

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 683

H.P. 474

House of Representatives, February 28, 2017

**An Act To Fund the Maine Solid Waste Diversion Grant Program
and To Phase Out Certain Containers from the Bottle Redemption
Laws**

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative PARRY of Arundel.
Cosponsored by Senator CUSHING of Penobscot and
Representatives: AUSTIN of Gray, DeCHANT of Bath, GROHMAN of Biddeford, KINNEY
of Limington, TIMBERLAKE of Turner, Senator: BREEN of Cumberland.

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

2 **Sec. 1. 38 MRSA §3102, sub-§2**, as enacted by PL 2015, c. 166, §14, is amended
3 to read:

4 **2. Beverage container.** "Beverage container" means a bottle, can, jar or other
5 container made of glass, metal or plastic that has been sealed by a manufacturer and at the
6 time of sale contains ~~4 liters or less~~ than 46 ounces of a beverage. "Beverage container"
7 does not include a container composed, in whole or in part, of aluminum and plastic or
8 aluminum and paper in combination as long as the aluminum content represents 10% or
9 less of the unfilled container weight, the container materials represent 5% or less of the
10 total weight of the container and its contents and the container is filled with a
11 nonalcoholic beverage.

12 **Sec. 2. 38 MRSA §§3119 and 3120** are enacted to read:

13 **§3119. Beverage containers of 46 ounces or greater**

14 **1. No deposit to be charged.** On and after December 1, 2017, a deposit may not be
15 initiated on a beverage container containing 46 ounces or more of a beverage.

16 **2. End date to redeem deposit.** On and after January 1, 2018, a dealer or
17 redemption center has no liability to any consumer for a deposit on a beverage container
18 46 ounces or greater in capacity. On and after February 1, 2019, a manufacturer or
19 distributor has no liability to any dealer or redemption center for a deposit or handling fee
20 on a beverage container 46 ounces or greater in capacity.

21 **§3120. Recycling fee on certain beverage container sales**

22 **1. Recycling fee.** Beginning December 1, 2017 and ending December 1, 2022, a
23 manufacturer of refillable beverage containers 46 ounces or greater but not more than 4
24 liters in capacity, including wine and spirits containers, and a distributor of nonrefillable
25 beverage containers 46 ounces or greater in capacity, including wine and spirits
26 containers, shall pay a recycling fee at the rate of \$0.005 per beverage container delivered
27 for sale or distribution during any month. The fee is due on the 20th day of the following
28 month. The monthly returns must be accompanied by a certified statement on such forms
29 as the Department of Administrative and Financial Services may require in computing the
30 fee due. A manufacturer and distributor may list, as a separate line item on an invoice,
31 the amount of the fees due under this subsection or for other handling fees under this
32 chapter.

33 **2. Remittance.** The fees under this section must be remitted to the Department of
34 Administrative and Financial Services for deposit into the Maine Solid Waste
35 Management Fund for use by the Maine Solid Waste Diversion Grant Program under
36 section 2201-B.

37 **3. Repeal.** This section is repealed December 1, 2022.

