

1987 Assembly Bill 648

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1987 Wisconsin Act 292

AN ACT to create 16.15, 16.70 (11) and (12), 16.72 (2) (e) and 16.855 (10p) of the statutes, relating to state purchasing specifications, state purchasing of products made from recycled and recovered materials, a resource recovery and recycling program for state agencies and local governmental units, use of recycled and recovered materials in state construction projects, requiring reports.

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

SECTION 1. 16.15 of the statutes is created to read:

16.15 Resource recovery and recycling program. (1) DEFINITIONS. In this section:

(a) "Agency" has the meaning given under s. 16.52 (7).

(am) "Office wastepaper" means any wastepaper or wastepaper product generated by an agency.

(b) "Recovered material" has the meaning under s. 16.70 (11).

(c) "Recyclable material" means material that is suitable for recycling.

(d) "Recycled material" has the meaning under s. 16.70 (12).

(e) "Recycling" has the meaning under s. 144.44 (7).

(2) PROGRAM ESTABLISHMENT. The department shall establish a resource recovery and recycling program to promote the reduction of solid waste by agencies, the separation, recovery and disposition of recyclable materials and the procurement of recycled materials and recovered materials. The department shall require each agency to participate in the resource recovery and recycling program. The department shall also investigate opportunities for the inclusion of

local governmental units in the resource recovery and recycling program and shall permit participation of local governmental units in the program when feasible.

(2m) WASTEPAPER RECYCLING. The department shall require all agencies to establish a program for the recycling of office wastepaper. Under the program, each agency shall ensure the separate collection of at least 50% of the office wastepaper generated by the agency by January 1, 1990, for the purposes of recycling.

(4) REPORTS. (a) By January 1 of each year, the department shall submit a report to the governor and to the chief clerk of each house of the legislature, for distribution to the appropriate standing committees under s. 13.172 (3), that summarizes all of the following subjects concerning the resource recovery and recycling program under sub. (2):

1. Past activities of the program.
2. Accomplishments of the program.
3. Proposed goals of the program for all of the following:
 - a. The department.
 - b. Agencies.
 - c. Local governmental units.

(b) By July 1 of each even-numbered year, each agency and participating local governmental unit shall

submit recommendations to the department regarding the operation of the resource recovery and recycling program under sub. (2).

SECTION 2. 16.70 (11) and (12) of the statutes are created to read:

16.70 (11) "Recovered material" means a product which is recovered from solid waste in a form identical to the original form for a use that is the same as or similar to the original use.

(12) "Recycled material" means a product which is manufactured from solid waste.

SECTION 3. 16.72 (2) (e) of the statutes is created to read:

16.72 (2) (e) The department and any other designated purchasing agent under s. 16.71 (1) shall write specifications for the purchase of recycled materials and recovered materials if their use is technically and economically feasible.

SECTION 4. 16.855 (10p) of the statutes is created to read:

16.855 (10p) For each proposed construction project, the department shall ensure that the specifications require the use of recovered materials and recycled materials, as defined under s. 16.70 (11) and (12), to the extent that such use is technically and economically feasible.

SECTION 6. **Nonstatutory provisions; department of administration.** (1) **REVIEW OF PURCHASING SPECIFICATIONS.** The department of administration shall review purchasing specifications prescribed under section 16.72 (2) of the statutes, as affected by this act,

and shall eliminate those purchasing specifications which unreasonably inhibit the purchase of products manufactured from recycled materials or recovered materials, as defined under section 16.70 (11) and (12) of the statutes, as created by this act.

(2) **RESOURCE RECOVERY AND RECYCLING PROGRAM REPORT.** By January 1, 1990, the department of administration shall submit to the chief clerk of each house of the legislature, for distribution to the appropriate standing committees under section 13.172 (3) of the statutes, a report which outlines the level of compliance by the department with the following:

(a) The review of purchasing policies for the elimination of purchasing specifications which unreasonably inhibit purchasing products manufactured from recycled materials and recovered materials as provided in subsection (1).

(b) The requirement that specifications for each state construction project provide for the use of recycled materials and recovered materials to the extent that such use is technically and economically feasible, as provided under section 16.855 (10p) of the statutes, as created by this act.

(c) The establishment of an office wastepaper recycling program under section 16.15 (2m) of the statutes, as created by this act.

SECTION 7. **Initial applicability.** The treatment of sections 16.72 (2) (e) and 16.855 (10p) of the statutes first applies to orders and solicitations made on the first day of the 4th month commencing after the effective date of this SECTION.