

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 397

S.P. 139

In Senate, February 5, 2009

**An Act To Amend the Laws Governing Bottle Redemption and To
Establish the Department of Agriculture, Food and Rural Resources
as the Agent in the State for the Purposes of Bottle Redemption**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator SULLIVAN of York.
Cosponsored by Representative CASAVANT of Biddeford and
Senators: BRYANT of Oxford, DIAMOND of Cumberland, NUTTING of Androscoggin,
SCHNEIDER of Penobscot, Representatives: CLEARY of Houlton, WRIGHT of Berwick.

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

2 **Sec. 1. 32 MRSA §1866, sub-§4, ¶A,** as amended by PL 2003, c. 499, §6, is
3 further amended to read:

4 A. In addition to the payment of the refund value, the initiator of the deposit under
5 section 1863-A, subsections 1, 2 and 4 shall reimburse the dealer or local redemption
6 center for the cost of handling beverage containers subject to section 1863-A, in an
7 amount that equals at least 3¢ per returned container for containers picked up by the
8 initiator before March 1, 2004 and at least 3 1/2¢ for containers picked up on or after
9 March 1, 2004 and at least 4 1/2¢ for containers picked up on or after October 1,
10 2009. The initiator of the deposit may reimburse the dealer or local redemption
11 center directly or indirectly through a party with which it has entered into a
12 commingling agreement.

13 **Sec. 2. 32 MRSA §1866, sub-§4, ¶B,** as corrected by RR 2003, c. 1, §34, is
14 further amended to read:

15 B. In addition to the payment of the refund value, the initiator of the deposit under
16 section 1863-A, subsection 3 shall reimburse the dealer or local redemption center for
17 the cost of handling beverage containers subject to section 1863-A in an amount that
18 equals at least 3¢ per returned container for containers picked up by the initiator
19 before March 1, 2004 and at least 3 1/2¢ for containers picked up on or after March 1,
20 2004 and at least 4 1/2¢ for containers picked up on or after October 1, 2009. The
21 initiator of the deposit may reimburse the dealer or local redemption center directly or
22 indirectly through a contracted agent or through a party with which it has entered into
23 a commingling agreement.

24 **Sec. 3. Department of Agriculture, Food and Rural Resources established**
25 **as the agent of the State for purposes of administering the laws governing**
26 **manufacturers, distributors and dealers of beverage containers.** Effective
27 September 1, 2010, the Department of Agriculture, Food and Rural Resources is
28 established as the agent of the State for purposes of administering the laws governing
29 manufacturers, distributors and dealers of beverage containers and is responsible for
30 initiating all deposits on beverage containers sold or offered for sale in this State, as well
31 as the reimbursement of costs associated with handling beverage containers. The
32 Department of Agriculture, Food and Rural Resources shall submit draft legislation to
33 implement this section to the Joint Standing Committee on Business, Research and
34 Economic Development by December 1, 2009. The joint standing committee is
35 authorized to submit legislation to accomplish the objectives of this section to the Second
36 Regular Session of the 124th Legislature.

37 **SUMMARY**

38 This bill increases the handling fee for beverage containers by one cent to at least 4
39 1/2¢ for containers picked up on or after October 1, 2009. This bill also provides that,
40 effective September 1, 2010, the Department of Agriculture, Food and Rural Resources is
41 established as the agent of the State for purposes of administering the laws governing

1 manufacturers, distributors and dealers of beverage containers and will be responsible for
2 initiating all deposits on beverage containers sold or offered for sale in this State, as well
3 as the reimbursement of costs associated with handling beverage containers. This bill
4 directs the Department of Agriculture, Food and Rural Resources to submit draft
5 legislation to implement this provision to the Joint Standing Committee on Business,
6 Research and Economic Development by December 1, 2009. It also authorizes the joint
7 standing committee to submit legislation to accomplish the objectives of this provision to
8 the Second Regular Session of the 124th Legislature.