



# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 39

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S.P. 47

In Senate, January 13, 2021

### An Act To Remove the Plastic Bag Ban

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator GUERIN of Penobscot.  
Cosponsored by Representative JAVNER of Chester and  
Representative: TUELL of East Machias.

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2 **Sec. 1. 38 MRSA §1605**, as repealed by PL 2019, c. 346, §1, is reenacted to read: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11 674, §1, is repealed.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.