

§3115. Department administration**(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)**

The department shall administer this chapter and has the authority, following public hearing, to adopt necessary rules to carry it into effect. The department may adopt rules governing redemption centers that receive beverage containers from dealers supplied by distributors other than the distributors servicing the area in which the redemption center is located in order to prevent the distributors servicing the area within which the redemption center is located from being unfairly penalized. Rules adopted by the department pursuant to this chapter are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A, except that rules adopted by the department pursuant to this chapter that establish or modify fees are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. In addition to other actions required by this chapter, department responsibilities include the following. [PL 2019, c. 526, §11 (AMD).]

1. (TEXT EFFECTIVE UNTIL 7/15/25) (TEXT REPEALED 7/15/25) Registry of labels. The department shall establish and maintain a registry of beverage container labels. The registry must contain the information for each beverage type and beverage container filed under section 3105, subsection 5 arranged and displayed in an organized and comprehensible manner. The department shall update the registry regularly and make information from the registry available upon request.

This subsection is repealed July 15, 2025.
[PL 2023, c. 482, §38 (AMD).]

2. Provision of information. The department shall provide information about the operation of this chapter to any affected person whose premises it inspects or visits as part of its licensing and inspection responsibilities.
[PL 2015, c. 166, §14 (NEW).]

3. Report. On or before February 15, 2024, and annually thereafter, the department shall report to the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters on the status of the beverage container redemption program implemented under this chapter.

A. The report must include any recommendations, including draft legislation as necessary, for amendments to this chapter necessary for its administration or to better fulfill the purpose described under section 3101, including, but not limited to, identification of additional department staffing or resource needs to support the administration of this chapter. [PL 2023, c. 482, §39 (NEW).]

B. For the report required by this subsection that is due February 15, 2026, and for each subsequent report, the department shall, at a minimum, include:

(1) Any recommendations for necessary adjustments to the amount of the handling fee under section 3106, subsection 7; and

(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 that those grants were used to support. [PL 2023, c. 529, §6 (AMD).]

C. In addition to the requirements of paragraph B, for the report required by this subsection that is due February 15, 2027, and for each subsequent report, the department shall, at a minimum, include information annually reported by the cooperative pursuant to section 3107, subsection 3-B, paragraph E, including, but not limited to, information regarding the rates of redemption for beverage containers and the calculated overall statewide redemption rate. [PL 2023, c. 482, §39 (NEW).]

D. After reviewing the report, the committee may report out legislation relating to the report. The report under this subsection may be included in the report required pursuant to section 1772, subsection 1. [PL 2023, c. 482, §39 (NEW).]

[PL 2023, c. 529, §6 (AMD).]

SECTION HISTORY

PL 2015, c. 166, §14 (NEW). PL 2019, c. 526, §11 (AMD). PL 2023, c. 482, §§38, 39 (AMD). PL 2023, c. 529, §6 (AMD).

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