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Date: (Filing No. S-)

ENVIRONMENT AND NATURAL RESOURCES

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**STATE OF MAINE
SENATE
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 73, L.D. 134, “An Act to Increase the Handling Fee for Beverage Containers Reimbursed to Dealers and Redemption Centers”

Amend the bill by inserting after the title and before the enacting clause the following:

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the State's successful beverage container redemption program protects public health and safety by preventing litter from polluting water sources and spreading disease and by reducing air and water contamination caused by the burning of containers in a waste-to-energy facility or the disposal of containers in a landfill; and

Whereas, Maine residents rely on beverage container redemption centers as a convenient option for redeeming container refunds, which many residents use to support their household budgets; and

Whereas, redemption centers are struggling to address increased system costs due to inflation and other factors, which have forced many redemption centers to reduce hours or close, while at the same time, recent increased demands for redemption services are overwhelming redemption centers still in operation; and

Whereas, necessary operational changes to streamline the beverage container redemption program cannot be implemented in sufficient time to address the current cost and demand issues overwhelming redemption centers now and in the near future; and

Whereas, an immediate increase in the handling fee paid by initiators of deposit to redemption centers and an additional future increase in that fee, as provided in this legislation, are necessary to prevent further redemption center closures; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

COMMITTEE AMENDMENT

1 Amend the bill by striking out everything after the enacting clause and inserting the
 2 following:

3 **'Sec. 1. 38 MRSA §3106, sub-§7**, as amended by PL 2019, c. 526, §7, is further
 4 amended to read:

5 **7. Reimbursement of handling costs.** Reimbursement of handling costs is governed
 6 by this subsection.

7 A. In addition to the payment of the refund value, the initiator of the deposit under
 8 section 3103, subsections 1, 2 and 4 shall reimburse the dealer or redemption center
 9 for the cost of handling beverage containers subject to section 3103, in an amount that
 10 equals at least 3¢ per returned container for containers picked up by the initiator before
 11 March 1, 2004, at least 3 1/2¢ for containers picked up on or after March 1, 2004 and
 12 before March 1, 2010, at least 4¢ for containers picked up on or after March 1, 2010
 13 and before January 1, 2020 ~~and~~, at least 4 1/2¢ for containers picked up on or after
 14 January 1, 2020 and before May 1, 2023, at least 5 1/2¢ for containers picked up on or
 15 after May 1, 2023 and before September 1, 2023 and at least 6¢ for containers picked
 16 up on or after September 1, 2023. The initiator of the deposit may reimburse the dealer
 17 or redemption center directly or indirectly through a party with which it has entered
 18 into a commingling agreement.

19 B. In addition to the payment of the refund value, the initiator of the deposit under
 20 section 3103, subsection 3 shall reimburse the dealer or redemption center for the cost
 21 of handling beverage containers subject to section 3103 in an amount that equals at
 22 least 3¢ per returned container for containers picked up by the initiator before March
 23 1, 2004, at least 3 1/2¢ for containers picked up on or after March 1, 2004 and before
 24 March 1, 2010, at least 4¢ for containers picked up on or after March 1, 2010 and before
 25 January 1, 2020 ~~and~~, at least 4 1/2¢ for containers picked up on or after January 1, 2020
 26 and before May 1, 2023, at least 5 1/2¢ for containers picked up on or after May 1,
 27 2023 and before September 1, 2023 and at least 6¢ for containers picked up on or after
 28 September 1, 2023. The initiator of the deposit may reimburse the dealer or redemption
 29 center directly or indirectly through a contracted agent or through a party with which
 30 it has entered into a commingling agreement.

31 **Sec. 2. Appropriations and allocations.** The following appropriations and
 32 allocations are made.

33 **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**
 34 **Alcoholic Beverages - General Operation 0015**

35 Initiative: Provides allocations for the State’s cost as an initiator of deposit for spirits for
 36 an increase in the reimbursement rate paid to a dealer or local redemption center of 1¢ per
 37 returned beverage container beginning May 1, 2023 and another 1/2¢ beginning September
 38 1, 2023.

39 STATE ALCOHOLIC BEVERAGE	2022-23	2023-24	2024-25
40 FUND			
41 All Other	\$52,959	\$450,155	\$514,766
42			
43 STATE ALCOHOLIC BEVERAGE	\$52,959	\$450,155	\$514,766
44 FUND TOTAL			

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Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment replaces the bill. It adds an emergency preamble and emergency clause and amends the beverage container redemption laws to increase the amount of the reimbursement of beverage container handling costs paid by an initiator of deposit to a dealer or redemption center from 4 1/2¢ per container to 5 1/2¢ per container beginning May 1, 2023 and to 6¢ per container beginning September 1, 2023. The amendment also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED

(See attached)