

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 975

S.P. 323

In Senate, March 22, 1993

An Act to Allow for the Use of Multi-layered Packages.

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

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BUSTIN of Kennebec.

Cosponsored by Representative ALIBERTI of Lewiston and

Senators: BALDACCI of Penobscot, BUTLAND of Cumberland, CAREY of Kennebec, CLANCHETTE of Somerset, Representatives: ANDERSON of Woodland, BARTH of Bethel, DEXTER of Kingfield, FOSS of Yarmouth, GOULD of Greenville, GREENLAW of Standish, MORRISON of Bangor, PARADIS of Augusta, PLOURDE of Biddeford, ZIRNKILTON of Mount Desert.

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

2
4 Sec. 1. 32 MRSA §1862, sub-§2, as affected by PL 1989, c. 869,
Pt. C, §12, is amended to read:

6 2. **Beverage container.** "Beverage container" means a
bottle, can, jar or other container made of glass, metal or
8 plastic which that has been sealed by a manufacturer and which,
that at the time of sale, contains one gallon or less of a
10 beverage. "Beverage container" does not include those containers
in which the container material represents 5% or less of the
12 total unit weight and for which a commercially acceptable
recycling process exists.

14 Sec. 2. 32 MRSA 1868, sub-§4, as amended by PL 1991, c. 304,
16 §3, is further amended to read:

18 4. **Inseparable composite material beverage containers.** In a
container composed, in whole or in part, of aluminum and plastic
20 or of aluminum and paper in combination where those materials are
for practical reasons inseparable, except for containers in which
22 the container material represents 5% or less of the total unit
weight and for which a commercially acceptable recycling process
24 exists. No-milk Milk or dairy-derived products in liquid form to
which additional flavoring ingredients have been added may not be
26 sold in containers prohibited under this subsection.

28
30 **STATEMENT OF FACT**

32 This bill amends the State's ban on composite beverage
containers to clarify that only those containers that are not
34 lightweight and can not be recycled through commercially
available technological processes are banned. This bill modifies
36 the current ban on composite material beverage containers in the
State to promote consistency in the State's solid waste
38 management laws and to promote packaging efficiency.

40 The State banned certain composite beverage packages in 1989
based on the belief that packages composed of paper and aluminum
42 or plastic and aluminum could not be separated and recycled.
Since enactment of that ban, industry has developed post-consumer
44 systems that use readily available technology to separate and
recover material from some composite material beverage packages.
46 The current technology by which composite beverage containers,
such as those commonly referred as "juice boxes," are recycled
48 allows for recycling of other containers made of paper and
plastic, such as milk cartons, which are currently being disposed
50 of in landfills or incinerated.