

SENATE BILL 875

M3

2lr2698
CF 2lr2560

By: **Senator Ferguson**

Introduced and read first time: February 3, 2012

Assigned to: Finance and Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Beverage Container Deposit Program – Recommendation**

3 FOR the purpose of requiring the Department of the Environment to recommend a
4 beverage container deposit program to the Governor and the General Assembly
5 on or before a certain date; requiring the recommended program to include
6 certain requirements, determinations, and related provisions; and generally
7 relating to recycling beverage containers.

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
9 MARYLAND, That:

10 (a) On or before September 15, 2012, the Department of the Environment
11 shall recommend a Maryland Beverage Container Deposit Program to the Governor
12 and, in accordance with § 2–1246 of the State Government Article, the General
13 Assembly.

14 (b) The Maryland Beverage Container Deposit Program recommended by
15 the Department shall:

16 (1) Require distributors to charge a deposit on each returnable
17 beverage container that is covered by the program;

18 (2) Be based on:

19 (i) Data provided by the University of Maryland Environmental
20 Finance Center in the document entitled “Impact Analysis of a Beverage Container
21 Deposit Program in Maryland”; and

22 (ii) The analysis described by the Abell Foundation in the
23 document entitled “The Impact of a Beverage Container Deposit Program in
24 Maryland”;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) Subject to item (4) of this subsection, cover all on-the-go
2 aluminum, glass, and plastic containers for water, soda, beer, and alcoholic beverages;

3 (4) Exempt tetra packs and containers for milk and dairy products,
4 except alcoholic beverages that contain dairy products;

5 (5) Set a State recycling target of 85%, including curbside and drop-off
6 recycling;

7 (6) Determine whether the return incentive should be a 5-cent or
8 10-cent deposit;

9 (7) Provide funding mechanisms to defray the costs to local
10 governments of implementing the program, including revenue from commodities,
11 unredeemed deposits, interest on deposits, and handling fees;

12 (8) Determine collection network requirements and exceptions that
13 allow retailers to refuse to redeem containers if the retail outlet:

14 (i) Is located within one-half mile of a licensed redemption
15 center;

16 (ii) Contains less than 5,000 square feet;

17 (iii) Has an agreement with another nearby retailer to accept
18 containers; or

19 (iv) Is a quick-serve restaurant;

20 (9) Encourage the use of reverse vending machines in parking lots or
21 redemption centers for high traffic areas and large retailers;

22 (10) Include monitoring standards that:

23 (i) Are based on per unit counts rather than weights;

24 (ii) Require a Maryland designation on containers; and

25 (iii) Implement other anti-fraud systems;

26 (11) Require distributors to:

27 (i) Charge a deposit on each returnable beverage container that
28 is covered by the program; and

1 (ii) Pay the deposit receipts to the State or governing bodies of
2 local jurisdictions on a monthly basis; and

3 (12) Be integrated into the current statewide recycling program.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 June 1, 2012.