



WISCONSIN LEGISLATIVE COUNCIL

SINGLE-USE PLASTICS

Room 411 South
State Capitol

November 16, 2010

10:00 a.m. – 1:00 p.m.

[The following is a summary of the November 16, 2010 meeting of the Special Committee on Single-Use Plastics. The file copy of this summary has appended to it a copy of each document prepared for or submitted to the committee during the meeting. A digital recording of the meeting is available on our Web site at <http://www.legis.state.wi.us/lc>.]

Call to Order and Roll Call

Chair Black called the committee to order. The roll was called and a quorum was present.

COMMITTEE MEMBERS PRESENT: Rep. Spencer Black, Chair; Sen. Jim Holperin, Vice-Chair; Sen. Robert Cowles; and Public Members Win Clemmons, Charles Evenhouse, Brian Lawless, Tim Metcalfe, Rick Meyers, John Reindl, Roger Springman, and Joe Van Rossum.

COMMITTEE MEMBERS EXCUSED: Public Members George Dreckmann and John Kelly.

COUNCIL STAFF PRESENT: David L. Lovell, Senior Analyst; and Larry Konopacki, Staff Attorney.

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| <p>*ATTENTION: This was the final meeting of the Special Committee on Single-Use Plastics. Committee members are requested to send any corrections regarding these Minutes to the Legislative Council staff. After the incorporation of any corrections, these Minutes will be considered approved by the committee.</p> |
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Approval of the Minutes of the October 19, 2010 Meeting

The minutes of the October 19, 2010 meeting were approved unanimously.

Description and Discussion of Materials Distributed

- WLC: 0022/1, relating to plastic container recycled content.

An explanation of this bill draft was provided by staff. The committee discussed whether it is prudent to stop incentivizing the inclusion of post-industrial recycled content in favor of post-consumer content, whether a content requirement is the most efficient and effective way to promote diversion of recyclable materials from landfills, and how the draft would provide flexibility if sufficient post-consumer material were unavailable. The committee also discussed how the draft would require post-consumer content in packaging for products regulated by the Food and Drug Administration (FDA) and debated whether government or markets should direct in which products recycled content is used.

The committee decided not to recommend this draft to the Legislative Council.

- WLC: 0023/1, relating to recycling enforcement and information grants, making an appropriation, and authorizing rule-making.

Following an explanation of this draft by staff, the committee discussed current uses of solid waste tipping fee revenue and the appropriateness of those expenditures. The committee also discussed the two grant programs affected by this draft including their eligibility requirements, previous funding levels, enforcement, and effect on innovation in recycling.

The committee decided to recommend approval of this draft by the Legislative Council, with the following provisions:

- In addition to the grants described in the draft, allow grants to counties that are not responsible units for the purpose of developing countywide recycling plans, coordinating the programs of responsible units, improving the efficiency and effectiveness of those programs, and moving toward consolidation of RUs.
- Allow these grants, in combination with general recycling program grants, to exceed the total amount that the RU is authorized to receive in a general recycling grant.
- Apply the REI grants under s. 287.235 (3) to activities related to diversion of all materials banned from landfills and subject to local recycling programs, instead of only single-use plastic items.
- Re-fund these grant programs at the levels they were funded in fiscal year 2007-09.
- Instead of limiting the application of the REI grants to only efforts to improve recycling at “away from home” venues, instead require the Department of Natural Resources (DNR) to include grants for that purpose in the grant program.
- WLC: 0024/1, relating to the collection for recycling or composting of single-use items at events.

The draft was explained by staff and the committee discussed commentary provided by the Wisconsin Association of Fairs and committee member experiences with recycling at events such as those that would be affected by the draft. The committee considered challenges that would be created for event organizers by the bill as drafted and members expressed concern over confusion that may be

created between the requirements of this draft and the similar current-law requirements placed on events through each responsible unit's program.

The committee decided to recommend approval of this draft by the Legislative Council, with the following provisions:

- Remove reference to compostable products.
 - Remove reference to plastic cups.
 - Focus only on beverage cans and bottles.
 - Clarify in notes in the draft that the requirements in the draft are in addition to those responsibilities already in place under current law, and that the draft does not affect those current-law provisions.
 - Remove the provision allowing the department to expand the list of single-use items to which the draft would apply.
 - Remove the 1,000-attendee threshold.
 - Require the DNR to draft rules to administer the draft's requirements.
- WLC: 0025/1, relating to collection and recycling of large volume agricultural and horticultural plastic films.

Staff described this draft and the committee discussed the following: how collections of plastic films would occur, how costs would be distributed, who would be responsible for informational requirements, when provisions would go into effect, and how to define the types of plastic film that would be affected by the bill. The committee also discussed other options that could promote collection and beneficial use of agricultural and horticultural films.

The committee decided not to recommend this draft to the Legislative Council. Instead, staff was directed to draft a bill that would impose an assessment against plastic films sold commercially for agricultural, horticultural, or marine use to fund a grant program for market development for recycling these films and research and development related to technologies to support these markets.

Plans for Completing the Committee's Business

Chair Black announced that the committee would not need to meet again to finish its business, and that a mail ballot would be circulated for the committee's final approval of its proposed bill drafts.

Adjournment

Chair Black adjourned the committee at 1:00 p.m.

LAK:jal