



**SENATE AMENDMENT 1,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2009 SENATE BILL 107**

June 9, 2009 – Offered by Senator MILLER.

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 13, line 14: after “years” insert “and except as provided under par. (g)”.
- 3 **2.** Page 16, line 14: after that line insert:
- 4 “(g) *Relief from shortfall fee.* 1. Instead of paying a shortfall fee under this
- 5 subsection in a year, a manufacturer may submit, with its registration, a request for
- 6 relief from the shortfall fee in that year along with information showing that the
- 7 manufacturer has made good faith progress toward meeting its target recycling
- 8 weight under par. (c) 1. or (d) 1.
- 9 2. If the department determines that a manufacturer that makes a request
- 10 under subd. 1. in a year has made good faith progress toward meeting its target
- 11 recycling weight, the department shall waive requirement that the manufacturer
- 12 pay the shortfall fee in the year. If the department determines that the manufacturer

1 has not made good faith progress toward meeting its target recycling weight, it shall
2 notify the manufacturer and the manufacturer shall pay the shortfall fee within 60
3 days after receiving the notification.”.

4 (END)