

Clearinghouse Rule 19-043

PETITION OF THE STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES REPEALING AN UNAUTHORIZED RULE

The Wisconsin Department of Natural Resources proposes the following permanent rule to **repeal** NR 546, relating to newspaper recycling fees.

EXR-5

Analysis Prepared by the Department of Natural Resources

1. Statute Interpreted:

- Section 287.31, Stats.
- 2015 Wis. Act 7

2. Statutory Authority:

- Section 227.26(4)(b), Stats.
- Section 227.29(1)(a), Stats.
- Section 287.03, Stats.

3. Explanation of Agency Authority:

Statutory authority for ch. NR 546, Wis. Adm. Code, was repealed by 2015 Wis. Act 7.

4. Related Statutes or Rules:

Section 287.21, Stats., directs the department to provide assistance to individuals, groups, businesses, state agencies, counties, and municipalities in all aspects of recycling using a statewide education program focused on waste generation and recycling programs.

Chapter NR 544 guides the development of effective recycling programs.

5. Plain Language Analysis:

Chapter NR 546, Wis. Adm. Code, establishes rules for implementation and administration of the newspaper recycling fee that was required under s. 287.31, Stats. The statute required printers and publishers of newspapers and shopper guides printed on newsprint to report on their use of recycled newsprint, and pay a fee if they did not meet a specified target usage rate. The rule provides guidance to publishers on calculation of fees, details procedures for collection of fees, specifies how overissues will be accounted for, and provides for exemptions to the assessment of the fee for small publishers, publishers that cannot obtain recycled newsprint at an economical price, and for cases of financial hardship.

Statutory authority for ch. NR 546, Wis. Adm. Code, was repealed by 2015 Wis. Act 7.

6. Agency Contact Person:

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TEXT OF RULE

SECTION 1. NR 546 is repealed.

SECTION 2. EFFECTIVE DATE. This rule takes effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22 (2) (intro.), Stats.

END OF TEXT