



# 115th MAINE LEGISLATURE

## **FIRST REGULAR SESSION-1991**

### Legislative Document

No. 1863

S.P. 698

In Senate, May 16, 1991

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.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator BALDACCI of Penobscot (BY REQUEST). Cosponsored by Representative SHELTRA of Biddeford, Representative GRAHAM of Houlton and Representative STEVENS of Sabattus.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY-ONE

An Act to Improve the Returnable Beverage Container Laws.

(AFTER DEADLINE)

Printed on recycled paper

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

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Sec. 1. 32 MRSA \$1865, sub-\$1, as amended by PL 1989, c. 427, \$1, is further amended to read:

1. Labels. Except as provided under subsection <u>subsections</u> <u>1-A and</u> 2, the refund value and the word "Maine" or the abbreviation "ME" shall <u>must</u> be clearly indicated on every refundable beverage container sold or offered for sale by a dealer in this State, by embossing, stamping, labeling or other method of secure attachment to the beverage container. The refund value shall <u>may</u> not be indicated on the bottom of the container. Metal beverage containers shall <u>must</u> be embossed or stamped on the top of the container.

Sec. 2. 32 MRSA §1865, sub-§ 1-A is enacted to read:

Labels; nonrefillable containers; nonexclusive 18 1-A. distributorships. With respect to nonrefillable beverage containers the deposits for which are initiated pursuant to 20 section 1863, subsection 2-A, the refund value and the word "Maine" or the abbreviation "ME" must be clearly indicated on 22 every refundable beverage container sold or offered for sale by a 24 dealer in this State, by permanently embossing or permanently stamping the beverage containers. The refund value may not be indicated on the bottom of the container. Metal beverage 26 containers must be permanently embossed or permanently stamped on 28 the tope of the container.

#### STATEMENT OF FACT

This bill prohibits the use of stickers as the method of affixing the refund value to beverage containers sold through nonexclusive distributorships. This restriction is necessary in order to prevent parties other than the legally authorized initiators of the deposit from determining the amount of and initiating the deposit. In some instances, deposits are currently being initiated by parties that are outside of the chain of beverage sellers for amounts less than the statutorily mandated minimum amount of 5¢.

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