

H.695: SNRE Proposal of Amendment: Summary

SNRE First Proposal

- SNRE’s First proposal of amendment clarifies the definition of primary batteries under 10 V.S.A. § 7581 by providing that primary batteries are not:
 - Batteries sold in a computer, computer monitor, computer peripheral, or cathode ray tube;
 - Batteries that are not easily removable or not intended to be removed; and
 - A battery sold as part of a medical device.
- SNRE’s First proposal of amendment also amends 10 V.S.A. § 7581(11) to clarify that the definition of “producer” applies to batteries sold or offered for sale, but not to batteries “distributed” in the State.
 - This helps clarify that products sold containing batteries are not subject to the bill.

SNRE Second Proposal of Amendment

- SNRE’s Second proposal of amendment redrafted 10 V.S.A. § 7582 to eliminate unnecessary language—combining subsections (a) and (b) as proposed by the House.

SNRE Third Proposal of Amendment

- SNRE’s Third proposal of amendment clarifies that the collection rate performance goal for a battery stewardship plan under 10 V.S.A. § 7584(b)(8) shall include the estimated total weight of primary batteries that will be sold or offered for sale in the State by participating producers.

SNRE Fourth Proposal of Amendment

- SNRE’s Fourth proposal of amendment amends 10 V.S.A. § 7585 to require additional information to be submitted in a producer’s annual report, including:
 - The estimated percentage of rechargeable batteries collected by a primary stewardship organization; and
 - The percentage of primary batteries collected in the previous calendar year from producers not participating in an approved stewardship plan.

SNRE Fifth Proposal of Amendment

- SNRE’s Fifth Proposal of amendment corrects a cross reference in 10 V.S.A. § 7586 to conform with a change made by SNRE second proposal of amendment.

Senate Sixth Proposal of Amendment

- SNRE’s Sixth Proposal of amendment amends 10 V.S.A. § 7589 to provides that producers can seek reimbursement of costs of collection, transport, recycling and reasonable, educational, promotional, or administrative costs.
 - The House only allowed reimbursement of direct costs, and capped reimbursement for educational, promotion or administrative costs at 10% of direct costs.

Senate Seventh Proposal of Amendment

- SNRE’s Seventh Proposal of Amendment amended 10 V.S.A. § 7590 to strike a reference to “direct” costs in order to conform with the SNRE Sixth Proposal of Amendment.

Senate Eighth Proposal of Amendment

- SNRE’s Eight Proposal of amendment amends 10 V.S.A. § 7591 clarifies the private cause of action language, by consolidating separate authority for a rechargeable battery steward to bring a cause of action with the authority for primary battery producers to bring a cause of action.
 - The Eighth Proposal of Amendment also strikes a reference to direct costs.