



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2001 Assembly Bill 365	Senate Substitute Amendment 1
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Current Law

Current law, with certain exceptions, imposes a newspaper recycling fee on newspaper publishers. For any year, this fee is 1% of the total cost of newsprint used to print the newspaper during the year multiplied by the difference between the “target recycled content” and the average recycled content of all newsprint used by a publisher to print the publisher’s newspaper during the year.

The “target recycled content” is the following portions in the specified years of fiber in newspaper that are derived from post-consumer waste:

- 1992, 10%
- 1994, 25%
- 1996, 35%
- 1998-2000, 33%
- 2001-2002, 37%
- 2003 and thereafter, 40%

Assembly Bill 365

Assembly Bill 365 amends the recycled content for 2001 and thereafter to be 33%, rather than 37% in 2001 and 2002, and 40% in 2003 and thereafter.

Senate Substitute Amendment 1

Senate Substitute Amendment 1 authorizes the Department of Natural Resources (DNR) to promulgate a rule under which the DNR may reduce the target recycled content for either 2001 and 2002, or the period 2003 and thereafter, to a percentage specified in the rule that is not less than 33% if the DNR determines that it is not economically feasible for a publisher to meet the current target recycled content for a year included in either of those periods. The substitute amendment establishes that for a publisher to qualify for a reduction of the target recycled content, the publisher must do all of the following:

1. Demonstrate that the publisher qualifies for the reduction.
2. Implement an environmental management system that the DNR determines is appropriate to the business and equivalent to an environmental management system that complies with the standards for environmental management systems issued by the International Organization for Standardization.
3. Implement newsprint recycling or reuse activities that are acceptable to the DNR.

Senate Substitute Amendment 1 also authorizes the DNR, if it promulgates a rule authorizing the reduction of the target recycled content as specified above, to increase the target recycled content specified in that rule for a subsequent year to a percentage that is not greater than 40% if the DNR determines that it is economically feasible for publishers of newspapers to meet the increased target recycled content.

On March 8, 2002, the Senate Environmental Resources Committee recommended adoption of Senate Substitute Amendment 1 on a vote of Ayes, 5; Noes, 0, and recommended concurrence in Assembly Bill 365, as amended, on a vote of Ayes, 5; Noes, 0.

JES:rv:tlu;rv