



# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

---

Legislative Document

No. 1255

S.P. 376

In Senate, March 22, 2011

### Resolve, To Study Initiatives To Increase Recycling in Maine

(EMERGENCY)

---

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

*Joseph G. Carleton Jr.*

JOSEPH G. CARLETON, JR.  
Secretary of the Senate

Presented by Senator HASTINGS of Oxford.  
Cosponsored by Representative INNES of Yarmouth and  
Senator: MARTIN of Kennebec, Representative: HUNT of Buxton.

1           **Emergency preamble. Whereas,** acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3           **Whereas,** recycling conserves valuable natural resources, energy, landfill capacity  
4 and landfill disposal costs, prevents greenhouse gas emissions and litter, creates jobs and  
5 promotes a conservation ethic; and

6           **Whereas,** in 1989 the Legislature established a goal to achieve a recycling rate of  
7 50%; and

8           **Whereas,** recycling rates in Maine have leveled off at approximately 38% and have  
9 remained at that level for many years; and

10          **Whereas,** Maine's laws regarding returnable beverage containers have resulted in  
11 the development of parallel recycling systems, one for beverage containers and another  
12 for other recyclable packaging and printed materials; and

13          **Whereas,** Maine's laws regarding returnable beverage containers address less than  
14 4% of the State's solid waste stream; and

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

19          **Sec. 1. Stakeholder group. Resolved:** That the Executive Department, State  
20 Planning Office shall convene a stakeholder group to analyze the beverage container  
21 recycling program in the State in the context of overall recycling rates. The department  
22 shall invite the participation of the Maine Beer and Wine Distributors Association, the  
23 Maine Beverage Association, the Natural Resources Council of Maine, the Maine  
24 Audubon Society, the Maine Municipal Association, a nonprofit waste management  
25 company, a for-profit waste management company and a licensed redemption center; and  
26 be it further

27          **Sec. 2. Issues to review. Resolved:** That the stakeholder group convened under  
28 section 1 shall review and analyze:

29           1. The programs for recovering municipal solid waste in Maine. The description and  
30 analysis must focus on those recovery systems funded by consumers and taxpayers,  
31 including municipal recovery infrastructure, such as curbside and drop-off programs, and  
32 the deposit and refund system for selected beverage containers.

33           A. The descriptions must estimate the scope of coverage of these programs, focusing  
34 on the number of individuals and households served by various types of programs,  
35 such as single-stream and dual-stream curbside recycling, and the types and amount  
36 of solid waste targeted by and recovered through these programs.

37           B. The analysis must include the costs and benefits of municipal solid waste  
38 recovery systems. Costs must include both operating costs of the system and costs to

1 participants. Benefits must include the amount of solid waste diverted from disposal  
2 and the associated economic and environmental gains;

3 2. The opportunities for and barriers to improving recycling rates in this State. In  
4 assessing opportunities, the group shall evaluate trends in municipal solid waste recovery  
5 systems in the United States and other developed markets to identify trends in program  
6 delivery and funding. The group shall identify costs and benefits of implementing  
7 changes, including increased recovery rates, capital and other transition costs, operating  
8 costs, consumer costs and other financial and technical barriers to enhanced recovery of  
9 municipal solid waste; and

10 3. Current litter control efforts in the State and opportunities for and barriers to  
11 reducing all types of litter in public spaces, roads, parks and beaches throughout the State;  
12 and be it further

13 **Sec. 3. Report. Resolved:** That the Executive Department, State Planning Office  
14 shall submit a report, based on the stakeholder group's findings under section 2, with any  
15 recommended changes to the beverage container recycling program to the joint standing  
16 committee of the Legislature having jurisdiction over environment and natural resources  
17 matters by January 15, 2013; and be it further

18 **Sec. 4. Funding sources. Resolved:** That the review and analysis described in  
19 section 2 and the report described in section 3 must be funded through private funds  
20 received by the State from outside sources and dedicated to increasing recycling in  
21 Maine. The stakeholder group described in section 1 shall administer private funds  
22 received with respect to the tasks identified in sections 2 and 3. The stakeholder group  
23 has sole discretion to determine how private funds received to conduct this review and  
24 analysis are spent. The stakeholder group may rely upon existing data, other studies and  
25 any other information it considers pertinent in order to complete the review and analysis  
26 described in section 2 and the report described in section 3.

27 **Emergency clause.** In view of the emergency cited in the preamble, this  
28 legislation takes effect when approved.

29 **SUMMARY**

30 This resolve directs the Executive Department, State Planning Office to convene a  
31 stakeholder group to analyze the beverage container recycling program in the State in the  
32 context of the State's municipal solid waste recycling program and to report to the joint  
33 standing committee of the Legislature having jurisdiction over environment and natural  
34 resources matters by January 15, 2013.