

1 IN THE SENATE

BY THOMAS

2 SENATE BILL NO. 77

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act prohibiting the sale of certain nonrefundable  
7 beverage receptacles."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. The purpose of this Act is to prohibit the sale of certain  
10 disposable beverage containers whose accumulation in broken and discarded  
11 form is producing an adverse effect upon the environment and posing a  
12 serious threat to the health, safety, and welfare of the residents of the  
13 state.

14 \* Sec. 2. AS 18 is amended by adding a new chapter to read:

15 CHAPTER 32. NONREFUNDABLE BEVERAGE CONTAINERS

16 Sec. 18.32.010. PROHIBITION OF CERTAIN NONREFUNDABLE BEVERAGE  
17 CONTAINERS. (a) No person may distribute, sell, or offer for sale  
18 for off-premise consumption in the state

19 (1) beer, ale or other malt beverages in a container which  
20 does not have a refund value of at least five cents for each container;

21 (2) mineral water, soda water, or other carbonated or  
22 uncarbonated beverage not containing alcohol commonly known as soft  
23 drinks for off-premise consumption in the state in a container which  
24 does not have a refund value of at least five cents for each container.

25 (b) A beverage container covered in this section shall bear a  
26 stamp or label which clearly indicates the refund value of the  
27 container.

28 Sec. 18.32.020. VIOLATIONS. (a) A person who violates sec. 10  
29 of this chapter is guilty of a misdemeanor, and is punishable by a

1 fine of not more than \$100, or by imprisonment for not more than 30  
2 days, or by both.

3 (b) Each day's violation of sec. 10 of this chapter constitutes  
4 a separate offense.

5 Sec. 18.32.030. REVOCATION OR SUSPENSION OF LICENSE. (a) The  
6 department may suspend or revoke the appropriate license of a person  
7 who fails to comply with sec. 10 of this chapter.

8 (b) In order to determine whether a person is in compliance with  
9 sec. 10 of this chapter, the commissioner or his designee is authorized  
10 to inspect the premises in which beverages covered under sec. 10 of  
11 this chapter are sold.

12 Sec. 18.32.040. REGULATIONS. The department may promulgate  
13 regulations to carry out the purposes of this chapter.

14 Sec. 18.32.050. DEFINITIONS. In this chapter

15 (1) "commissioner" means the commissioner of health and  
16 welfare;

17 (2) "container" means any receptacle made of glass or metal,  
18 including cans, bottles, jugs, tubs, and vessels, the title to which  
19 the seller intends to pass with the sale of the contents;

20 (3) "department" means the Department of Health and Welfare.

21 \* Sec. 3. Nothing in this Act applies to containers distributed, sold,  
22 or offered for sale before the effective date of this Act.