

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

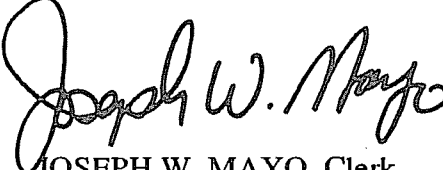
No. 1810

H.P. 1343

House of Representatives, January 31, 1994

An Act to Strengthen the Maine Bottle Deposit Laws.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on Business Legislation suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative HOGLUND of Portland.
Cosponsored by Representatives: JACQUES of Waterville, WENTWORTH of Kennebunkport.

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

4 Sec. 1. 32 MRS §1863-C is enacted to read:

6 **§1863-C. Registration by manufacturers**

8 All manufacturers of beverage containers as defined in
10 section 1862, subsection 2 shall submit to the Treasurer of State
12 a complete list of all products to be offered for sale in the
14 State, identify who will initiate the deposit on the beverage
16 containers and identify who will collect the empty beverage
18 containers for their products.

20 Sec. 2. 32 MRS §1866, sub-§8 is enacted to read:

22 **8. Application to containers originally sold in the State.**
24 The obligations to accept or take empty beverage containers and
26 to pay the refund value and handling fees for such containers as
28 described in subsections 1, 2, 3, 4 and 5 apply only to
30 containers originally sold in this State as filled beverage
32 containers. Any person who for the purpose of obtaining a refund
34 value or handling fee tenders to a dealer, distributor,
36 redemption center or bottler more than 10 cases of 24 empty
38 beverage containers each that the person knows or has reason to
40 know were not originally sold in this State as filled beverage
42 containers is subject to the enforcement action and civil
44 penalties set forth in this subsection. Any person who violates
46 the provisions of this subsection is subject to a civil penalty
48 of the greater of \$100 for each container or \$25,000 for each
tender of containers.

34 **STATEMENT OF FACT**

36 Currently, manufacturers are not required to indicate who
38 will be initiating deposits on their products and, as a result,
40 products may be shipped into the State without proper deposits or
42 the added costs of the handling fee. The purpose of this bill is
44 to establish a more effective system for tracking beverages sold
46 under the State's bottle deposit laws to ensure that all
48 requirements of the laws have been met and that the State
receives its fair share of the unclaimed deposits. This bill
requires all manufacturers of beverage products sold in the State
to register with the State and identify who will be initiating
the deposit and collecting the empties for their product. This
bill also increases the penalties for individuals who knowingly
return empties that were not originally sold in the State. Other
bottle bill states such as Massachusetts have recently adopted

2 similar penalty legislation to confront the cross-border
3 redemptions.

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8 This document has not yet been reviewed to determine the
9 need for cross-reference, stylistic and other technical
10 amendments to conform existing law to current drafting standards.