

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 1778

H.P. 1314

House of Representatives, April 25, 2001

**Resolve, to Establish the Commission to Study Ways to Eliminate  
Cigarette Litter in Maine.**

(EMERGENCY)

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Reported by Representative RICHARDSON for the Joint Standing Committee on Business and Economic Development pursuant to Joint Order 2001, H.P. 682.

Reference to the Joint Standing Committee on Business and Economic Development suggested and printing ordered under Joint Rule 218.

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

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

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6           **Whereas,** improperly discarded cigarette butts are a growing  
source of litter on both public and private property in Maine; and

8           **Whereas,** cigarette butts are the items of litter most  
frequently picked up along beaches and highways in Maine by  
clean-up campaign volunteers; and

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12           **Whereas,** cigarette butts improperly disposed of are a threat  
to the environment, representing a health hazard to humans, as  
well as to fish and wildlife; and

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16           **Whereas,** the cleanup and collection of cigarette butts and  
other litter constitute a significant financial burden on  
business and citizens of this State; and

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20           **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

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26           **Sec. 1. Commission established. Resolved:** That the Commission  
to Study Ways to Eliminate Cigarette Litter in Maine, referred to  
in this resolve as the "commission," is established; and be it  
further

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30           **Sec. 2. Membership. Resolved:** That the commission consists  
of 15 members appointed as follows:

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34           1. Two members of the Senate, one of whom is a member of  
the Joint Standing Committee on Business and Economic Development  
and one of whom is a member of the Joint Standing Committee on  
Health and Human Services, appointed by the President of the  
Senate;

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40           2. Three members of the House, 2 of whom are members of the  
Joint Standing Committee on Business and Economic Development and  
one of whom is a member of the Joint Standing Committee on Health  
and Human Services, appointed by the Speaker of the House;

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44           3. Two members who represent tobacco product manufacturers,  
appointed by the President of the Senate;

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48           4. One member who provides health care services to citizens  
of this State, appointed by the Speaker of the House;

2           5. One member who represents tobacco product distributors  
operating in this State, appointed by the President of the Senate;

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6           6. One member who represents the Maine Innkeepers  
Association, appointed by the Speaker of the House;

8           7. One member who represents convenience stores operating  
in this State, appointed by the President of the Senate;

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12           8. One member who represents the Maine Grocers'  
Association, appointed by the Speaker of the House;

14           9. One member who represents environmental organizations,  
appointed by the President of the Senate;

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18           10. One member who represents redemption centers operating  
in this State, appointed by the Speaker of the House; and

20           11. One member who represents the Maine Coastal Program at  
the State Planning Office, appointed by the President of the  
22 Senate; and be it further

24           **Sec. 3. Chairs. Resolved:** That the first named Senate member  
is the Senate chair and the first named House member is the House  
26 chair; and be it further

28           **Sec. 4. Appointments. Resolved:** That all appointments must be  
made no later than 30 days following the effective date of this  
30 resolve. The appointing authorities shall notify the Executive  
Director of the Legislative Council upon their making their  
32 appointments. When the appointment of all members is complete,  
the cochairs of the commission shall call and convene the first  
34 meeting of the commission no later than September 1, 2001; and be  
it further

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38           **Sec. 5. Duties. Resolved:** That the commission shall study  
issues related to reducing cigarette litter in this State. In  
examining these issues, the commission shall:

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42           1. Attempt to determine the nature and extent of the  
cigarette litter problem across the State, including its effects  
on the environment, public health and public safety;

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46           2. Identify and assess the feasibility of various proposals  
to reduce, and ultimately to eliminate, cigarette litter,  
particularly programs and approaches that involve public-private  
48 partnerships;

50           3. Gather information on cigarette litter reduction  
programs in other states;

2           4. Gather information on initiatives undertaken by tobacco  
4 producers and environmental organizations in response to concerns  
about the impacts of cigarette litter on the environment, public  
health and public safety;

6           5. Request tobacco producers to provide information on the  
8 status of research into the development of biodegradable filters;

10          6. Request tobacco producers to develop specific proposals  
12 to reduce or eliminate cigarette litter in this State; and

14          7. Make recommendations based on its findings; and be it  
further

16           **Sec. 6. Staff assistance. Resolved:** That, upon approval of the  
18 Legislative Council, the Office of Policy and Legal Analysis  
shall provide necessary staffing services to the commission; and  
be it further

20           **Sec. 7. Reimbursement. Resolved:** That commission members who  
22 are Legislators are entitled to receive the legislative per diem  
pursuant to the Maine Revised Statutes, Title 3, section 2 and  
24 reimbursement for travel and other necessary expenses for their  
attendance at authorized meetings of the commission. Public  
26 members not otherwise compensated by their employers or other  
entities that they represent are entitled to receive  
28 reimbursement of necessary expenses for their attendance at  
authorized meetings of the commission; and be it further

30           **Sec. 8. Commission budget. Resolved:** That the cochairs of the  
32 commission, with assistance from commission staff, shall  
administer the commission's budget. Within 10 days after its  
34 first meeting, the commission shall present a work plan and  
proposed budget to the Legislative Council for its approval. The  
36 commission may not incur expenses that would result in the study  
group's exceeding its approved budget; and be it further

38           **Sec. 9. Report. Resolved:** That the commission shall submit a  
40 report that includes its findings and recommendations including  
suggested legislation to the Joint Standing Committee on Business  
42 and Economic Development and the Legislative Council by December  
1, 2001. Following receipt and review of the report, the Joint  
44 Standing Committee on Business and Economic Development may  
report out a bill to the Second Regular Session of the 120th  
46 Legislature to implement the commission's recommendations. If  
the commission requires a limited extension of time to conclude  
48 its study and to make its report, it may apply to the Legislative  
Council, which may grant the extension; and be it further



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## SUMMARY

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This resolve establishes the Commission to Study Ways to Eliminate Cigarette Litter in Maine. The 15-member commission is required to submit a report with its findings and recommendations to the Joint Standing Committee on Business and Economic Development by December 1, 2001. The Joint Standing Committee on Business and Economic Development is authorized to report out a bill to implement the recommendations of the commission.