bags that are transparent.

SECTION 4. Initial applicability.

(1) The treatment of section 287.08 (2) of the statutes first applies to offenses committed on the effective date of this subsection.

18 (END)