

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

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

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**THIRD SPECIAL SESSION**

October 1, 1992 to October 6, 1992

**FOURTH SPECIAL SESSION**

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

**FIRST REGULAR SESSION**

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 13, 1993

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

---

---

J.S. McCarthy Company  
Augusta, Maine  
1993

---

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

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**1993**

---

## CHAPTER 341

S.P. 350 - L.D. 1064

**An Act Concerning Plastic Holding Devices Used in Packaging****Be it enacted by the People of the State of Maine as follows:****Sec. 1. 7 MRSA §18, sub-§2-A**, as enacted by PL 1991, c. 833, §2, is amended to read:

**2-A. Exceptions.** Notwithstanding subsection 1, a person may sell or offer to sell products in containers connected to each other with a plastic holding device that decomposes by photodegradation, chemical degradation or biodegradation within a reasonable period of time upon exposure to the elements and that:

- A. Is designed or manufactured to be broken when a container is removed;
- B. Breaks simultaneously with the removal of the container; or
- C. Is approved for sale by the commissioner as an experimental device. The commissioner may approve a device as experimental under this paragraph only if the commissioner determines that the device conforms with the intent of this subsection. The commissioner shall notify in writing each member of the joint standing committee of the Legislature having jurisdiction over energy and natural resources matters immediately upon receiving a request for approval of an experimental device. Such notification must include the date the request was received, the name of the person or business requesting approval and a brief description of the device.

~~This subsection is repealed on October 1, 1993.~~

**Sec. 2. 7 MRSA §18, sub-§3** is enacted to read:

**3. Repeal.** This section is repealed 90 days after the adjournment of the Second Regular Session of the 116th Legislature.

**Sec. 3. 7 MRSA §18-A** is enacted to read:**§18-A. Connectors**

**1. Prohibition.** The wholesale sale of any product in containers connected by plastic rings or other plastic holding devices is prohibited.

**2. Prohibition; all sales.** Beginning 180 days after the adjournment of the Second Regular Session of the

116th Legislature, the sale of any product in containers connected by plastic rings or other plastic holding devices is prohibited.

**3. Exception.** Notwithstanding subsections 1 and 2, a person may sell pharmaceuticals, infant formula or medical food products in containers connected by plastic rings or other plastic holding devices if the plastic rings or plastic holding devices decompose by photodegradation, chemical degradation or biodegradation within a reasonable period of time on exposure to the elements. For the purposes of this subsection, the terms "pharmaceuticals," "infant formula" and "medical food" have the same meaning as in the federal Food, Drug, and Cosmetic Act, 21 United States Code, Section 321 et seq., as amended.

**4. Effective date.** This section takes effect 90 days after the adjournment of the Second Regular Session of the 116th Legislature.

**Sec. 4. 7 MRSA §524, last ¶**, as enacted by PL 1987, c. 373, §§2 and 5, is repealed.

**Sec. 5. 10 MRSA §1652-A**, as enacted by PL 1987, c. 373, §§3 and 5, is repealed.

**Sec. 6. Report.** By March 1, 1994, those persons who are manufacturers or distributors of products sold in the State in containers connected by plastic holding devices and any interested person who is developing or has developed an alternative to plastic holding devices may report, jointly or separately, to the Joint Standing Committee on Energy and Natural Resources. Any report submitted under this section may include any materials, research or other information relevant to the product or the actual or potential use of the product in markets in the State.

**Sec. 7. Committee legislation authorized.** The Joint Standing Committee on Energy and Natural Resources may report out legislation to the Second Regular Session of the 116th Legislature on any matter pertaining to plastic holding devices.

See title page for effective date.

## CHAPTER 342

H.P. 666 - L.D. 904

**An Act to Protect Maine Citizens From the Effects of Environmental Tobacco Smoke****Be it enacted by the People of the State of Maine as follows:****Sec. 1. 22 MRSA c. 262** is enacted to read: