
By: **Senator Dyson**

Introduced and read first time: January 30, 2006

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Environment - Newspapers - Recycled Content Percentage Requirement**

3 FOR the purpose of altering the method of calculating the recycled content percentage
4 requirements for newspapers distributed in the State; altering the method of
5 calculating the newsprint recycling incentive fee; and generally relating to the
6 recycled content percentage requirement for newspapers distributed in the
7 State.

8 BY repealing and reenacting, without amendments,
9 Article - Environment
10 Section 9-1707(a)
11 Annotated Code of Maryland
12 (1996 Replacement Volume and 2005 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article - Environment
15 Section 9-1707(b) and (d)
16 Annotated Code of Maryland
17 (1996 Replacement Volume and 2005 Supplement)

18 BY repealing
19 Article - Environment
20 Section 9-1707(c)
21 Annotated Code of Maryland
22 (1996 Replacement Volume and 2005 Supplement)

23 BY adding to
24 Article - Environment
25 Section 9-1707(c)
26 Annotated Code of Maryland
27 (1996 Replacement Volume and 2005 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - Environment**

4 9-1707.

5 (a) In this section:

6 (1) "Newsprint" means paper of the type generally used in the
7 publication of newspapers or commercial advertising inserts printed by the publisher
8 that are made primarily from mechanical woodpulp combined with some chemical
9 woodpulp; and

10 (2) "Newsprint" includes paper made from old newspapers that have
11 been deinked, using the recycled pulp in lieu of virgin pulp.

12 (b) (1) Except as provided in subsection (h) of this section, the recycled
13 content percentage requirements for newspapers distributed in the State shall, on a
14 statewide basis, be in accordance with the 3-YEAR recycled content percentage
15 requirements specified in subsection (c) of this section for the calendar year.

16 (2) In the year following any year in which the Secretary determines,
17 based on the reports submitted under subsection (e) of this section, that the 3-YEAR
18 recycled content percentage requirements specified in subsection (c) of this section
19 have not been met on a statewide basis, each newspaper shall:

20 (i) For newspapers distributed in the State, satisfy the 3-YEAR
21 recycled content percentage requirement under subsection (c) of this section for the
22 calendar year; or

23 (ii) Pay the newsprint recycling incentive fee required under
24 subsection (d) of this section for that calendar year.

25 [(c) (1) To satisfy the recycled content percentage requirement of this section
26 for a calendar year, at least the percentage specified in paragraph (2) of this
27 subsection, by weight, of the total newsprint used by the publisher during that
28 calendar year for newspapers distributed in the State shall be recycled materials.

29 (2) The recycled content percentage requirement is:

30 (i) 12% for 1992;

31 (ii) 12% for 1993;

32 (iii) 20% for 1994, 1995, 1996, 1997, 1998, and 1999;

33 (iv) 25% for 2000;

34 (v) 30% for 2001 and 2002;

1 (vi) 35% for 2003 and 2004; and

2 (vii) 40% for 2005 and all subsequent calendar years.]

3 (C) IN 2006 AND ALL SUBSEQUENT CALENDAR YEARS, BY WEIGHT 40% OF THE
4 CUMULATIVE TOTAL OF NEWSPRINT USED BY PUBLISHERS DURING THE CALENDAR
5 YEAR AND THE PREVIOUS 2 CALENDAR YEARS FOR NEWSPAPERS DISTRIBUTED IN
6 THE STATE SHALL BE RECYCLED MATERIALS.

7 (d) (1) (I) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
8 SUBSECTION, THE newsprint recycling incentive fee for any calendar year is \$10 for
9 each ton of a publisher's recycled content deficiency for the [year] 3-YEAR
10 MEASURING PERIOD, as determined under [paragraph (2) of this subsection]
11 SUBPARAGRAPH (II) OF THIS PARAGRAPH.

12 [(2)] (II) A publisher's recycled content deficiency for a calendar year
13 UNDER THIS PARAGRAPH IS THE DIFFERENCE BETWEEN:

14 [(i)] 1. The product of multiplying the total tons of newsprint
15 used by the publisher for the [year] 3-YEAR MEASURING PERIOD times [the required
16 percentage for that year] 0.4; and

17 [(ii)] 2. The actual tonnage of recycled material contained in the
18 newsprint used by the publisher for the [year] 3-YEAR MEASURING PERIOD.

19 (2) (I) IF A PUBLISHER CANNOT DETERMINE A RECYCLING CONTENT
20 PERCENTAGE FOR EITHER OF THE PREVIOUS 2 CALENDAR YEARS, THE NEWSPRINT
21 RECYCLING INCENTIVE FEE FOR THE CALENDAR YEAR IS \$10 FOR EACH TON OF A
22 PUBLISHER'S RECYCLED CONTENT DEFICIENCY FOR THE CALENDAR YEAR, AS
23 DETERMINED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH.

24 (II) A PUBLISHER'S RECYCLED CONTENT DEFICIENCY FOR A
25 CALENDAR YEAR UNDER THIS PARAGRAPH IS THE DIFFERENCE BETWEEN:

26 1. THE PRODUCT OF MULTIPLYING THE TOTAL TONS OF
27 NEWSPRINT USED BY THE PUBLISHER FOR THE CALENDAR YEAR TIMES 0.4; AND

28 2. THE ACTUAL TONNAGE OF RECYCLED MATERIAL
29 CONTAINED IN THE NEWSPRINT USED BY THE PUBLISHER FOR THE CALENDAR
30 YEAR.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2006.