

1 **AN ACT** *to create* 287.16 of the statutes; **relating to:** the collection and recycling of
 2 beverage containers at public events and authorizing rule–making.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the Joint Legislative Council’s Special Committee on Single–Use Plastics.

Under current law, to be an “effective recycling program”, a municipal recycling program must include:

A requirement that owners of commercial, retail, industrial, and governmental facilities in the region do all of the following:

1. Provide adequate, separate containers for [recycling specified materials].
2. Regularly notify all users and occupants of the facilities of the [requirement to recycle the specified materials].
3. Provide for the collection of recyclable materials separated from solid waste by the users and occupants and the delivery of the recyclable materials to a recycling facility.

[s. 287.11 (2) (d), stats.]

Rules of the Department of Natural Resources (DNR) interpret this as applying to various public events, including fairs, festivals, sport venues, conferences, and exhibits. [s. NR 544.03 (21), Wis. adm. code.] DNR staff reported to the special committee that it has had difficulty achieving compliance with this requirement at these types of public events.

This draft requires that the planners of public events collect beverage containers separate from other solid waste and deliver them to a recycler. The draft specifies that this requirement, which is enforceable by the state, is in addition to the requirements in municipal recycling programs. It directs the DNR to promulgate rules specifying standards for complying with the new requirement.

3 **SECTION 1.** 287.16 of the statutes is created to read:

4 **287.16 Single–use items at public events. (1)** In this section:

1 (a) "Event" means an organized event that is of a public nature. "Event" includes a fair,
2 carnival, sporting event, concert, theatrical performance, conference, convention, or
3 exposition.

4 (b) "Event planner" means a person with overall responsibility for the planning and
5 execution of an event.

6 (2) An event planner shall, for an event for which the event planner is responsible, do
7 all of the following:

8 (a) Ensure that facilities are provided for the collection of used beverage containers
9 separate from other refuse.

10 (b) Make a reasonable effort to ensure that individuals deposit used beverage containers
11 in the facilities provided.

12 (c) Deliver the collected beverage containers to a facility that will accept them for
13 recycling.

14 (3) The requirements under sub. (2) are in addition to the requirements of a program
15 under s. 287.11.

16 (4) The department shall, by rule, specify minimum standards for compliance with sub.
17 (2).

18 (END)