

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 Bottle Redemption and To Establish the Department of Agriculture, Food and Rural Resources as the Agent in the State for the Purposes of Bottle Redemption

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

Sec. 1. 32 MRSA §1866, sub-§4, ¶A, as amended by PL 2003, c. 499, §6, is further amended to read:

A. In addition to the payment of the refund value, the initiator of the deposit under section 1863-A, subsections 1, 2 and 4 shall reimburse the dealer or local redemption center for the cost of handling beverage containers subject to section 1863-A, in an amount that equals at least 3¢ per returned container for containers picked up by the initiator before March 1, 2004 and at least 3 1/2¢ for containers picked up on or after March 1, 2004 and at least 4 1/2¢ for containers picked up on or after October 1, 2009. The initiator of the deposit may reimburse the dealer or local redemption center directly or indirectly through a party with which it has entered into a commingling agreement.

Sec. 2. 32 MRSA §1866, sub-§4, ¶B, as corrected by RR 2003, c. 1, §34, is further amended to read:

B. In addition to the payment of the refund value, the initiator of the deposit under section 1863-A, subsection 3 shall reimburse the dealer or local redemption center for the cost of handling beverage containers subject to section 1863-A in an amount that equals at least 3¢ per returned container for containers picked up by the initiator before March 1, 2004 and at least 3 1/2¢ for containers picked up on or after March 1, 2004 and at least 4 1/2¢ for containers picked up on or after October 1, 2009. The initiator of the deposit may reimburse the dealer or local redemption center directly or indirectly through a contracted agent or through a party with which it has entered into a commingling agreement.

Sec. 3. Department of Agriculture, Food and Rural Resources established as the agent of the State for purposes of administering the laws governing manufacturers, distributors and dealers of beverage containers. Effective September 1, 2010, the Department of Agriculture, Food and Rural Resources is established as the agent of the State for purposes of administering the laws governing manufacturers, distributors and dealers of beverage containers and is responsible for initiating all deposits on beverage containers sold or offered for sale in this State, as well as the reimbursement of costs associated with handling beverage containers. The Department of Agriculture, Food and Rural Resources shall submit draft legislation to implement this section to the Joint Standing Committee on Business, Research and Economic Development by December 1, 2009. The joint standing committee is authorized to submit legislation to accomplish the objectives of this section to the Second Regular Session of the 124th Legislature.

SUMMARY

This bill increases the handling fee for beverage containers by one cent to at least 4 1/2¢ for containers picked up on or after October 1, 2009. This bill also provides that, effective September 1, 2010, the Department of Agriculture, Food and Rural Resources is established as the agent of the State for purposes of administering the laws governing manufacturers, distributors and dealers of beverage containers and will be responsible for initiating all deposits on beverage containers sold or offered for sale in this State, as well as the reimbursement of costs associated with handling beverage containers. This bill directs the Department of Agriculture, Food and Rural Resources to submit draft legislation to implement this provision to the Joint Standing Committee on Business, Research and Economic Development by December 1, 2009. It also authorizes the joint standing committee to submit legislation to accomplish the objectives of this provision to the Second Regular Session of the 124th Legislature.