

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1099

H.P. 787

House of Representatives, April 11, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Business Legislation suggested and ordered printed.

A handwritten signature in cursive script that reads 'Ed Pert'.

EDWIN H. PERT, Clerk

Presented by Representative TOWNSEND of Eastport.

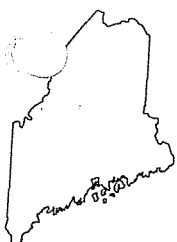
Cosponsored by Representative MOHOLLAND of Princeton, Representative LOOK of Jonesboro and Representative GOULD of Greenville.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act to Recover Windfall Profits from Bottle Deposits.

(AFTER DEADLINE)



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

3 Sec. 1. 32 MRSA §1866, sub-§6 is enacted to read:

5 6. Distributors reports and payments. Each distributor
7 shall, prior to February 1st of each year, report to the
9 commissioner the total amount of deposits paid to it by any
11 person during the preceding calendar year, as well as the total
13 amount of refunds paid by it to any person during that calendar
15 year. Prior to February 1st of each calendar year, each
17 distributor shall also pay to the commissioner, for deposit in
19 the General Fund, the difference between the total amount of
21 deposits paid to it in the preceding calendar year and the total
23 amount of refunds paid by it during that year.

25 Sec. 2. 32 MRSA §1869, sub-§3 is enacted to read:

27 3. False reports. Any individual person who knowingly
29 makes any false report pursuant to section 1866, subsection 6, is
31 guilty of a Class E crime.

STATEMENT OF FACT

25 Under the Maine returnable beverage container law, a person
27 purchasing from a distributor a beverage subject to the law is
29 required to pay a deposit to the distributor in an amount fixed
31 by the distributor. The distributor is then required to refund
33 the deposit to anyone returning the used beverage container to
35 that distributor. Many times a container on which a distributor
has received a deposit is never returned. In such a case, the
distributor simply keeps the deposit as a windfall. These
windfalls are estimated to aggregate as much as \$4,000,000 to
\$5,000,000 annually.