

MAINE STATE LEGISLATURE

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L.D. 2178

(Filing No. H-604)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
113TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1592, L.D. 2178,
Bill, "AN ACT to Ban Disposable Styrofoam Food and
Drink Containers from Public Cafeterias."

Amend the bill by striking out all of the title
and inserting in its place the following:

'AN ACT to Ban Disposable Polystyrene Foam Food and
Drink Containers from Public Cafeterias.'

Further amend the bill by striking out everything
after the enacting clause and inserting in its place
the following:

'38 MRSA c. 16-A is enacted to read:

CHAPTER 16-A

NONDEGRADABLE FOOD AND BEVERAGE CONTAINERS

§1651. Definitions

As used in this chapter, unless the context
indicates otherwise, the following terms have the
following meanings.

1. Consumer. "Consumer" means an individual who
purchases or accepts food or beverage for use or
consumption.

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1 2. Food service. "Food service" means an
2 individual, sole proprietorship, partnership,
3 association, corporation or agency of the State or a
4 political subdivision of the State that sells, offers
5 to sell, engages in the sale of or engages in the
6 provision of food or beverages to consumers.

7 3. Political subdivision. "Political
8 subdivision" has the meaning set forth in Title 14,
9 section 8102, subsection 3.

10 4. State. "State" has the meaning set forth in
11 Title 14, section 8102, subsection 4.

12 §1652. State and political subdivision facilities and
13 functions

14 1. Prohibition. A food service providing or
15 servng individual portions of food or a beverage at a
16 facility or function of the State or of a political
17 subdivision shall not provide or serve those portions
18 in or on containers that are composed in whole or in
19 part of polystyrene foam plastic.

20 2. Schools. A school or school administrative
21 district shall comply with the provisions of this
22 section except that a food service providing such
23 services to satellite facilities at the school or
24 school administrative district serviced by central
25 kitchen facilities not at the same location is exempt.

26 3. Meals on wheels. A food service funded in
27 whole or in part, directly or indirectly, by the
28 Bureau of Maine's Elderly to provide meals at
29 dispersed locations from central kitchen facilities is
30 exempt.

31 §1653. Penalty

32 A violation of this chapter is a civil violation
33 for which a forfeiture of not more than \$100 may be
34 adjudged.

35 §1654. Effective date

36 This chapter is effective on January 1, 1990.

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FISCAL NOTE

2 This bill may result in increased expenditures for
3 several state departments in future fiscal years. The
4 amount of these increases cannot be determined at this
5 time.'

6

STATEMENT OF FACT

7 The purpose of this amendment is to limit the
8 prohibition of the use of polystyrene foam plastic.
9 The amendment also provides an exemption for satellite
10 food services in use at many of Maine's schools and in
11 the "meals on wheels" programs for Maine's elderly.
12 In these situations, nonfoam alternatives are not
13 readily available. An effective date of January 1,
14 1990 is added.

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