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ENVIRONMENT AND NATURAL RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 307, L.D. 468, Bill, “An Act To Prohibit the Use of Certain Disposable or Polystyrene Food Service Containers”

Amend the bill in section 1 in §1652-A in subsection 1 by striking out all of paragraphs A and B (page 1, lines 6 to 17 in L.D.) and inserting the following:

'A. "Compostable" means material that will undergo degradation by biological processes during composting to yield carbon dioxide, water, inorganic compounds and biomass and leave no visible, distinguishable or toxic residue, including no adverse impact on the ability of compost to support plant growth once the compost is placed in soil.

B. "Disposable food service container" means a container, bowl, plate, tray, carton, cup, lid or other item designed for one-time use for prepared food. "Disposable food service container" includes service ware for take-out foods and leftovers from partially consumed meals prepared by food vendors. "Disposable food service container" does not include:

(1) Items composed entirely of aluminum or paper;

(2) Recyclable service ware; or

(3) Polystyrene foam coolers and ice chests that are intended for reuse or for the shipping or transportation of prepared food.

For the purposes of this paragraph, "prepared food" has the same meaning as in Title 36, section 1752, subsection 8-A.'

Amend the bill in section 1 in §1652-A in subsection 2 by adding at the end the following:

'This prohibition does not apply to the use of disposable food service containers necessary for compliance with applicable state or federal food safety laws, rules or regulations.'

COMMITTEE AMENDMENT

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SUMMARY

This amendment, which is the minority report of the committee, amends the bill as follows:

1. It changes the definition of "compostable" to remove the phrase "at a rate consistent with other materials that undergo degradation by biological processes";
2. It changes the definition of "disposable food service container" to provide a cross-reference for the term "prepared food" and to clarify that "disposable food service container" does not include items composed entirely of paper or aluminum and does not include polystyrene foam coolers and ice chests that are intended for reuse or for the shipping or transportation of prepared food; and
3. It provides that the prohibition in the bill does not apply to the use of disposable food service containers necessary for compliance with applicable state or federal food safety laws, rules or regulations.