

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P.
1519, L.D. 2131, Bill, "An Act Relating to Unredeemed Deposits"

Amend the amendment by inserting after the 5th paragraph
after the title the following:

'Further amend the bill in section 3 in that part designated
"~~§1863-B.~~" by striking out all of the first line (page 2, line 5
in L.D.) and inserting in its place the following:

'§1863-B. Ownership of deposits'

Further amend the bill in section 3 in that part designated
"~~§1863-B.~~" in the first paragraph in the 2nd line (page 2, line 8
in L.D.) by inserting after the following: "subsection" the
following: '1.'

Further amend the bill in section 10 by striking out all of
the first paragraph (page 4, lines 48 to 50 and page 5 lines 1 to
6 in L.D.) and inserting in its place the following:

'Deposits are presumed abandoned and are unclaimed deposits
when retained by a manufacturer or distributor 60 days after
being collected during any 3-month period ending the last day of
March, June, September or December. Deposit initiators pursuant
to section ~~1863~~ 1863-A must report deposit-related activity and
disburse unclaimed deposits in accordance with the provisions of
this section.'

Further amend the bill by inserting after section 10 the
following:

2 'Sec. 11. 32 MRSA §1866-A, sub-§2, as enacted by PL 1991, c.
3 591, Pt. R, §4 and affected by §18, is amended to read:

4
5 2. **Unclaimed deposits.** Each Except for initiators of
6 deposit under section 1863-A, subsection 1, each deposit
7 initiator shall pay to the Treasurer of State on or before the
8 20th day of March, June, September and December an amount equal
9 to 50% of the unclaimed minimum deposits held by the deposit
10 initiator. The remaining unclaimed minimum deposits, any other
11 unclaimed deposits and any income earned on deposits become the
12 property of the distributor on the day payment is made to the
13 Treasurer of State. Deposit initiators under section 1863-A,
14 subsection 1 shall retain all unclaimed deposits. Funds received
15 by the Treasurer of State under this subsection become the
16 property of the State and must be deposited in the Maine Solid
17 Waste Management Fund established in Title 38, section 2201.' '

18
19 Further amend the amendment by inserting after section 12
20 the following:

21 'Further amend the bill by renumbering the sections to read
22 consecutively.

23
24 Further amend the bill by inserting at the end before the
25 statement of fact the following: ' '

26
27 Further amend the amendment by renumbering the sections to
28 read consecutively.

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31 **STATEMENT OF FACT**

32
33 The amendment leaves initiators of deposit of refillable
34 containers subject to current reporting requirements and clarifies
35 that all other unclaimed minimum deposits escheat to the State
36 with 50% retained by the deposit initiators.

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