



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 425

H.P. 258

House of Representatives, February 2, 2023

An Act to Lower the Environmental Impact of Consumers, Increase Food Safety and Strengthen Consumer Choice by Ending the Ban on Single-use Plastic Shopping Bags

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative PERKINS of Dover-Foxcroft. (BY REQUEST)
Cosponsored by Representatives: ARDELL of Monticello, DUCHARME of Madison,
NEWMAN of Belgrade, WHITE of Guilford, Senator: HARRINGTON of York.

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

2 **Sec. 1. 38 MRSA §1605-A** is enacted to read:

3 **§1605-A. Plastic bags**

4 This section governs the use of plastic bags by retailers.

5 **1. Recycling requirement.** A retailer may use plastic bags to bag products at the point
6 of retail sale only if the retailer:

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

9 B. Ensures that the plastic bags collected are recycled or delivered to a person engaged
10 in recycling plastics.

11 **2. Provision of plastic bags, paper bags and reusable bags to customers.** Subject
12 to the requirements of subsection 1, a retailer may provide customers with plastic bags,
13 paper bags or reusable bags at the point of retail sale and may allow customers to use their
14 own reusable bags at the point of retail sale.

15 **Sec. 2. 38 MRSA §1611**, as amended by PL 2021, c. 186, §18, is repealed.

16 **SUMMARY**

17 This bill repeals the law restricting the use of single-use carry-out plastic bags by retail
18 stores and instead allows a retailer to use plastic bags to bag products at the point of retail
19 sale if the retailer locates inside the store or within 20 feet of the main entrance to the store
20 a receptacle for collecting any used plastic bags and ensures that the plastic bags collected
21 are recycled or delivered to a person engaged in recycling plastics. It also stipulates that a
22 retailer may provide customers with plastic bags, paper bags or reusable bags at the point
23 of retail sale and may allow customers to use their own reusable bags at the point of retail
24 sale.