**§1772. Identification of candidate products; report**

**1. Policy; report.** It is the policy of the State, consistent with its duty to protect the health, safety and welfare of its citizens, to promote product stewardship to support the State's solid waste management hierarchy under chapter 24. In furtherance of this policy, the department may collect information available in the public domain regarding products in the waste stream and assist the Legislature in designating products or product categories for product stewardship programs in accordance with this chapter. By February 15, 2014, and annually thereafter, the department shall submit to the joint standing committee of the Legislature having jurisdiction over natural resources matters a report on products and product categories that when generated as waste may be appropriately managed under a product stewardship program. The report submitted under this subsection must include updates on the performance of existing product stewardship programs.
[PL 2013, c. 315, §4 (AMD).]

**2. Recommendations.** The report submitted under subsection 1 may include recommendations for establishing new product stewardship programs and changes to existing product stewardship programs. The department may identify a product or product category as a candidate for a product stewardship program if the department determines one or more of the following criteria are met:

A. The product or product category is found to contain toxics that pose the risk of an adverse impact to the environment or public health and safety; [PL 2009, c. 516, §1 (NEW).]

B. A product stewardship program for the product will increase the recovery of materials for reuse and recycling; [PL 2009, c. 516, §1 (NEW).]

C. A product stewardship program will reduce the costs of waste management to local governments and taxpayers; [PL 2009, c. 516, §1 (NEW).]

D. There is success in collecting and processing similar products in programs in other states or countries; and [PL 2009, c. 516, §1 (NEW).]

E. Existing voluntary product stewardship programs for the product in the State are not effective in achieving the policy of this chapter. [PL 2009, c. 516, §1 (NEW).]
[PL 2009, c. 516, §1 (NEW).]

**3. Draft legislation.** The report submitted under subsection 1 must include draft legislation if any is necessary to implement a product stewardship program requirement for the product or product category.
[PL 2009, c. 516, §1 (NEW).]

**4. Public comments.** At least 30 days before submitting the report under subsection 1 to the joint standing committee of the Legislature having jurisdiction over natural resources matters, the department shall post the report on its publicly accessible website. Within that period of time, a person may submit to the department written comments regarding the report. The department shall submit all comments received to the committee with the report.
[PL 2009, c. 516, §1 (NEW).]

**5. Legislation to establish product stewardship programs.** Annually, after reviewing the report submitted by the department pursuant to subsection 1, the joint standing committee of the Legislature having jurisdiction over natural resources matters may submit legislation to implement recommendations included in the department's report to establish new product stewardship programs or revise existing product stewardship programs.
[PL 2019, c. 227, §2 (AMD).]

SECTION HISTORY

PL 2009, c. 516, §1 (NEW). PL 2013, c. 315, §§4, 5 (AMD). PL 2019, c. 227, §2 (AMD).

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