

June 28, 2021

The Honorable Janet T. Mills  
1 State House Station  
Augusta, ME 04333  
(Submitted Electronically)

RE: LD 1541, An Act to Support and Improve Municipal Recycling Programs and Save Taxpayer Money.”

Dear Governor Mills:

The Flexible Packaging Association (FPA) is writing to urge you to veto LD 1541, since despite its title, the bill will actually increase taxes on Maine citizens and not improve municipal recycling system in the state. FPA is committed to a circular economy for flexible packaging – designing the right package for the product and utilizing less water and energy to do so; emitting less greenhouse gases in the manufacture and transportation of the package; using the least amount of packaging, plastic or multi-materials, necessary for the protection of the product; and creating less waste in the first place®. We are also working on solutions for more robust collection, processing and recycling of flexible products as well as sustainable end markets.

FPA believes extended producer responsibility (EPR) can be an important component to these solutions and therefore supported LD 1471 in Maine this year, which would have provided for a true EPR system that would improve recycling in the State. Unfortunately, LD 1541 is merely a tax under the guise of EPR. LD 1541 would give the Department of Environmental Protection the authority through rulemaking and a government contractor, to assess fees on producers for packaging, while dictating not only the amount of the fees, but where and how the fees should be distributed to reimburse current municipal solid waste programs, which is not EPR. LD 1541 focuses on the current system and does not address what is really needed, which is a future to ensure that all packaging is collected and recycled.

As the first of its kind in the US, LD 1541 can not be the model for packaging product stewardship as it does not envision packaging circularity, but instead merely props up the current broken recycling system in Maine. FPA stands ready to assist the state with real EPR for packaging, one that mirrors jurisdictions in Canada and Europe and follows the principles that Maine has already laid out for EPR – none of which LD 1541 comports with.

Maine deserves legislation that actually improves the recycling system and does not simply shift costs to producers and consumers, without proper stakeholder input and oversight. Therefore, we respectfully request veto of LD 1541 so that stakeholders can come together on a common vision for EPR and improving recycling in the State.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alison Keane", with a long horizontal flourish extending to the right.

Alison A. Keane, Esq., CAE, IOM