

STATE OF MINNESOTA  
HOUSE OF REPRESENTATIVES

DISPOSABLE BOTTLES

House Research Department  
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The following are responses to a questionnaire sent to the 50 states to determine the magnitude of the litter problem caused by disposable bottles.

The following questions were asked:

1. What is the statutory fine for littering in your state?
2. Have disposable bottles posed a serious litter problem in your state?
3. Has any legislation been introduced that would prohibit or in any way restrict the sale or distribution of disposable bottles?

Twenty-five responses have been received and eleven states have at some time considered legislation attempting to prohibit or restrict the sale of disposable bottles. This report contains the statutory fines in these states, and summaries of the proposed bills.

Statutory Fines for Littering:

Alabama	\$10 - 100
Alaska	\$ 0 - 500
Arizona	\$10 - 100
Colorado	\$10 - 500
Connecticut	\$ 0 - 200
Florida	\$ 0 - 100
Hawaii	\$100
Idaho	\$50 - 300
Iowa	\$ 0 - 100
Illinois	\$25 - 200
Kansas	\$50 - 500
Kentucky	\$25 - 300
Louisiana	\$10 - 100
Massachusetts	\$0 - 50
Mississippi	\$50
New Mexico	\$ 0 - 100
Nevada	\$ 0 - 500
South Dakota	\$10 - 100
Texas	\$10 - 200
Vermont	\$ 5 - 50
Virginia	\$10 - 1000
Wyoming	\$100
North Dakota	\$10 - 100
Washington	\$250

Summary of proposed legislation on disposable bottles:

Alabama

A bill is soon to be introduced in Alabama that would prohibit the sale, giving away or other distribution of certain beverages, including both what is commonly known as soft drinks and certain malt or brewed alcoholic beverages in throw-away glass bottles or other throw-away glass containers; and prescribes penalties.

Alaska

Alaska has a proposal for a 2¢ tax per container for each beverage container sold and delivered in the state which is constructed of glass, plastic or other material which shatters into fragments upon impact, except that a beverage container constructed of metal which does not shatter or fragment shall be taxed at a rate of one cent a container, and a beverage container constructed of paper or other cellulose product shall be taxed at a rate of 1/10 of 1¢ per container.

Iowa

One bill would impose a tax on beer in cans or bottles sold for carry-out purposes, at the rate of 1/2¢ for each 16 oz. can or bottle or fraction thereof.

Another bill would prohibit the use of throw-away beverage containers and place a mandatory charge of at least 5¢ on all other beverage containers.

Another bill would impose a tax in addition to all other taxes, at the rate of 1/2¢ per 16 oz. bottle or fraction thereof, on the sale of any beverage contained in a disposable glass bottle.

Kansas

A bill in Kansas would impose a levy of a 1¢ tax upon each nonreturnable container when sold by any distributor in the state. The tax would be paid on all containers supplied to a seller or to a vending machine equally from domestic and foreign distributors. The money would be used for beautification and trash removal.

Oregon

An Oregon bill would provide a privilege tax of one cent per container on sale of metal or glass disposable containers used by wholesalers in distribution of beverages. It directs the State Tax Commission to collect such tax and pay the revenue to the State Treasurer to be distributed 10% to cities, 19% to counties, and the balance to the State Highway Fund to be available for clearing trash and waste from state highways and parks.

South Dakota

A South Dakota bill would prohibit the sale of non-intoxicating or high point beer in the State of South Dakota in non-returnable, throw-away, or disposable bottles or cans.

Vermont

A proposed bill would prohibit the sale of beer, ale and carbonated beverages in disposable glass containers.

Maine

A 1953 bill would have prohibited the sale of malt liquor in non-returnable bottles.

A 1955 bill would have levied and imposed a 2¢ tax on each individual nonreturnable bottle or can of malt liquor imported or manufactured in the State.

Another 1953 bill provided that no malt liquor in bottles could be sold except in bottles returnable by the purchaser for a refund of 10¢, regardless of any wording on the bottles or labels to the contrary.

#### Washington

An initiative measure in 1966 declared it unlawful to offer to or to fill, refill, distribute, sell or assign any breakable beverage bottle made from glass, porcelain, or similar vitreous material unless the distribution, sale or assignment of such beverage bottle is accompanied by a guaranteed refund of deposit on return of not less than 2¢ for each returned empty reusable bottle. (failed)

A bill would make it unlawful to fill, refill, distribute, sell, assign, or offer to fill, refill, distribute, sell, or assign any reusable glass container.

Another bill would allow the highway commission to take all necessary action to collect and remove any or all glass bottles or glass containers along public highways and recover from any retailer, wholesaler, distributor, bottler, or manufacturer of the glass bottle or glass container all necessary and reasonable expenses incurred in carrying out these authorized acts.

#### Connecticut

A 1969 bill proposes to prohibit the use of nonreturnable, non-degradable beverage bottles.

North Dakota

A North Dakota bill would place a tax on disposable aluminum beverage cans upon sale to the retailer.

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