

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2014

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Legislative Document

No. 1634

S.P. 625

In Senate, December 23, 2013

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### **An Act To Allow an Earlier Implementation Date for an Architectural Paint Stewardship Program**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 23, 2013. Referred to the Committee on Environment and Natural Resources pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator SAVIELLO of Franklin.  
Cosponsored by Representative GRANT of Gardiner and  
Senators: BOYLE of Cumberland, VITELLI of Sagadahoc, Representative: HUBBELL of Bar  
Harbor.

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

2 **Sec. 1. 38 MRSA §2144, sub-§5, ¶A**, as enacted by PL 2013, c. 395, §1, is  
3 amended to read:

4 A. ~~Beginning~~ Unless an earlier implementation date is proposed in a plan and  
5 approved by the commissioner, beginning July 1, 2015 or 3 months after a plan is  
6 approved by the commissioner under subsection ~~2~~ 3, whichever occurs later, a  
7 producer or a representative organization shall implement the plan. If an earlier  
8 implementation date is proposed in a plan and approved by the commissioner, a  
9 producer or representative organization shall implement the plan beginning on that  
10 date.

11 **Sec. 2. 38 MRSA §2144, sub-§5, ¶E**, as enacted by PL 2013, c. 395, §1, is  
12 amended to read:

13 E. By October 15, 2016, and annually thereafter, the operator of a paint stewardship  
14 program shall submit a report to the commissioner regarding the paint stewardship  
15 program. If implementation of a plan begins before December 31, 2014, the  
16 commissioner may establish an earlier date for submission of the initial report. The  
17 report must include, but is not limited to:

- 18 (1) A description of the methods used to collect, transport, reduce, reuse and  
19 process post-consumer paint in the State;
- 20 (2) The volume of post-consumer paint collected in the State;
- 21 (3) The volume and type of post-consumer paint collected in the State by method  
22 of disposition, including reuse, recycling and other methods of processing;
- 23 (4) The total cost of implementing the paint stewardship program, as determined  
24 by an independent financial audit funded from the paint stewardship assessment.  
25 The report of total cost must include a breakdown of administrative, collection,  
26 transportation, disposition and communication costs;
- 27 (5) A summary of outreach and educational activities undertaken and samples of  
28 educational materials provided to consumers of architectural paint;
- 29 (6) The total volume of post-consumer paint collected by the paint stewardship  
30 program and a breakdown of the volume collected at each collection site;
- 31 (7) Based on the paint stewardship assessment collected by the paint stewardship  
32 program, the total volume of architectural paint sold in the State during the  
33 preceding year;
- 34 (8) A list of all processors used to manage post-consumer paint collected by the  
35 paint stewardship program in the preceding year up to the paint's final  
36 disposition, the volume each processor accepted and the disposition method used  
37 by each processor; and
- 38 (9) An evaluation of the effectiveness of the paint stewardship program  
39 compared to prior years and anticipated steps, if any are needed, to improve  
40 performance throughout the State.

