

SUPPORT

LD 291 – An Act to Transfer Responsibility for the Returnable Beverage Container Laws from the Department of Agriculture, Conservation and Forestry to the Department of Environmental Protection

Sponsor: Senator COOPER of Yarmouth

Summary: This bill would transfer the government’s responsibilities in administering Maine’s beverage container recycling program, also known as “the bottle bill,” from the Department of Agriculture, Conservation and Forestry (DACF) to the Department of Environmental Protection (DEP).

Explanation: NRCM supports transferring administrative responsibilities for the bottle bill to the DEP, which currently manages Maine’s other product stewardship programs. Maine is one of ten states in the U.S. with a bottle bill, yet we are the only one where the program is administered by a state agency responsible for agricultural activities.

Enacted into law in 1978, the bottle bill was Maine’s first product stewardship program. When adopted 35 years ago, perhaps there was a reason why Maine’s Department of Agriculture seemed like the right agency to administer the program. Today, however, it seems disconnected with Maine’s other programs that involve recycling and product stewardship. From 1991 to 2009, the Maine Legislature enacted six product-specific laws that require manufacturers to establish programs to recover their products from Maine’s waste stream, and ensure proper handling and recycling or disposal of these products. These programs cover electronic waste; rechargeable batteries; cell phones; and mercury-containing lamps, automobile switches, and thermostats. These product stewardship programs are administered by DEP’s recently created Sustainability Unit, within the Bureau of Remediation and Waste Management. It seems logical that the bottle bill should be administered alongside these other programs.

The Department of Agriculture, Conservation and Forestry’s current administrative responsibilities for the bottle bill, performed by 3.5 full-time equivalents (FTEs), consist of inspection, registration, licensing, enforcement, communications with regulated entities, database maintenance, and some public education. (The Department of Revenue Services administers the abandoned deposit payments.) These tasks are similar to activities conducted by the DEP for Maine’s other existing programs. If moved to the DEP, then Maine residents, communities, and lawmakers could gain a more comprehensive understanding of the overall performance of our product stewardship programs.

Maine’s bottle bill could become more efficient and effective by transferring administration of the program to the DEP, where it would be managed within the Sustainability Unit, where staff have developed expertise across a range of product stewardship programs.

NRCM Supports LD 291.