

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-FOUR

—  
H.P. 1358 - L.D. 2134

**An Act Regarding Responsibility for Activities Intended to Increase the Use  
of Refillable and Reusable Beverage Containers**

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

**Sec. 1. 38 MRSA §3107, sub-§3-B, ¶F-1** is enacted to read:

F-1. After consultation with the department and interested persons, the cooperative shall contract with a 3rd-party entity to complete a study by July 15, 2026 to determine the feasibility of achieving goals of 5% refillable and reusable beverage containers sold in the State by 2030, by 2040 and by 2050 and 10% refillable and reusable beverage containers sold in the State by 2030, by 2040 and by 2050 and to determine the infrastructure and investments that would be necessary to support those goals and shall provide the results of the study, along with any related recommendations, to the department. After reviewing the results of the study and any recommendations of the cooperative, the department shall include the results of the study, along with any additional comments or recommendations from the department, in the report required by section 3115, subsection 3 that is due by February 15, 2027.

**Sec. 2. 38 MRSA §3108-A, sub-§2, ¶B**, as enacted by PL 2023, c. 482, §28 and affected by §43, is amended by amending subparagraph (4) to read:

(4) Reimbursement to dealers and redemption centers of the costs of plastic bags pursuant to section 3106, subsection 9; ~~and~~

**Sec. 3. 38 MRSA §3108-A, sub-§2, ¶B**, as enacted by PL 2023, c. 482, §28 and affected by §43, is amended by enacting a new subparagraph (4-A) to read:

(4-A) Funding of activities and infrastructure designed to increase the use of refillable and reusable beverage containers and reusable beverage packaging in the State. The cooperative may expend funds under this subparagraph to support activities and infrastructure designed to increase the use of other types of reusable packaging in the State. The cooperative shall make available a minimum of \$500,000 per calendar year for these activities, which may include, but are not limited to:

(a) Activities and infrastructure relating to the development and implementation of models for refillable beverage container washing techniques, including, but not limited to, mobile washing stations, in-house washing stations and the establishment of a fixed washing facility in the State;

(b) Development of or other activities relating to container, adhesive and label options for refillable beverage containers; and

(c) Outreach to manufacturers, retailers, restaurants and consumers regarding the benefits of refillable beverage containers and the methods available for ensuring such containers may be safely reused; and

**Sec. 4. 38 MRSA §3108-A, sub-§2, ¶B**, as enacted by PL 2023, c. 482, §28 and affected by §43, is amended by amending subparagraph (5) to read:

(5) Payment of ~~\$1,000,000~~ \$500,000 annually to the department for deposit into and use in accordance with the Cost and Carbon Efficient Technology Fund established in section 3114-A.

The cooperative shall include in its annual report required under section 3107, subsection 3-B, paragraph E any recommendations for a reduction in or other amendment to the payment required under this subparagraph that the cooperative believes necessary due to a reduction in the amount of unclaimed deposits available for expenditure in accordance with paragraph C, a surplus of undistributed funding within the Cost and Carbon Efficient Technology Fund established in section 3114-A or for other reasons specified by the cooperative.

**Sec. 5. 38 MRSA §3114-A, sub-§3**, as enacted by PL 2023, c. 482, §37, is amended to read:

**3. Application of fund.** Money in the fund must be used by the department to provide grants to persons to lease or purchase technology designed to improve operational efficiency and reduce greenhouse gas emissions from trucking ~~or to support activities designed to increase the use of reusable and refillable beverage containers and other reusable and refillable packaging in the State.~~

A. The lease or purchase of technology designed to improve operational efficiency and reduce greenhouse gas emissions from trucking using a grant from the fund is limited to automated beverage container counting, compacting and sorting systems capable of validating the count of beverage containers processed and compacting and sorting processed containers in preparation for pickup, including, but not limited to, reverse vending machines as well as activities associated with the installation of that technology, including, but not limited to, electrical system upgrades, building or infrastructure modifications and Internet connection to a central system administrator as necessary.

~~B. Activities designed to increase the use of reusable and refillable beverage containers and other reusable and refillable packaging in the State using a grant from the fund are limited to:~~

~~(1) Activities relating to the development and implementation of, including the purchase of necessary materials and supplies for, pilot projects to determine options for financially viable models for refillable beverage container washing~~

~~techniques, including, but not limited to, mobile washing stations, shipment of containers to washing facilities outside the State, in-house washing stations and establishment of a fixed washing facility in the State;~~

~~(2) Development of or other activities relating to container, adhesive and label options for refillable beverage containers capable of being used by manufacturers of different types of beverages; and~~

~~(3) Outreach and education activities for manufacturers, retailers, restaurants and consumers regarding the financial and environmental benefits of refillable beverage containers and regarding the processes and methods available for ensuring such containers may be safely reused.~~

~~C. Notwithstanding any provision of this section to the contrary, using money from the fund, the department shall contract with a 3rd party entity to complete a study by July 15, 2026 regarding the feasibility of achieving goals of 5% reusable, refillable beverage containers marketed in the State and 10% reusable, refillable beverage containers marketed in the State and to determine the infrastructure and investments that would be necessary to support those goals. The department shall include the results of the feasibility study, along with any additional comments or recommendations from the department, in the report required by section 3115, subsection 3 that is due February 15, 2027.~~

~~D. Notwithstanding any provision of this section to the contrary, using money from the fund, the department shall provide reimbursement of beverage container costs or other financial losses to eligible distributors in accordance with section 3106, subsection 5-A, paragraph D.~~

~~This paragraph is repealed January 1, 2026.~~

~~E. A grant issued by the department from the fund must cover at least 25% of the anticipated cost of the technology leased or purchased or activities supported as identified in the grant application.~~

~~F. The department shall administer the fund and, after consultation with the cooperative and its advisory group established pursuant to section 3107, subsection 3-B, paragraph A, shall establish the application process and procedures for issuance of grants from the fund. The department shall consult with the cooperative and its advisory group in reviewing and approving grant applications submitted under this section.~~

**Sec. 6. 38 MRSA §3115, sub-§3, ¶B,** as enacted by PL 2023, c. 482, §39, is amended by amending subparagraph (2) to read:

(2) Information regarding the status of the Cost and Carbon Efficient Technology Fund under section 3114-A, including, but not limited to, information regarding the number and amount of grants issued under that fund, information on the recipients of those grants and the technology or activities that those grants were used to support.

**Sec. 7. Effective date.** Those sections of this Act that amend the Maine Revised Statutes, Title 38, section 3108-A, subsection 2, paragraph B, subparagraphs (4) and (5)

and that enact Title 38, section 3108-A, subsection 2, paragraph B, subparagraph (4-A) take effect October 15, 2024.