

LD 2141 Frequently Asked Questions

LD 2141: An Act to Direct a Portion of Unclaimed Beverage Container Deposits to the Lake Water Quality Restoration and Protection Fund and the Maine Working Farmland Access and Protection Program

Summary: This bill would allocate \$2 million each (\$4 million total) annually to the Lake Water Quality Protection and Restoration Fund and the Maine Working Farmland Access and Protection Program. The Lake Water Quality Protection and Restoration Fund is housed with the Maine Department of Environmental Protection (DEP) and is set up to support water quality, including watershed surveys, erosion mitigation, alum treatments, research, lake education, and more. There is also potential for matching grants for communities and lake associations. The Maine Working Farmland Access and Protection Program was established in 2021 to provide protection to strategically significant working farmland properties whose continued availability to commercial agricultural businesses is essential to the long-term future of this sector of Maine’s economy.

Rather than pulling money from the general fund, this bill would be funded by unclaimed bottle deposits. There is an estimated \$10-17 million dollars in unclaimed bottle deposits each year, the majority of which remain with the bottling industry. This is public money that should be put to public use related to the environment.

Frequently Asked Questions

Where would the money come from?

We pay a deposit to the bottlers when we purchase bottled and canned beverages. That deposit sits in a fund until we return the bottle and redeem our deposit. If we throw away a redeemable bottle or put it into our municipal recycling bin, that deposit is “unclaimed” and stays with the bottlers. The bottlers currently keep around \$16 million in unredeemed bottle deposits each year.

In the summer of 1976, Maine Senator Edmund Muskie spoke on the floor of the United States Senate regarding the importance of beverage container redemption legislation: “It is a needed step to assist in developing a ‘conservation ethic’ that rejects waste and embraces thrift, husbandry, and saving part of the Earth’s abundance for our posterity”.

Where will the funds go?

The funding for lake protection will go into the [Lake Water Quality Restoration and Protection Fund](#) housed at the Maine Department of Environmental Protection.

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Funds for farmland conservation will go to the Department of Agriculture, Conservation, and Forestry to fulfil the purposes of the [Working Farmland Access and Protection Program](#).

What will the money be used for?

Funds from the Lake Water Quality Restoration and Protection Fund can be used for lake water quality restoration or protection projects, including technical assistance, watershed surveys, watershed plan development, public education, and research focused on lake water quality restoration or protection. The fund can support state, regional, or local staffing at DEP for the administration and implementation of authorized activities related to this fund. The fund cannot be used for land acquisition, legal fees, or debt service. Use of funds is limited to lakes that have public access.

Funds in the Maine Working Farmland Access and Protection Program will be used to protect Maine's most productive and economically significant farmland.

What is the current mechanism for funding the Lake Water Quality Protection and Restoration Fund?

There is currently no established funding mechanism. The fund was established in the 1980s, and other than a small amount of initial funding, the Lake Water Quality Protection and Restoration Fund went unfunded for decades. In 2023 and 2024, the Fund received one-time infusions (\$200,000 and \$50,000, respectively) from two legislative bills. Past funds have been used to support alum treatments.

Who will be responsible for managing these funds?

Once the Lake Water Quality Protection and Restoration Fund has an established source of revenue, the DEP will conduct rule-making to govern how the money is spent. There will be an opportunity during rule-making for public input. Criteria will need to be established to determine how funds will be distributed.

The Working Farmland Access and Protection Program is managed through the Bureau of Agriculture, Food, and Rural Resources at the Department of Agriculture, Conservation, and Forestry. There are established review processes and selection criteria in place for farmland conservation projects.

Is this one-time funding or annual funding?

The funding for this bill would be an annual allocation.

Will this bill fund the Maine Commission on Public Defense Services?

While the original bill allocated \$2 million for the Public Defense Services, the Governor has said this funding will be provided in her budget. We expect an amendment at the public hearing to remove this part of the bill.

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Will this support Aquatic Invasive Species (AIS) work?

No. This fund does not support work to prevent or manage aquatic invasive species.

Who can advocate for this bill?

Anyone who lives in, works in, or visits Maine can speak up in support of this bill.

When is the hearing?

The hearing is scheduled for 1 pm, February 4th (timing subject to change) before the Environment and Natural Resources Committee (Room 216, Cross Building).

Will there be opposition to this bill?

Yes. The beverage industry will vehemently oppose this bill. They have been the beneficiaries of public funding (in the form of unredeemed bottle deposits) for decades and will fight fiercely to keep this additional income in their pockets.

What is the connection between unclaimed (unredeemed) bottle deposits and funding for farmland and lake protection?

The original bottle bill was established to protect Maine's environment. Our clean lakes and farms provide tremendous public benefits. The unredeemed deposits belong to everyone, and clean water and working farms benefit all Maine people.