

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 57

H.P. 44

House of Representatives, January 11, 2017

An Act To Phase Out the Use of Single-use Plastic Shopping Bags

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

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT
Clerk

Presented by Representative DEVIN of Newcastle.

Cosponsored by Representative PARKER of South Berwick, Senator VITELLI of Sagadahoc and

Representatives: DAUGHTRY of Brunswick, PIERCE of Falmouth, Senators: BREEN of Cumberland, CARSON of Cumberland.

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

2 **Sec. 1. 38 MRSA §1605**, as repealed and replaced by PL 1991, c. 475, §1, is
3 amended to read:

4 **§1605. Plastic bags; recycling**

5 ~~A If a retailer may use~~ makes plastic bags available to customers to bag products at
6 ~~the point of within the retail sale only if location,~~ the retailer must ensure the recycling
7 of used plastic bags in accordance with this section. As used in this section, "plastic bag"
8 and "retailer" have the same meanings as in section 1605-A.

9 **1. Collection.** ~~Locates~~ A retailer must locate inside the store or within 20 feet of the
10 main entrance to the store a receptacle for collecting any used plastic bags; ~~and~~.

11 **2. Recycling.** ~~Ensures~~ A retailer must ensure that the plastic bags collected are
12 recycled or delivered to a person engaged in recycling plastics.

13 **Sec. 2. 38 MRSA §1605-A** is enacted to read:

14 **§1605-A. Plastic bags; prohibition**

15 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
16 following terms have the following meanings.

17 A. "Plastic" means an organic or petroleum derivative synthetic or a semisynthetic
18 organic solid that is moldable.

19 B. "Plastic bag" means a bag made from plastic designed to carry consumer goods in
20 a retail transaction for one-time use.

21 C. "Retailer" means a person that offers consumer goods for sale at retail in the State.

22 D. "Reusable bag" means a bag with handles that is specifically designed and
23 manufactured for multiple reuse and is made of cloth, fiber or other machine-
24 washable fabric or durable plastic.

25 **2. Prohibition.** Beginning September 1, 2020, a retailer may not use plastic bags to
26 bag products at the point of retail sale or otherwise make plastic bags available to
27 customers. This prohibition does not apply to:

28 A. Plastic bags used by consumers inside stores to package bulk items, such as fruit,
29 vegetables, nuts, grains, candy or small hardware items; to contain or wrap frozen
30 foods, meat or fish, whether prepackaged or not; to contain or wrap flowers, potted
31 plants or items for which dampness may be a problem; and to contain unwrapped
32 prepared foods or bakery goods;

33 B. Plastic bags provided by pharmacists to contain prescription drugs;

34 C. Plastic newspaper bags, door-hanger bags, laundry or dry-cleaning bags or plastic
35 bags sold in packages containing multiple bags intended for use as garbage bags, pet
36 waste bags or yard waste bags;

