MAINE STATE LEGISLATURE

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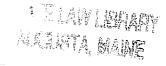
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124th WAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 544

S.P. 204

In Senate, February 12, 2009

An Act To Amend the Laws Governing Returnable Beverage Containers

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

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator PLOWMAN of Penobscot.

Cosponsored by Senators: COURTNEY of York, McCORMICK of Kennebec, PERRY of

Penobscot, Representatives: CUSHING of Hampden, PRATT of Eddington.

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

Sec. 1. 32 MRSA §1863-A, as enacted by PL 1991, c. 819, §3, is amended to read:

§1863-A. Refund value

22.

24.

To encourage container reuse and recycling, every beverage container sold or offered for sale to a consumer in this State must have a deposit and refund value. The deposit and refund value are determined according to the provisions of this section.

- 1. Refillable containers. For refillable beverage containers, except wine and spirits containers, the manufacturer shall determine the deposit and refund value according to the type, kind and size of the beverage container. The deposit and refund value may not be less than is 5ϕ .
- 2. Nonrefillable containers; exclusive distributorships. For nonrefillable beverage containers, except wine and spirits containers, sold through geographically exclusive distributorships, the distributor shall determine and initiate the deposit and refund value according to the type, kind and size of the beverage container. The deposit and refund value must not be less than is 5ϕ .
- 3. Nonrefillable containers; nonexclusive distributorships. For nonrefillable beverage containers, except wine and spirits containers, not sold through geographically exclusive distributorships, the deposit and refund value $\frac{1}{2}$ may not be less than is 5ϕ .
- 4. Wine and spirits containers. For wine and spirits containers of greater than 50 milliliters, the refund value may not be less than 15ϕ is 5ϕ . On January 1, 1993, the department shall issue a finding on the percentages of wine containers and spirits containers returned for deposit. If the department finds the return rate of wine containers was less than 60% during the year ending September 1992, then, on July 1, 1993, the return rate of spirits containers was less than 60% during the year ending September 1992, then, on July 1, 1993, the return rate of spirits containers was less than 60% during the year ending September 1992, then, on July 1, 1993, the refund value of spirits containers may not be less than 25ϕ .

29 SUMMARY

This bill requires that the refund value of all returnable beverage containers is 5¢.

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