

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "**B**" to COMMITTEE AMENDMENT "A" to H.P.
1705, L.D. 2354, Bill, "An Act to Correct Errors in the Solid
Waste Laws"

Amend the amendment in Part C by inserting after section C-1
the following:

'Sec. C-2. 32 MRSA §1862, sub-§1, as repealed and replaced by
PL 1989, c. 585, Pt. D, §§2 and 11, is amended to read:

1. Beverage. "Beverage" means beer, ale or other drink
produced by fermenting malt, ~~spirits, wine,~~ wine coolers, soda or
noncarbonated water, and all nonalcoholic carbonated ~~or~~
~~noncarbonated~~ drinks in liquid form and intended for internal
human consumption, ~~except for milk and dairy derived products.~~

Sec. C-3. 32 MRSA §1862, sub-§§12-B and 14, as enacted by PL
1989, c. 585, Pt. D, §§3 and 11, are repealed.'

Further amend the amendment in Part C in section C-2 in that
part designated "§1863." in subsection 1 in the 2nd line (page
10, line 35 in amendment) by striking out the following: "except
wine and spirits containers," and inserting in its place the
following: '~~except wine and spirits containers,~~'

Further amend the amendment in Part C in section C-2 in that
part designated "§1863." in subsection 2-A in the 2nd and 3rd
lines (page 10, lines 48 and 49 in amendment) by striking out the
following: "except wine and spirits containers,"

Further amend the amendment in Part C in section C-2 in that
part designated "§1863." in subsection 2-B in the 2nd and 3rd
lines (page 11, lines 7 and 8 in amendment) by striking out the
following: "except wine and spirits containers,"

2 Further amend the amendment in Part C in section C-2 in that
part designated "§1863." by striking out all of subsection 3 and
inserting in its place the following:

4
6 ~~'3.---Wine--and--spirits--containers,---For--wine--and--spirits
containers--of--greater--than--50--milliliters,--the--refund--value--shall
not--be--less--than--15%.---On--January--1,--1992,--the--department--shall
8 issue--a--finding--on--the--percentages--of--wine--containers--and--spirits
containers--returned--for--deposit,---If--the--department--finds--the
10 return--rate--of--wine--containers--was--less--than--60%--during--1991,
then,--on--July--1,--1992,--the--refund--value--on--wine--containers--shall
12 not--be--less--than--25%.---If--the--department--finds--the--return--rate--of
spirits--containers--was--less--than--60%--during--1991,--then--on--July--1,
14 1992,--the--refund--value--of--spirits--containers--shall--not--be--less
than--25%.'~~

16
18 Further amend the amendment in Part C in section C-4 in
subsection 4 in paragraph A in the 2nd and 3rd lines (page 11,
lines 41 and 42 in amendment) by striking out the following: "1,
20 2-A and 3" and inserting in its place the following '1 and 2-A'

22 Further amend the amendment in Part C in section C-5 in
subsection 5 in paragraph A in the 2nd line (page 12, line 15 in
24 amendment) by striking out the following: "or 3"

26 Further amend the amendment in Part C by inserting after
section C-14 the following:

28
30 'Sec. C-15. Appropriation. The following funds are
appropriated from the General Fund to carry out the purposes of
this Act.

32
34 1990-91

36 **AGRICULTURE, FOOD AND RURAL
RESOURCES, DEPARTMENT OF**

38 **Public Services - Agriculture**

40

Positions	(-2)
Personal Services	(\$37,455)
All Other	(7,810)

42

44 Eliminates 2 positions
46 authorized by Public Law
1989, chapter 585, for the
48 expansion of the returnable
container law repealed by
this Act.

2 DEPARTMENT OF AGRICULTURE,
3 FOOD AND RURAL RESOURCES
4 TOTAL (\$45,265)

6 Sec. C-16. Allocation. The following funds are allocated from
7 the Alcoholic Beverage Fund to carry out the purposes of this Act.

8 1990-91

10 FINANCE, DEPARTMENT OF
12 Alcoholic Beverage - General Operations

14 All Other (\$694,832)

16 Provides for the deallocation
18 of funds from the repeal of
19 the liquor bottle deposit
20 law. No additional General
21 Fund revenues will result as
22 price increases originally
23 authorized to offset those
24 costs of the liquor bottle
25 deposit law will not be
26 implemented.'

28 Further amend the amendment in Part C by striking out all of
29 section C-15 and inserting in its place the following:

30 'Sec. C-15. Effective date. Sections C-2 and C-4 to C-7 of
31 this Act take effect September 1, 1990.'

34 Further amend the amendment in Part C by renumbering the
35 sections to read consecutively.

36 Further amend the amendment by striking out all of the
37 fiscal note and inserting in its place the following:

40 FISCAL NOTE

42 1990-91

44 Appropriations/Allocations:

46 General Fund (\$45,265)
Alcoholic Beverage Fund (694,832)

2 Revenues:

4	General Fund	-0-
	Alcoholic Beverage Fund	(\$694,832)
6	Maine Solid Waste Management Fund	(90,385)

8 This bill will result in a reduction of dedicated revenue of
10 \$90,385 to the Maine Solid Waste Management Fund in fiscal year
12 1990-91 due to the exemption of publicly owned facilities from
paying disposal fees on municipal solid waste and reducing
special waste disposal fees at publicly owned facilities.

14 The repeal of the expansion of the bottle bill will result
16 in General Fund deappropriations of \$45,265 in fiscal year
18 1990-91. The Bureau of Alcoholic Beverages will also experience
some savings, but this will not result in additional revenue to
the General Fund as price increases would not be implemented.

20 Amending the definition of solid waste to exclude hazardous
22 waste and biomedical waste will have no fiscal impact to the
State for the biennium.

24 There is companion legislation being considered by the Joint
26 Standing Committee on Taxation that affects the Maine Solid Waste
Management Fund.'

28 **STATEMENT OF FACT**

30 This amendment removes spirits, wine and nonalcoholic,
32 noncarbonated drinks from the returnable container law.

Filed by Rep. Hutchins of Penobscot
Reproduced and distributed under the direction of the Clerk of the
House

4/5/90

(Filing No. H-1089)