

MAINE STATE LEGISLATURE

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M
R. & S.

L.D. 367

Date: 4-28-09

(Filing No. S-97.)

NATURAL RESOURCES

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STATE OF MAINE

SENATE

124TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 131, L.D. 367, Bill, "An Act To Reduce the Amount of Plastic Introduced into the Waste Stream"

Amend the bill by striking out the title and substituting the following:

'Resolve, To Convene a Work Group To Design and Implement a Statewide Disposable Checkout Bag Reduction Campaign, with Benchmarks'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

Whereas, the State has adopted a solid waste management hierarchy that places waste reduction and reuse above recycling as preferred management systems for solid waste; and

Whereas, the State has been an advocate of policies that reduce litter and enhance the natural beauty of the State; and

Whereas, the use of disposable checkout bags consumes valuable natural resources in their production, increases waste generation and contributes to litter; and

Whereas, state law designates recycling requirements for retail establishments that distribute plastic bags; and

Whereas, grocers and retailers in the State recognize resource limitations and they understand the leadership role they play in participating in public awareness programs and adopting programs that can generate environmental benefits; and

Whereas, grocers and retailers in the State have been promoting and encouraging the use of reusable checkout bags for the transport of products and goods from their stores; and

Whereas, this legislation establishes a process to review current law and recycling practices and to establish effective and innovative approaches to reduce the use and increase the recycling of disposable checkout bags; now, therefore, be it

R.S.

1 **Sec. 1. Convene work group. Resolved:** That the Executive Department, State
2 Planning Office shall establish a work group, through a partnership with state agencies
3 and other appropriate entities, to work together towards a viable solution to the checkout
4 bag issue to achieve environmental benefits, maintain financial viability for
5 manufacturers and retailers and avoid cost impacts for consumers; and be it further

6 **Sec. 2. Participants. Resolved:** That the Executive Department, State Planning
7 Office shall invite representatives of the following agencies, organizations and businesses
8 to participate in the work group:

- 9 1. Department of Environmental Protection;
- 10 2. Maine Grocers Association;
- 11 3. Maine Merchants Association;
- 12 4. Maine Oil Dealers Association;
- 13 5. Maine State Chamber of Commerce;
- 14 6. Natural Resources Council of Maine;
- 15 7. American Chemistry Council;
- 16 8. A grocery chain with a large number of stores in the State;
- 17 9. A retail store chain with a large number of stores in the State; and
- 18 10. Other entities as appropriate; and be it further

19 **Sec. 3. Duties. Resolved:** That the work group shall:

- 20 1. Assess existing recycling infrastructure capacities within the State;
- 21 2. Design a regional pilot program that includes an assessment of current state law
22 governing waste reduction, including, in particular, an assessment of technical assistance
23 available to municipalities and businesses in those municipalities;
- 24 3. Create a memorandum of understanding with guiding principles, recycling goals
25 and benchmarks for the overall reduction of disposable checkout bag distribution and
26 waste;
- 27 4. Design a statewide promotional media campaign; and
- 28 5. Identify funding needs, resources and partners; and be it further

29 **Sec. 4. Existing resources. Resolved:** That the duties described in section 3
30 must be completed within existing resources of the Executive Department, State Planning
31 Office; and be it further

32 **Sec. 5. Report; authority to submit legislation. Resolved:** That, by January
33 15, 2010, the work group shall submit a report relating to the subject matter of this
34 resolve to the Joint Standing Committee on Natural Resources. The report must include
35 findings, recommendations and draft legislation to implement the recommendations. The
36 Joint Standing Committee on Natural Resources may report out legislation relating to the
37 report to the Second Regular Session of the 124th Legislature.'

SUMMARY

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This amendment replaces the bill with a resolve. The resolve requires the Executive Department, State Planning Office to establish a work group consisting of agencies, organizations and businesses for the purpose of reducing the distribution of disposable checkout bags. The work group is charged with assessing recycling infrastructure capacities, developing language for a memorandum of understanding with goals and benchmarks for reducing the use of disposable checkout bags, designing a statewide promotional campaign and identifying funding sources. The work group is directed to submit a report to the Joint Standing Committee on Natural Resources, and the committee is authorized to report out legislation relating to the report.

FISCAL NOTE REQUIRED
(See attached)



Approved: 04/27/09 *MAC*

124th MAINE LEGISLATURE

LD 367

LR 750(02)

An Act To Reduce the Amount of Plastic Introduced into the Waste Stream

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Natural Resources
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Environmental Protection and the State Planning Office associated with establishing a work group and other administrative duties for the purpose of reducing the distribution of disposable check out bags at retail establishments can be absorbed within existing budgeted resources.