



# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 108

H.P. 74

House of Representatives, January 13, 2021

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### **An Act To Improve Public Safety by Repealing the Single-use Plastic Carry-out Bag Ban**

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Received by the Clerk of the House on January 11, 2021. Referred to the Committee on Environment and Natural Resources pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative FAULKINGHAM of Winter Harbor.  
Cosponsored by Senator GUERIN of Penobscot and  
Representatives: CARMICHAEL of Greenbush, DUCHARME of Madison, GIFFORD of  
Lincoln, GRIGNON of Athens, HALL of Wilton, KINNEY of Knox, PARRY of Arundel,  
THORNE of Carmel.

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

2 **Sec. 1. 38 MRSA §1605**, as repealed by PL 2019, c. 346, §1, is reenacted to read:

3 **§1605. Plastic bags; recycling**

4 A retailer may use plastic bags to bag products at the point of retail sale only if the  
5 retailer:

6 **1. Location.** Locates inside the store or within 20 feet of the main entrance to the  
7 store a receptacle for collecting any used plastic bags; and

8 **2. Recycles.** Ensures that the plastic bags collected are recycled or delivered to a  
9 person engaged in recycling plastics.

10 **Sec. 2. 38 MRSA §1611**, as amended by PL 2019, c. 617, Pt. J, §§1 and 2 and c.  
11 674, §1, is repealed.

12 **SUMMARY**

13 This bill repeals the law restricting the use of single-use carry-out plastic bags by retail  
14 stores and instead allows a retailer to use plastic bags to bag products at the point of retail  
15 sale if the retailer locates inside the store or within 20 feet of the main entrance to the store  
16 a receptacle for collecting any used plastic bags and ensures that the plastic bags collected  
17 are recycled or delivered to a person engaged in recycling plastics.

18 The purpose of this repeal is to allow the use of single-use bags instead of reusable  
19 bags and prevent the spread of disease that may exist on reusable bags.