

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE

**FIRST SPECIAL SESSION**

October 9, 1987 to October 10, 1987

**SECOND SPECIAL SESSION**

October 21, 1987 to November 20, 1987

and the

**SECOND REGULAR SESSION**

January 6, 1988 to May 5, 1988

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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Twin City Printery  
Lewiston, Maine  
1988

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST AND SECOND SPECIAL SESSIONS  
and  
SECOND REGULAR SESSION  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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- (1) ~~The initial state share as defined in section 15914, subsection 3, when the initial state share has been approved for current fiscal year funding;~~
- (2) Proceeds from insured losses;
- (3) Money from federal sources; and
- (4) Other noneducational funds, except gifts and money from federal revenue sharing sources.

Sec. 4. 20-A MRSA §15914, as amended by PL 1985, c. 248, §§11 and 12, is repealed.

Sec. 5. Effective date. This Act shall take effect on July 1, 1989.

Effective July 1, 1989.

## CHAPTER 804

H.P. 1592 — L.D. 2178

### AN ACT to Ban Disposable Polystyrene Foam Food and Drink Containers from Public Cafeterias.

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

38 MRSA c. 16-A is enacted to read:

#### CHAPTER 16-A

#### NONDEGRADABLE FOOD AND BEVERAGE CONTAINERS

##### §1651. Definitions

As used in this chapter, unless the context indicates otherwise, the following terms have the following meanings.

- 1. Consumer. "Consumer" means an individual who purchases or accepts food or beverage for use or consumption.
- 2. Food service. "Food service" means an individual, sole proprietorship, partnership, association, corporation or agency of the State or a political subdivision of the State that sells, offers to sell, engages in the sale of or engages in the provision of food or beverages to consumers.
- 3. Political subdivision. "Political subdivision" has the meaning set forth in Title 14, section 8102, subsection 3.
- 4. State. "State" has the meaning set forth in Title 14, section 8102, subsection 4.

##### §1652. State and political subdivision facilities and functions

1. Prohibition. A food service providing or serving individual portions of food or a beverage at a facility or function of the State or of a political subdivision shall not provide or serve those portions in or on containers that are composed in whole or in part of polystyrene foam plastic.

2. Schools. A school or school administrative district shall comply with the provisions of this section except that a food service providing such services to satellite facilities at the school or school administrative district serviced by central kitchen facilities not at the same location is exempt.

3. Meals on wheels. A food service funded in whole or in part, directly or indirectly, by the Bureau of Maine's Elderly to provide meals at dispersed locations from central kitchen facilities is exempt.

##### §1653. Penalty

A violation of this chapter is a civil violation for which a forfeiture of not more than \$100 may be adjudged.

##### §1654. Effective date

This chapter is effective on January 1, 1990.

Effective January 1, 1990.

## CHAPTER 805

H.P. 1727 — L.D. 2370

### AN ACT to Establish Guidelines for Genetic Engineering Experimentation.

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

Whereas, the duties assigned to the Commission on Biotechnology and Genetic Engineering are complex; and

Whereas, the Joint Standing Committee on Agriculture desires to agree on a work plan with this commission during the First Regular Session of the 114th Legislature; and

Whereas, this commission must be appointed and confirmed before it can start its work; 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,