



# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 93

H.P. 79

House of Representatives, January 15, 2019

**An Act To Amend the Laws Governing Bottle Redemption To  
Counterbalance for Redemption Centers the Increase in Minimum  
Wage**

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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 McCREA of Fort Fairfield.  
Cosponsored by Senator CARPENTER of Aroostook and  
Representatives: BLUME of York, BRYANT of Windham, FARNSWORTH of Portland,  
GROHOSKI of Ellsworth, HANDY of Lewiston, KORNFIELD of Bangor, SCHNECK of  
Bangor, STANLEY of Medway.

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

2 **Sec. 1. 38 MRSA §3106, sub-§7**, as enacted by PL 2015, c. 166, §14, is amended  
3 to read:

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

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

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

26 C. The reimbursement that the initiator of the deposit is obligated to pay the dealer or  
27 redemption center pursuant to paragraph A or B must be reduced by 1/2¢ for any  
28 returned container that is subject to a qualified commingling agreement that allows  
29 the dealer or redemption center to commingle beverage containers of like product  
30 group, material and size. A commingling agreement is qualified for purposes of this  
31 paragraph if the department determines that 50% or more of the beverage containers  
32 of like product group, material and size for which the deposits are being initiated in  
33 the State are covered by the commingling agreement or that the initiators of deposit  
34 covered by the commingling agreement are initiators of deposit for wine containers  
35 who each sell no more than 100,000 gallons of wine or 500,000 beverage containers  
36 that contain wine in a calendar year. Once the initiator of deposit has established a  
37 qualified commingling agreement for containers of a like product group, material and  
38 size, the department shall allow additional brands to be included from a different  
39 product group if they are of like material. The State, through the Department of  
40 Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery  
41 Operations, shall make every reasonable effort to enter into a qualified commingling  
42 agreement under this paragraph with every other initiator of deposit for beverage  
43 containers that are of like product group, size and material as the beverage containers  
44 for which the State is the initiator of deposit.

1 D. Paragraphs A, B and C do not apply to a brewer who annually produces no more  
2 than 50,000 gallons of its product or a bottler of water who annually sells no more  
3 than 250,000 containers each containing no more than one gallon of its product. In  
4 addition to the payment of the refund value, an initiator of deposit under section  
5 3103, subsections 1 to 4 who is also a brewer who annually produces no more than  
6 50,000 gallons of its product or a bottler of water who annually sells no more than  
7 250,000 containers each containing no more than one gallon of its product shall  
8 reimburse the dealer or local redemption center for the cost of handling beverage  
9 containers subject to section 3103 in an amount that equals at least 3¢ per returned  
10 container, except that, beginning March 1, 2020, the initiator of deposit shall  
11 reimburse the dealer or local redemption center at least 4¢ per returned container.

12 **SUMMARY**

13 This bill increases by 1¢ per returned container the handling costs to be reimbursed to  
14 the dealer or local redemption center for the cost of handling beverage containers  
15 beginning March 1, 2020.