

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2178

H.P. 1592 House of Representatives, February 2, 1988
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on State and Local Government
suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative TRACY of Rome.

Cosponsored by Representatives LaPOINTE of Auburn, COLES
of Harpswell and Senator LUDWIG of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 **AN ACT to Ban Disposable Styrofoam Food and**
2 **Drink Containers from Public Cafeterias.**
3

4 Be it enacted by the People of the State of Maine as
5 follows:

6 **38 MRSA c. 16-A is enacted to read:**

7 CHAPTER 16-A

1 NONDEGRADABLE FOOD AND BEVERAGE CONTAINERS

2 §1651. Definitions

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

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

9 2. Degradable. "Degradable" means capable of
10 being broken down by biodegradation, photodegradation
11 or chemical degradation into component parts within 6
12 months under exposure to the elements.

13 3. Food service. "Food service" means an
14 individual, sole proprietorship, partnership,
15 association, corporation or agency of the State or a
16 political subdivision of the State that sells, offers
17 to sell, engages in the sale of or engages in the
18 provision of food or beverages to consumers.

19 4. Political subdivision. "Political
20 subdivision" has the meaning set forth in Title 14,
21 section 8102, subsection 3.

22 5. State. "State" has the meaning set forth in
23 Title 14, section 8102, subsection 4.

24 §1652. State and political subdivision facilities and
25 functions

26 A food service providing or serving individual
27 portions of food or a beverage at a facility or
28 function of the State or of a political subdivision
29 shall provide or serve those portions in or on
30 containers that are composed entirely of degradable
31 materials.

32 §1653. Penalty

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

1 adjudged.

2 STATEMENT OF FACT

3 The purpose of this bill is to prohibit the use of
4 nondegradable individual food and beverage containers
5 by food services at facilities or functions of the
6 State or of a political subdivision of the State. As
7 defined, "State" and "political subdivision" include,
8 for example, public educational institutions.

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