



**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1997 ASSEMBLY BILL 516**

February 3, 1998 - Offered by COMMITTEE ON ENVIRONMENT.

1 **AN ACT to repeal** 287.31 (3) (b) and 287.31 (4) (a) and (am); **to amend** 287.31 (2),  
2 287.31 (3) (a), 287.31 (3) (d), 287.31 (4) (b) 1. a. and 287.31 (4) (c); and **to create**  
3 287.31 (3) (e) of the statutes; **relating to:** the newspaper recycling fee.

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

4 **SECTION 1.** 287.31 (2) of the statutes is amended to read:

5 287.31 (2) (title) ~~FEE FOR NOT MEETING TARGET~~ IMPOSED. Except as provided in  
6 sub. (4) (a), ~~(am)~~ or (c), each publisher of a newspaper shall annually pay to the  
7 department a newspaper recycling fee if the average recycled content determined  
8 under sub. (3) (d) is less than 30%.

9 **SECTION 2.** 287.31 (3) (a) of the statutes is amended to read:

10 287.31 (3) (a) Except as provided in sub. (4) (b), the amount of the newspaper  
11 recycling fee imposed on a publisher under sub. (2) for any year is 1% of the total cost

1 of newsprint used to print the newspaper during the year, multiplied by the recycling  
2 status specified in par. (b) difference between 30% and the average recycled content  
3 determined under par. (d).

4 **SECTION 3.** 287.31 (3) (b) of the statutes is repealed.

5 **SECTION 4.** 287.31 (3) (d) of the statutes is amended to read:

6 287.31 (3) (d) The ~~actual~~ average recycled content is the average of the recycled  
7 content of all newsprint used by that publisher to print the publisher's newspaper  
8 during the year, expressed as a percentage.

9 **SECTION 5.** 287.31 (3) (e) of the statutes is created to read:

10 287.31 (3) (e) 1. In this paragraph, "qualified newsprint" means newsprint that  
11 contains at least 25% recycled content.

12 2. In determining the average recycled content under par. (d), qualified  
13 newsprint used by that publisher to print the publisher's newspaper during the year  
14 shall be considered to contain an additional 0.5% recycled content for each 1,000 tons  
15 of postconsumer paper recycled in this state that is purchased by the manufacturer  
16 of the qualified newsprint during the year for which the fee is imposed.

17 **SECTION 6.** 287.31 (4) (a) and (am) of the statutes are repealed.

18 **SECTION 7.** 287.31 (4) (b) 1. a. of the statutes is amended to read:

19 287.31 (4) (b) 1. a. The contract requires the publisher to accept and pay for  
20 newsprint having a recycled content less than ~~the target recycled content specified~~  
21 ~~in sub. (3) (e)~~ 30%.

22 **SECTION 8.** 287.31 (4) (c) of the statutes is amended to read:

23 287.31 (4) (c) Subsection ~~(3)~~ (2) does not apply to the publisher of a newspaper  
24 ~~that has a circulation of less than 20,000 if the department determines, based on a~~  
25 ~~review of a written request by the publisher, that compliance with the target recycled~~

1 ~~content requirements in sub. (3) (e) paying the fee under sub. (2)~~ would create a  
2 financial hardship for the publisher or that the supply of postconsumer newsprint  
3 is inadequate to enable the publisher to use newsprint containing at least 30%  
4 average recycled content. The department shall promulgate rules for making  
5 determinations of financial hardship and inadequate supply of postconsumer  
6 newsprint under this paragraph.

7 **SECTION 9. Initial applicability.**

8 (1) This act first applies to newspaper recycling fees payable for newspapers  
9 published in 1998.

10 (END)