

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 1427

H.P. 982

House of Representatives, April 4, 1991

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative MICHAUD of East Millinocket.

Cosponsored by Senator BUSTIN of Kennebec, Senator KANY of Kennebec and Representative ANDERSON of Woodland.

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STATE OF MAINE

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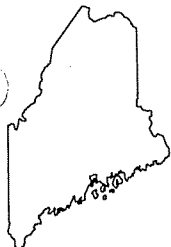
IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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**An Act to Facilitate Recycling Programs for Aseptic Packages and Milk  
Cartons.**

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(EMERGENCY)



Emergency preamble. Whereas, Acts of the Legislature do not  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

Whereas, the 114th Legislature banned packages comprised of  
paper and aluminum or plastic and aluminum because those  
composite materials could not be separated and could not be  
recycled; and

Whereas, since the adoption of that ban, the aseptic  
packaging industry has developed adaptations for long-standing  
paper industry hydropulping technologies that separate  
postconsumer composite materials such as aseptic packages and  
milk cartons; and

Whereas, an estimated 2,000 tons of milk cartons are in the  
State waste stream; and

Whereas, the aseptic package industry has initiated a  
recycling project for the State to demonstrate how aseptic  
packages and milk cartons can be recycled; and

Whereas, reintroduction of aseptic packages in the State  
will enable the industry to complete development of the recycling  
program; and

Whereas, in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
necessary for the preservation of the public peace, health and  
safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 32 MRSA §1868, sub-§4, as repealed and replaced by PL  
1989, c. 869, Pt. C, §6 and affected by §12, is repealed.

Sec. 2. 32 MRSA §1868, sub-§4-A is enacted to read:

4-A. Aseptic and composite material beverage containers.  
Effective October 1, 1993, in a container composed, in whole or  
in part, of aluminum and plastic or of aluminum and paper in  
combination where those materials are for practical reasons  
inseparable.

Sec. 3. 38 MRSA §2133, sub-§2, ¶¶D and E, as enacted by PL  
1989, c. 585, Pt. A, §7, are amended to read:

D. The coordination of the proposed recycling program with  
overall solid waste management; and

2 E. The assessment of the advantages of participation in a  
regional recycling effort versus a local recycling program;  
3 and

4 Sec. 4. 38 MRSA §2133, sub-§2, ¶F is enacted to read:

6 F. The coordination with the packaging industry of the  
8 development of waste handling systems for composite material  
10 packaging.

12 Sec. 5. Effective date. Section 2 of this Act takes effect  
October 1, 1993.

14 Emergency clause. In view of the emergency cited in the  
preamble, this Act takes effect when approved.

18 **STATEMENT OF FACT**

20 This bill temporarily repeals the current ban on aseptic  
22 packages in the State, in order to allow the aseptic package  
industry an opportunity to participate in the development of  
24 waste handling systems which will help the State achieve its 1994  
solid waste goals.

26 Since enactment of the ban on aseptic packaging in the State  
28 the industry represents that it has developed new postconsumer  
systems which, in conjunction with existing technology, result in  
30 separation of the materials that comprise aseptic packages and  
allow for recovery of up to 85% of the paper fiber for resale and  
32 reuse in everyday products and that markets are being developed  
for the remaining residue.

34 This technology allows aseptic packages to be combined with  
other containers made of paper and plastic, such as milk cartons,  
36 for separation and waste handling and recycling. The systems are  
now in operation in several other parts of the United States.

38 This bill allows reintroduction of aseptic packages for  
40 several more years to enable the industry to work with the State  
toward establishing effective waste-handling systems.