

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A " to S.P. 613, L.D. 1617, Bill, "An Act to Encourage Waste Reduction and Recycling"

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

'38 MRSA §2141 is enacted to read:

§2141. Waste reduction and recycling labeling program

By February 1, 1992, the agency shall adopt rules establishing a waste reduction and recycling labeling program. The rules must include recycling emblems, standards for the use of the recycling emblems and standards for the use of the terms "reusable," "recyclable," "recycled" and "recycled content." To the fullest extent possible, emblems and standards adopted by the agency under this section must be consistent with emblems and standards adopted by the Northeast Recycling Council of the Council of State Governments and standards adopted by other northeastern states.

1. Applicability. After July 1, 1992, a person may not use the recycling emblem or the terms "reusable," "recyclable," "recycled" and "recycled content" on a package or product that is sold or offered for sale, or in the promotion or advertisement of a package or product, unless that package or product conforms to the standards in the labeling program adopted by the agency under this section.

2. Statement of fact. A person may use the term "reusable," "recyclable," "recycled" or "recycled content" on a package or product that does not meet the standards adopted by

2 the agency if the term is used in a properly qualified statement
3 of fact for the purpose of conveying accurate information to
4 consumers about the package or product and the term is displayed
5 no more prominently than the other words in the statement of fact.

6 3. Penalty. A violation of this section is a violation of
7 Title 5, chapter 10, the Maine Unfair Trade Practices Act.

10 FISCAL NOTE

12 This bill requires the Maine Waste Management Agency to
13 establish a waste reduction and recycling labeling program.
14 Costs associated with the adoption of rules and implementing the
15 program will be absorbed by the Maine Waste Management Agency
16 utilizing existing budgeted resources.

18 The additional work load and administrative costs associated
19 with a minimal number of new cases filed in District Court as a
20 result of the new violation will be absorbed within the budgeted
21 resources of the Judicial Department.'

24 STATEMENT OF FACT

26 This amendment replaces the bill. The amendment requires the
27 Maine Waste Management Agency to adopt rules by February 1, 1992
28 establishing a voluntary labeling program. Rules for the
29 labeling program must include an official recycling emblem and
30 standards governing the use of the terms "reusable," "recyclable,"
31 "recycled" and "recycled content" on packaging or products sold
32 in the State after July 1, 1992.

34 The amendment also adds a fiscal note to the bill.

Reported by Senator Baldacci for the Committee on Energy and
Natural Resources. Reproduced and Distributed Pursuant to
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(5/22/91)

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