

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 Repeal the Laws That Establish a Deposit for Bottles and Cans**

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

**Sec. 1. 17 MRSA §331, sub-§9**, as enacted by PL 1991, c. 251, §1, is repealed.

**Sec. 2. 28-A MRSA §705, sub-§1-D**, as enacted by PL 2003, c. 349, §2, is repealed.

**Sec. 3. 28-A MRSA §1355, sub-§1-A, ¶C**, as amended by PL 2001, c. 236, §1, is further amended to read:

C. The holder of a brewery license may sell on the brewery premises during regular business hours to nonlicensees only a specialty package of malt liquor produced at the brewery. The volume of the specialty package may not exceed 15.5 gallons and must be consumed off the premises. The sale of specialty packages described in this paragraph must comply with keg tagging requirements provided in section 714. The brewery shall submit a monthly report to its wholesaler detailing sales made directly from the brewery premises. ~~The wholesaler shall calculate the fees for any bottle deposit and submit an invoice to the brewery for expenses associated with the requirements prescribed in Title 32, chapter 28 including the retailer handling fee, state container deposit and a mutually agreed-upon pick-up fee.~~

**Sec. 4. 28-A MRSA §1651, sub-§1, ¶C**, as amended by PL 1993, c. 615, §5, is repealed.

**Sec. 5. 28-A MRSA §2075, sub-§2-A**, as amended by PL 2003, c. 452, Pt. P, §6 and affected by Pt. X, §2, is repealed.

**Sec. 6. 28-A MRSA §2077, sub-§2-A**, as amended by PL 2003, c. 452, Pt. P, §7 and affected by Pt. X, §2, is repealed.

**Sec. 7. 32 MRSA c. 28**, as amended, is repealed.

**Sec. 8. 38 MRSA §2201, first ¶**, as amended by PL 1995, c. 465, Pt. A, §72 and affected by Pt. C, §2, is further amended to read:

The Maine Solid Waste Management Fund, referred to in this section as the "fund," is established as a nonlapsing fund to support programs administered by the State Planning Office and the Department of Environmental Protection. The fund must be segregated into 2 subsidiary accounts. The first subsidiary account, called operations, receives all fees established and received under article 1. The 2nd subsidiary account, called administration, receives all fees established under this article and under Title 36, chapter 719; ~~and all funds recovered by the department as reimbursement for departmental expenses incurred to abate imminent threats to public health, safety and welfare posed by the illegal disposal of solid waste and all unclaimed deposits returned to the State under Title 32, chapter 28.~~

## **SUMMARY**

SP0321, LD 1004, item 1, 123rd Maine State Legislature  
An Act To Repeal the Laws That Establish a Deposit for Bottles and Cans

This bill repeals the laws that place a deposit and refund value on beverage containers.