

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 700

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H.P. 512

House of Representatives, February 28, 1995

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### An Act Concerning Fraudulent Redemptions.

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

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative JACQUES of Waterville.  
Cosponsored by Representative: GOULD of Greenville, Senators: FERGUSON of Oxford,  
RUHLIN of Penobscot.

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

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Sec. 1. 32 MRSA §1866, sub-§8, as enacted by PL 1993, c. 703, §1, is amended to read:

**8. Application to containers originally sold in the State.**  
The obligations to accept or take empty beverage containers and to pay the refund value and handling fees for such containers as described in subsections 1, 2, 3, 4 and 5 apply only to containers originally sold in this State as filled beverage containers. A person who, for the purposes of obtaining a refund value, tenders to a dealer or redemption center more than 240 empty beverage containers must complete a form certifying that the empties were purchased as filled beverage containers in the State. A person who, ~~for the purpose of obtaining a refund value or handling fee,~~ is in possession of or tenders to a dealer, distributor, redemption center or bottler more than ~~10 cases with~~ 24 48 empty beverage containers ~~in each case~~ that the person knows or has reason to know were not originally sold in this State as filled beverage containers is subject to the enforcement action and civil penalties set forth in this subsection. A person who violates the provisions of this subsection is subject to a civil penalty of the greater of \$100 for each container or \$25,000 for each tender of containers.

**STATEMENT OF FACT**

This bill requires individuals who attempt to redeem more than 240 empty beverage containers to complete a form certifying that the empties were purchased as filled beverage containers in the State. This bill also amends the law concerning fraudulent redemption of empty beverage containers by lowering the tolerance from 10 cases of 24 empty containers each to 48 empty containers and applies the provisions to any person who possesses that amount, whether or not the person tenders those containers for the purpose of redeeming the refund value or handling fee.