

1 (8) “Secretary” means the ~~secretary of the agency of natural resources~~
2 Secretary of Natural Resources.

3 (9) “Mixed wine drink” means a beverage containing wine and more
4 than 15 percent added plain, carbonated, or sparkling water; and which
5 contains added natural or artificial blended material, such as fruit juices,
6 flavors, flavoring, adjuncts, coloring, or preservatives; which contains not
7 more than 16 percent alcohol by volume; or other similar product marketed as
8 a wine cooler.

9 (10) “Liquor” means spirits as defined in 7 V.S.A. § 2.

10 (11) “Deposit initiator” means the first distributor or manufacturer to
11 collect the deposit on a beverage container sold to any person within the State.

12 Sec. YY. 10 V.S.A. §§ 1530 and 1531 are added to read:

13 § 1530. ABANDONED DEPOSITS; DEPOSIT TRANSACTION

14 ACCOUNT; BEVERAGE REDEMPTION FUND

15 (a) A deposit initiator shall open a separate interest-bearing account in a
16 Vermont branch of a financial institution to be known as the deposit
17 transaction account. The deposit initiator shall keep the deposit transaction
18 account separate from all other revenues and accounts.

19 (b) Beginning July 1, 2015, each deposit initiator shall deposit in its deposit
20 transaction account the refund value established by section 1522 of this title for
21 all beverage containers sold by the deposit initiator. The deposit initiator shall

1 deposit the refund value for each beverage container in the account not more
2 than three business days after the date on which the beverage container is sold.
3 All interest, dividends, and returns earned on the deposit transaction account
4 shall be paid directly to the account. All refunds on returned beverage
5 containers shall be paid from the deposit transaction account by the deposit
6 initiator.

7 (c) Beginning on August 10, 2015 and by the tenth day of each month
8 thereafter, every deposit initiator shall report to the Secretary of Natural
9 Resources and the Commissioner of Taxes concerning transactions affecting
10 the deposit initiator's deposit transaction account in the preceding month. The
11 report shall be submitted on a form provided by the Commissioner of Taxes
12 and shall include:

13 (1) the balance of the account at the beginning of the preceding month;

14 (2) the number of nonreusable beverage containers sold in the preceding
15 month and the number of nonreusable beverage containers returned in the
16 preceding month;

17 (3) the amount of beverage container deposits received by the deposit
18 initiator and deposited into the deposit transaction account;

19 (4) the amount of refund payments made from the deposit transaction
20 account in the preceding month;

1 (5) any income earned on the deposit transaction account in the
2 preceding month;

3 (6) any other transactions, withdrawals, or service charges on the
4 deposit transaction account from the preceding month; and

5 (7) any additional information required by the Commissioner of Taxes.

6 (d) On or before August 10, 2015 and on the tenth day of each month
7 thereafter, each deposit initiator shall remit from its deposit transaction account
8 to the Commissioner of Taxes any abandoned beverage container deposits
9 from the preceding month. The amount of abandoned beverage container
10 deposits for a month is the amount equal to the amount of deposits that should
11 be in the fund less the sum of:

12 (1) income earned on amounts on the account during that month; and

13 (2) the total amount of refund value received by the deposit initiator for
14 nonrefillable containers during that month.

15 (e) The Secretary of Natural Resources may prohibit the sale of a beverage
16 that is sold or distributed in the State by a deposit initiator who fails to comply
17 with the requirements of this chapter. The Secretary may allow the sale of a
18 beverage upon the deposit initiator's coming into compliance with the
19 requirements of this chapter.

20 (f) The abandoned beverage container deposits remitted to the
21 Commissioner of Taxes under subsection (d) of this section shall be deposited

1 in the Clean Environment Jobs Fund established under section 1531 of
2 this title.

3 § 1531. CLEAN ENVIRONMENT JOBS FUND

4 (a) There is hereby established in the State Treasury a special fund to be
5 known as the Clean Environment Jobs Fund, to be administered and expended
6 by the Secretary of Natural Resources to fund programs or projects that
7 promote or support the growth of jobs or businesses in the State that are related
8 to or engaged in recycling and solid waste management, provided that
9 expenditures from the Fund shall not be used to fund programs or projects
10 associated with the incineration of solid waste.

11 (b) The Secretary may authorize disbursement or expenditures from the
12 Fund for:

13 (1) loans or grants to Vermont citizens or businesses initiating or
14 expanding a business engaged in recycling or solid waste management,
15 including: compliance with the requirements of 2012 Acts and Resolves
16 No. 148 and recycling of construction and demolition waste; and

17 (2) the costs to the Agency of Natural Resources in implementing the
18 requirements of 2012 Acts and Resolves No. 148.

19 (c) There shall be deposited into the Fund:

20 (1) all abandoned beverage container deposits remitted to the State
21 under section 1530 of this title;

1 (2) private gifts, bequests, grants, or donations made to the State from
2 any public or private source for the purposes for which the Fund was
3 established; and

4 (3) any sums as may be appropriated by the General Assembly.

5 (d) Interest earned by the Fund shall be credited and deposited to the Fund.

6 All balances in the Fund at the end of the fiscal year shall be carried forward
7 and remain a part of the Fund.

8 Sec. ZZ. EFFECTIVE DATE

9 Secs. XX (beverage container definitions) and YY (reclaimed deposits)
10 shall take effect on passage.