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STATE OF MAINE
SENATE
132ND LEGISLATURE
FIRST SPECIAL SESSION

SENATE AMENDMENT “ ” to H.P. 1040, L.D. 1582, “An Act to Clarify the Prohibition on the Sale of Beverages in Plastic Containers”

Amend the bill by striking out everything after the enacting clause and inserting the following:

Sec. 1. 38 MRSA §3102, sub-§2, as amended by PL 2017, c. 10, §1, is further amended to read:

2. Beverage container. "Beverage container" means a bottle, can, jar or other container made of glass, metal or plastic that has been sealed by a manufacturer and at the time of sale contains 4 liters or less of a beverage. "Beverage container" does not include a container composed, in whole or in part, of aluminum and plastic or aluminum and paper in combination as long as the aluminum content represents 10% or less of the unfilled container weight, the container materials represent 5% or less of the total weight of the container and its contents and the container is filled with a nonalcoholic beverage. "Beverage container" does not include a container composed of cardboard in combination with a plastic liner. "Beverage container" does not include a plastic can as described in section 3110, subsection 2.

Sec. 2. 38 MRSA §3110, sub-§2, as enacted by PL 2015, c. 166, §14, is amended to read:

2. Plastic cans. In a container composed of one or more plastics if the basic structure of the container, exclusive of the closure device, also includes aluminum or steel, unless the container contains 200 milliliters or less of an alcoholic beverage at the time of sale.

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment replaces the bill. It exempts plastic cans that contain 200 milliliters or less of an alcoholic beverage from the prohibition on selling or offering for sale beverages

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1 in plastic cans. It also amends the definition of "beverage container" to exclude plastic
2 cans.

3 **SPONSORED BY:** _____

4 (Senator HICKMAN, C.)

5 **COUNTY:** Kennebec