

MAINE STATE LEGISLATURE

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L.D. 1526

(Filing No. S-105)

STATE OF MAINE
SENATE
115TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "B " to S.P. 572, L.D. 1526, Bill, "An Act to Amend the Reduction in Toxics in Packaging Laws"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 32 MRSA §1734, as enacted by PL 1989, c. 849, §1, is amended to read:

§1734. Exemptions

All packages and packaging components are subject to the provisions of section 1733 unless:

1. **Manufactured prior to effective date.** The package or packaging component has a code indicating a date of manufacture prior to the effective date of this section; ~~es~~

2. **Health and safety requirements; feasibility; post-consumer materials.** The manufacturer, supplier or distributor petitions the agency for an exemption for a particular package or packaging component and the agency grants an exemption for one or more of the following reasons.

A. The package or packaging component contains lead, cadmium, mercury or hexavalent chromium added in the manufacturing, forming, printing or distribution process in order to comply with health or safety requirements of state or federal law.

B. There is no feasible alternative to the use of lead, cadmium, mercury or hexavalent chromium in the package or packaging component. For the purposes of this section, "no feasible alternative" means a use in which ~~the~~ regulated substance is essential to the protection, safe handling or function of the package's contents.

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2 C. The addition of post-consumer materials causes the
4 package or packaging component to exceed the maximum
concentration levels set forth in section 1733, subsection
3.


6
8 For packages or packaging components exempted under paragraph A
or B, a 2-year exemption may be granted and that exemption may be
renewed for an additional 2 years. An exemption granted under
10 paragraph C expires 4 years after the effective date of this
chapter; or

12 3. Alcoholic beverages bottled prior to effective date.
14 The package or packaging component contains an alcoholic beverage
bottled prior to April 1, 1992.

16 Sec. 2. Effective date. This Act takes effect April '1, 1992.'

18
20 STATEMENT OF FACT

22 This amendment is being presented on behalf of the Committee
24 on Bills in Second Reading to make 2 technical corrections.
First, the amendment amends existing law to correct the placement
26 of the disjunctive "or" necessitated by enactment of a new
subsection. Second, the amendment places an effective date of
28 April 1, 1992 to be consistent with the effective date of the
Maine Revised Statutes, Title 32, chapter 26-A, "Reduction of
30 Toxics in Packaging."

32
34 (Senator BUSTIN)
36 SPONSORED BY: 
COUNTY: Kennebec

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