

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

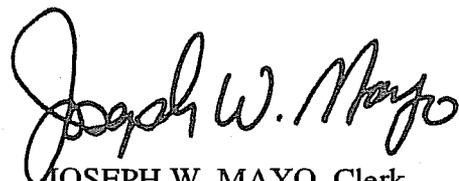
No. 963

H.P. 712

House of Representatives, March 22, 1993

An Act to Promote the Use of Reusable Bags in the Purchase of Groceries.

Reference to the Committee on Taxation suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative PENDEXTER of Scarborough.
Cosponsored by Representatives: ADAMS of Portland, MARSH of West Gardiner, SIMONDS of Cape Elizabeth, TREAT of Gardiner, Senator: AMERO of Cumberland.

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

2
4 **Sec. 1. 36 MRSA §4831, sub-§§1-A and 3-A** are enacted to read:

6 **1-A. Grocery bag.** "Grocery bag" means a flexible paper or
8 plastic container or sack used by a retailer to package goods in
10 a supermarket for consumers to transport to another location.
12 "Grocery bag" does not include a small plastic container or sack
14 used to package produce or delicatessen items or a container or
16 sack used in the fast food industry.

18 **3-A. Supermarket.** "Supermarket" means a store where food
20 for human consumption is the primary line of merchandise offered
22 for sale.

24 **Sec. 2. 36 MRSA §4832, as amended by PL 1991, c. 546, §31,** is
26 further amended to read:

28 **§4832. Fee imposed**

30 **1. Imposition.** A fee is imposed on the retail sale in this
32 State of new tires, new lead-acid batteries, new major
34 appliances, new major furniture items, new bathtubs and new
36 mattresses. The fee is in the amount of \$1 per tire or lead-acid
38 battery and \$5 for major appliances, major furniture items,
40 bathtubs and mattresses. Additionally, fees in the same amounts
42 are imposed on the storage, use or other consumption in this
44 State of tires, lead-acid batteries, major appliances, major
46 furniture items, bathtubs and mattresses purchased new in this
48 State by the user or purchased out of State by the user unless
50 either of the fees imposed by this section has been paid. A fee
of 20¢ per grocery bag is imposed on the sale, provision or
transfer of grocery bags by retailers to consumers. The retailer
may retain 10¢ per bag sold, provided or transferred with 10¢ per
bag considered to be the fee as specified under section 4833.

52 **2. Exemption.** Transactions that, under the laws of this
54 State, are not subject to taxation in accordance with Part 3 are
56 exempt from the fee imposed by subsection 1. Sales of any items
58 that occur as part of a sale of a trailer, a mobile home or any
60 motorized vehicle are exempt from the fee imposed by subsection
62 1. Retailers at hardware, drug and convenience stores are exempt
from the fee on grocery bags imposed under subsection 1.

64 **Sec. 3. 36 MRSA §4832, sub-§3** is enacted to read:

66 **3. Identification.** A retailer subject to the grocery bag
68 fee imposed under subsection 1 must label all bags with a
70 specific identification or universal packaging code to help with
72 state accounting.

2 **Sec. 4. 38 MRSA §2139, sub-§3** is enacted to read:

4 3. Community programs. Fees from grocery bags must be
6 dedicated to the office to be used for environmental, waste
8 reduction and recycling projects and for educational programs in
10 the community.

12 **Sec. 5. Reusable bag voucher program.** The Maine Waste
14 Management Agency shall issue to each household, as defined by
16 the United States Census Bureau, a voucher worth \$6 to use in the
18 purchase of reusable bags. The vouchers must be distributed
20 through municipal offices. The vouchers expire 90 days after the
22 effective date of this Act.

24 **STATEMENT OF FACT**

26 This bill addresses source reduction of plastic and paper
28 grocery bags in the waste stream. The bill places a 20¢ fee on
30 every grocery bag provided in supermarkets in this State. A
store keeps 10¢ of the fee with the other 10¢ initially going to
fund a reusable bag voucher program, then becoming dedicated
revenue for the Office of Waste Reduction and Recycling within
the Maine Waste Management Agency. Revenues from this fee will
be used to fund environmental, waste reduction and recycling
projects and educational programs in the community.

This bill does not supersede any prior legislation enacted
relative to plastic or paper grocery bags.