

# MAINE STATE LEGISLATURE

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MAINE

# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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**Legislative Document**

**No. 544**

S.P. 204

In Senate, February 12, 2009

### **An Act To Amend the Laws Governing Returnable Beverage Containers**

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

A handwritten signature in black ink, reading "Joy J. O'Brien".

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.

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

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

4 **§1863-A. Refund value**

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

8 **1. Refillable containers.** For refillable beverage containers, except wine and spirits  
9 containers, the ~~manufacturer shall determine the deposit and refund value according to~~  
10 ~~the type, kind and size of the beverage container. The deposit and refund value may not~~  
11 ~~be less than~~ is 5¢.

12 **2. Nonrefillable containers; exclusive distributorships.** For nonrefillable beverage  
13 containers, except wine and spirits containers, sold through geographically exclusive  
14 distributorships, the ~~distributor shall determine and initiate the deposit and refund value~~  
15 ~~according to the type, kind and size of the beverage container. The deposit and refund~~  
16 ~~value must not be less than~~ is 5¢.

17 **3. Nonrefillable containers; nonexclusive distributorships.** For nonrefillable  
18 beverage containers, except wine and spirits containers, not sold through geographically  
19 exclusive distributorships, the deposit and refund value ~~may not be less than~~ is 5¢.

20 **4. Wine and spirits containers.** For wine and spirits containers of greater than 50  
21 milliliters, the refund value ~~may not be less than 15¢~~ is 5¢. ~~On January 1, 1993, the~~  
22 ~~department shall issue a finding on the percentages of wine containers and spirits~~  
23 ~~containers returned for deposit. If the department finds the return rate of wine containers~~  
24 ~~was less than 60% during the year ending September 1992, then, on July 1, 1993, the~~  
25 ~~refund value on wine containers may not be less than 25¢. If the department finds the~~  
26 ~~return rate of spirits containers was less than 60% during the year ending September~~  
27 ~~1992, then, on July 1, 1993, the refund value of spirits containers may not be less than~~  
28 ~~25¢.~~

29 **SUMMARY**

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