

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 591, L.D. 842, Bill, "An Act to Modify the Ban on Plastic Rings and Other Plastic Holding Devices"

Amend the bill in section 1 in that part designated "~~§18.~~" by striking out all of the indented paragraph and inserting in its place the following:

'1. Prohibition. After July 1, 1991, a person may not sell or offer to sell any product in containers connected by plastic rings or other plastic holding devices.

2. Exceptions. Notwithstanding subsection 1, a person may sell or offer to sell products in containers connected to each other with a plastic holding device that decomposes by photodegradation, chemical degradation or biodegradation within a reasonable period of time upon exposure to the elements and that:

A. Is designed or manufactured to be broken when a container is removed;

B. Breaks simultaneously with the removal of the container; or

C. Is approved for sale by the commissioner as an experimental device. The commissioner may approve a device as experimental under this paragraph only if the commissioner determines that the device conforms with the intent of this subsection. The commissioner shall notify in writing each member of the joint standing committee of the Legislature having jurisdiction over energy and natural resource matters immediately upon receiving a request for approval of an experimental device. Such notification must include the date the request was received, the name of the

2 person or business requesting approval and a brief
3 description of the device.

4 This subsection is repealed on July 1, 1992.'

6 Further amend the bill by inserting after section 3 and
7 before the emergency clause the following:

8
9 'Sec. 4. Report. Those persons who are manufacturers or
10 distributors of products sold in the State after July 1, 1991 in
11 containers connected to each other with a plastic holding device
12 under the provisions of the Maine Revised Statutes, Title 7,
13 section 18, subsection 2, shall report to Joint Standing
14 Committee on Energy and Natural Resources by March 15, 1992. The
15 report must include a description of actions taken by those
16 persons to educate the public on the proper use and disposal of
17 the plastic holding devices, a discussion of the feasibility of a
18 deposit on plastic ring devices and a description of ongoing
19 progress and further efforts in developing a plastic holding
20 device that breaks simultaneously with the removal of the
21 container. Subsequent to receipt of the report required by this
22 section, the Joint Standing Committee on Energy and Natural
23 Resources may report out a bill on the subject of plastic holding
24 devices to the Second Regular Session of the 115th Legislature.'

26 Further amend the bill by inserting at the end before the
27 statement of fact the following:

28
29 **FISCAL NOTE**

30
31 Costs associated with requiring the Commissioner of
32 Agriculture, Food and Rural Resources to approve experimental
33 devices and notifying the Joint Standing Committee on Energy and
34 Natural Resources will be absorbed by the Department of
35 Agriculture, Food and Rural Resources within existing budgeted
36 resources. The cost of collecting reports from manufacturers or
37 distributors and the possible printing costs of a subsequent bill
38 will be absorbed within the legislative budget.'

40
41 **STATEMENT OF FACT**

42
43 This is the majority report of the Joint Standing Committee
44 on Energy and Natural Resources. This amendment clarifies the
45 types of plastic holding devices that may be sold after July 1,
46 1991 and adds new language permitting the Commissioner of
47 Agriculture, Food and Rural Resources to approve the sale of
48 plastic holding devices that are experimental and that conform to
49 the intent of the law. The commissioner is required to notify
50 each member of the Joint Standing Committee on Energy and Natural
51 Resources immediately upon receipt of a request for approval of
52 an experimental device.

COMMITTEE AMENDMENT "A" to H.P. 591, L.D. 842

2 The amendment adds an automatic repeal date to the bill that
3 repeals, on July 1, 1992, the conditional permission to sell any
4 product connected with plastic rings. After July 1, 1992, the
5 sale of any product connected with any type of plastic holding
6 device is prohibited. The amendment also requires those persons
7 who manufacture or distribute products sold in containers
8 connected with plastic holding devices to report to the committee
9 by March 15, 1992 on education and product development efforts
10 and allows the committee to report out a bill on plastic holding
11 devices subsequent to that report.
12

Reported by the Majority of the Committee on Energy and Natural Resources
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