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.

Presented by Representative PERKINS of Dover-Foxcroft. (BY REQUEST)
Be it enacted by the People of the State of Maine as follows:

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

§1605-A. Plastic bags

This section governs the use of plastic bags by retailers.

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

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

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

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

Sec. 2. 38 MRSA §1611, as amended by PL 2021, c. 186, §18, is repealed.

SUMMARY

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