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SECOND REGULAR SESSION-1992

Legislative Document

No. 2214

S.P. 867

In Senate, January 23, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26. Reference to the Committee on Business Legislation suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator DUTREMBLE of York

STATE OF MAINE

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

An Act to Exempt Novelty Beverage Containers from the Deposit Laws.

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

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Sec. 1. 32 MRSA §1862, sub-§9-B is enacted to read:

<u>9-B. Novelty beverage container.</u> "Novelty beverage container" means a beverage container of unusual or fancy design that is intended primarily for decoration or adornment, usually manufactured for a special season or occasion.

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Sec. 2. 32 MRSA §1866-A, sub-§§1 and 2, as enacted by PL 1991, c. 591, Pt. R, §4 and affected by §18, are amended to read:

1. Reports. Each deposit initiator must <u>shall</u> report to the department on or before the 20th day of March, June, September and December the total amount of deposits paid to, refunds paid from and income earned on its deposit transaction account <u>and the number of novelty beverage containers received</u> for the 3-month period ending the last day of March, June, September and December. Reports under this subsection must separate minimum deposits from other deposits collected and refunded.

Unclaimed deposits. Each deposit initiator shall pay to 2. the Treasurer of State on or before the 20th day of March, June, 24 September and December an amount equal to 50% of the unclaimed minimum deposits held by the deposit initiator. The remaining 26 unclaimed minimum deposits, any other unclaimed deposits_ unclaimed deposits on novelty beverage containers and any income 28 earned on deposits become the property of the distributor on the day payment is made to the Treasurer of State. Funds received by 30 the Treasurer of State under this subsection become the property of the State and must be deposited in the Maine Solid Waste 32 Management Fund established in Title 38, section 2201.

STATEMENT OF FACT

38 This bill adds the definition of novelty beverage container to the beverage container laws. The bill also requires a deposit initiator to record on the report filed with the Treasurer of State the number of, novelty beverage containers received by the deposit initiator. This bill also exempts the unclaimed deposits held by a deposit initiator on novelty beverage containers from the amount that the deposit initiator must remit to the Treasurer of State.

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