

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 687

H.P. 506

House of Representatives, February 28, 1995

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### An Act Regarding Unredeemed Deposits on Beverage Containers.

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Reference to the Committee on Business and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative JACQUES of Waterville.  
Cosponsored by Representatives: GOULD of Greenville, LEMONT of Kittery, REED of Dexter, Senators: FERGUSON of Oxford, RUHLIN of Penobscot.

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

2           **Sec. 1. 32 MRSA §1863-B**, as enacted by PL 1991, c. 819, §3,  
4 is repealed.

6           **Sec. 2. 32 MRSA §1866, sub-§7**, as amended by PL 1991, c. 819,  
8 §9, is repealed.

10           **Sec. 3. 32 MRSA §1866-A**, as amended by PL 1991, c. 819, §§10  
and 11, is repealed.

12           **Sec. 4. 32 MRSA §1869, sub-§3**, as amended by PL 1991, c. 591,  
14 Pt. R, §5, is repealed.

16           **Sec. 5. 32 MRSA §1871, 2nd ¶**, as enacted by PL 1991, c. 591,  
Pt. R, §6, is repealed.

18           **Sec. 6. 38 MRSA §2201, last ¶**, as repealed and replaced by PL  
20 1993, c. 410, Pt. C, §8, is amended to read:

22           Funds related to administration may only be expended in  
24 accordance with allocations approved by the Legislature for  
26 administrative expenses directly related to the agency's and the  
28 department's programs, including actions by the department  
30 necessary to abate imminent threats to public health, safety and  
32 welfare posed by the illegal disposal of solid waste. Funds  
34 related to operations may only be expended in accordance with  
36 allocations approved by the Legislature and solely for the  
38 development and operation of publicly owned facilities owned or  
40 approved by the agency and for the repayment of any obligations  
42 of the agency incurred under article 3. These allocations must  
44 be based on estimates of the actual costs necessary for the  
46 agency and the department to administer their programs, to  
48 provide financial assistance to regional associations and to  
50 provide other financial assistance necessary to accomplish the  
purposes of this chapter. Beginning in the fiscal year ending on  
June 30, 1991 and thereafter, the fund must annually transfer to  
the General Fund an amount necessary to reimburse the costs of  
the Bureau of Taxation incurred in the administration of Title 36,  
section 5219-D and Title 36, chapter 719 and an amount equal  
to the General Fund revenues lost as the result of Title 36,  
sections 2526 and 5219-D. ~~Beginning in the fiscal year ending  
June 30, 1994 and thereafter, the fund must support allocations  
approved by the Legislature for administrative expenses and  
reimbursement costs directly related to the administration of  
Title 32, section 1866, subsection 7 and Title 32, section 1866-A  
by the Treasurer of State.~~ Allowable expenditures include  
"Personal Services," "All Other" and "Capital Expenditures"  
associated with all agency activities other than those included  
in the operations account.

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**Sec. 7. Reports and reimbursements.**

1. Notwithstanding the reporting requirements under the Maine Revised Statutes, Title 32, section 1866-A, subsection 1, each deposit initiator shall submit a final report on or before June 20, 1995 and need not submit a report for September 1995.

2. Notwithstanding Title 32, section 1866-A, subsection 2, each deposit initiator shall submit a final payment to the Treasurer of State on or before June 20, 1995 in an amount equal to 50% of the unclaimed minimum deposits held by the deposit initiator for the 3-month period ending on the last day of March 1995.

3. The Treasurer of State shall reimburse to a deposit initiator an amount equal to any documented claims of over-redeemed minimum deposits during the course of the previous calendar year.

4. The Treasurer of State shall reimburse to a deposit initiator an amount equal to any documented claims of over-redemption of minimum deposits as reported on or before June 20, 1995.

**Sec. 8. Retroactivity.** Section 7 of this Act applies retroactively to June 20, 1995.

**Sec. 9. Effective date.** Section 6 of this Act takes effect March 31, 1996.

**STATEMENT OF FACT**

This bill repeals the laws relating to unclaimed beverage container deposits.