

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1964

H. P. 1903

Office of the Clerk of the House

The Committee on Business Legislation suggested. Approved for introduction by the Legislative Council pursuant to Joint Rule 24 and Ordered Printed 2,500.

EDWIN H. PERT, Clerk

Presented by Mr. Hughes of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-EIGHT

**AN ACT to Extend Coverage of the Returnable Beverage Statutes to Beverages Sold in a
Bottle or Can Containing no more than Eighteen Ounces.**

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

32 MRSA § 1862, sub-§§ 1 and 2, as enacted by PL 1975, c. 739, § 16, are amended to read:

1. **Beverage.** "Beverage" means beer, ale or other drink produced by fermenting malt, soda water or other nonalcoholic carbonated drink in liquid form and intended for human consumption.

2. **Beverage container.** "Beverage container" means a glass, metal or plastic bottle, can, jar or other container which has been sealed by a manufacturer and which, at the time of sale, contains 18 ounces or less of a beverage if the beverage is a nonalcoholic, noncarbonated drink in liquid form or contains one gallon or less of a beverage if the beverage is beer, ale or other drink produced by fermenting malt, soda water or other nonalcoholic carbonated drink in liquid form.

STATEMENT OF FACT

One of the prime reasons for enacting the bottle bill was to reduce the amount of roadside litter from carelessly discarded bottles and cans. The original bill did not include noncarbonated soft drinks, despite the fact that they competed with carbonated beverages included in the bill and despite the fact that users of carbonated drinks in returnable containers could easily switch to noncarbonated soft drinks in nonreturnable containers, as

sales of these drinks in Maine were then so small that they presented no litter problem. However, since enactment, sales in Maine of these noncarbonated soft drinks, chiefly fruit drinks, have been steadily rising, and the careless discard of their containers is beginning to present a real litter problem. This bill, by amending the definition of beverage and of beverage container in the returnable beverage container statute, will extend the coverage of this law to noncarbonated soft drinks and will forestall a real threat to the integrity of the bottle bill.