

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

**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**

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 5¢.

**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 5¢.

**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 may not be less than 5¢.

**4. Wine and spirits containers.** For wine and spirits containers of greater than 50 milliliters, the refund value may not be less than 5¢. ~~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 refund value on wine containers may not be less than 25¢. If the department finds 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 25¢.~~

### **SUMMARY**

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