

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 842

H.P. 591

House of Representatives, February 26, 1991

Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative GWADOSKY of Fairfield.

Cosponsored by Representative ANDERSON of Woodland and Representative GOULD of Greenville.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Modify the Ban on Plastic Rings and Other Plastic Holding
Devices.**

(EMERGENCY)



Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, July 1, 1991 has been established as the date to ban the sale of products in containers connected to each other by plastic rings or other plastic holding devices; and

Whereas, new technology has been developed that allows the environmentally safe use of plastic connectors; and

Whereas, this legislation intends to modify the law imposed by the July 1, 1991 deadline; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 7 MRSA §18, as enacted by PL 1989, c. 869, Pt. C, §1 and c. 876, Pt. B, §2, is repealed and the following enacted in its place:

§18. Connectors

After July 1, 1991, a person may not sell or offer to sell products in containers connected to each other by plastic rings or other plastic holding devices unless the device is capable of being broken as each container is removed and if the device decomposes by photodegradation, chemical degradation or biodegradation within a reasonable period of time upon exposure to the elements.

Sec. 2. 7 MRSA §19 is enacted to read:

§19. Holding of real estate

The commissioner may accept, hold, administer and retain interests in real estate in order to further the purposes of this Title.

Sec. 3. 38 MRSA §1607, as enacted by PL 1989, c. 878, Pt. G, §9, is repealed.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

STATEMENT OF FACT

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4 This bill modifies the law regarding a ban on the use of
6 plastic rings or other plastic holding devices by July 1, 1991.
8 The modification allows the use of plastic holding devices that
10 are easily broken upon use and decompose by photodegradation,
12 chemical degradation or biodegradation within a reasonable period
14 of time. This bill also repeals an identical ban placed in the
16 environmental laws under the Maine Revised Statutes, Title 38,
18 section 1607 in order to give sole enforcement jurisdiction to
the Department of Agriculture, Food and Rural Resources, which is
currently responsible for enforcement of the State's beverage
container laws.

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16 This bill also resolves a conflict created during the Second
18 Regular Session of the 114th Legislature by 2 public laws
enacting the same section.

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