1	H.489
2	Senator Pollina moves that the Senate propose to the House that the bill be
3	amended by adding new Secs. 22b, 22c, and 22d to read as follows:
4	Sec. 22b. 10 V.S.A. § 1521 is amended to read:
5	§ 1521. DEFINITIONS
6	For the purpose of As used in this chapter:
7	(1) "Beverage" means beer or other malt beverages and mineral waters,
8	mixed wine drink, soda water, and carbonated soft drinks in liquid form and
9	intended for human consumption. As of January 1, 1990, "beverage" also shall
10	mean liquor.
11	* * *
12	(3) "Container" means the individual, separate, bottle, can, jar, or carton
13	composed of glass, metal, paper, plastic, or any combination of those materials
14	containing a consumer product. This definition shall not include containers
15	made of biodegradable material.
16	(4) "Distributor" means every person who engages in the sale of
17	consumer products in containers to a dealer in this state State including any
18	manufacturer who engages in such sales. Any dealer or retailer who sells, at
19	the retail level, beverages in containers without having purchased them from a
20	person otherwise classified as a distributor, shall be a distributor.

1	(5) "Manufacturer" means every person bottling, canning, packing, or
2	otherwise filling containers for sale to distributors or dealers.
3	* * *
4	(8) "Secretary" means the secretary of the agency of natural resources
5	Secretary of Natural Resources.
6	(9) "Mixed wine drink" means a beverage containing wine and more
7	than 15 percent added plain, carbonated, or sparkling water; and which that
8	contains added natural or artificial blended material, such as fruit juices,
9	flavors, flavoring, adjuncts, coloring, or preservatives; which that contains not
10	more than 16 percent alcohol by volume; or other similar product marketed as
11	a wine cooler.
12	(10) "Liquor" means spirits as defined in 7 V.S.A. § 2.
13	(11) "Deposit initiator" means the first distributor or manufacturer to
14	collect the deposit on a beverage container sold to any person within the State.
15	Sec. 22c. 10 V.S.A. §§ 1530 and 1531 are added to read:
16	<u>§ 1530. ABANDONED BEVERAGE CONTAINER DEPOSITS; DEPOSIT</u>
17	TRANSACTION ACCOUNT; BEVERAGE REDEMPTION FUND
18	(a) A deposit initiator shall open a separate interest-bearing account in a
19	Vermont branch of a financial institution to be known as the deposit
20	transaction account. The deposit initiator shall keep the deposit transaction
21	account separate from all other revenues and accounts.

1	(b) Beginning on July 1, 2015, each deposit initiator shall deposit in its
2	deposit transaction account the refund value established by section 1522 of this
3	title for all beverage containers sold by the deposit initiator. The deposit
4	initiator shall deposit the refund value for each beverage container in the
5	account not more than three business days after the date on which the beverage
6	container is sold. All interest, dividends, and returns earned on the deposit
7	transaction account shall be paid directly to the account. The deposit initiator
8	shall pay all refunds on returned beverage containers from the deposit
9	transaction account.
10	(c) Beginning on August 10, 2015, and by the tenth day of each month
11	thereafter, every deposit initiator shall report to the Secretary of Natural
12	Resources and the Commissioner of Taxes concerning transactions affecting
13	the deposit initiator's deposit transaction account in the preceding month.
14	The deposit initiator shall submit the report on a form provided by the
15	Commissioner of Taxes. The report shall include:
16	(1) the balance of the account at the beginning of the preceding month;
17	(2) the number of nonreusable beverage containers sold in the preceding
18	month and the number of nonreusable beverage containers returned in the
19	preceding month;
20	(3) the amount of beverage container deposits received by the deposit
21	initiator and deposited into the deposit transaction account;

1	(4) the amount of refund payments made from the deposit transaction
2	account in the preceding month;
3	(5) any income earned on the deposit transaction account in the
4	preceding month;
5	(6) any other transactions, withdrawals, or service charges on the
6	deposit transaction account from the preceding month; and
7	(7) any additional information required by the Commissioner of Taxes.
8	(d) On or before August 10, 2015, and on the tenth day of each month
9	thereafter, each deposit initiator shall remit from its deposit transaction account
10	to the Commissioner of Taxes any abandoned beverage container deposits
11	from the preceding month. The amount of abandoned beverage container
12	deposits for a month is the amount equal to the amount of deposits that should
13	be in the fund less the sum of:
14	(1) income earned on amounts on the account during that month; and
15	(2) the total amount of refund value received by the deposit initiator for
16	nonrefillable containers during that month.
17	(e) The Secretary of Natural Resources may prohibit the sale of a beverage
18	that is sold or distributed in the State by a deposit initiator who fails to comply
19	with the requirements of this chapter. The Secretary may allow the sale of a
20	beverage upon the deposit initiator's coming into compliance with the
21	requirements of this chapter.

1	(f) The Commissioner of Taxes shall deposit in the General Fund
2	established under 32 V.S.A. § 435 all abandoned beverage container deposits
3	remitted under subsection (d) of this section.
4	Sec. 22d. 32 V.S.A. § 435(b) is amended to read:
5	(b) The General Fund shall be composed of revenues from the following
6	sources:
7	* * *
7 8	* * *(12) All other revenues accruing to the State not otherwise required by
8	(12) All other revenues accruing to the State not otherwise required by
8 9	(12) All other revenues accruing to the State not otherwise required by law to be deposited in any other designated fund or used for any other