

1 S.285

2 Senator Pollina of Washington District moves that the bill be amended by
3 adding Secs. 3c, 3d, and 3e and their reader assistance to read as follows:

4 * * * Beverage Container Redemption; Expansion * * *

5 Sec. 3c. 10 V.S.A. § 1521 is amended to read:

6 § 1521. DEFINITIONS

7 ~~For the purpose of~~ As used in this chapter:

8 (1) “Beverage” means beer or other malt beverages ~~and,~~ mineral waters,
9 ~~mixed wine drink,~~ drinks, wine, soda water, ~~and carbonated and noncarbonated~~
10 ~~soft drinks, noncarbonated water, and all nonalcoholic carbonated and~~
11 noncarbonated drinks in liquid form and intended for human consumption,
12 except for rice milk, soymilk, almond milk, hempseed milk, milk, and dairy
13 products. As of January 1, 1990, “beverage” also shall mean liquor.

14 * * *

15 (3) “Container” means the individual, separate, bottle, can, jar, or carton
16 composed of glass, metal, paper, plastic, or any combination of those materials
17 containing a consumer product. This definition shall not include containers
18 made of biodegradable material.

19 (4) “Distributor” means every person who engages in the sale of
20 consumer products in containers to a dealer in this ~~state~~ State, including any
21 manufacturer who engages in such sales. Any dealer or retailer who sells, at

1 the retail level, beverages in containers without having purchased them from a
2 person otherwise classified as a distributor, shall be a distributor.

3 (5) “Manufacturer” means every person bottling, canning, packing, or
4 otherwise filling containers for sale to distributors or dealers.

5 * * *

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

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

14 (10) “Liquor” means spirits as defined in 7 V.S.A. § 2.
15 Sec. 3d. 10 V.S.A. § 1522 is amended to read:

16 § 1522. BEVERAGE CONTAINERS; DEPOSIT

17 (a) Except with respect to beverage containers ~~which that~~ contain liquor, a
18 deposit of ~~not less than five cents~~ \$0.05 shall be paid by the consumer on each
19 beverage container sold at the retail level and shall be refunded to the
20 consumer upon return of the empty beverage container. With respect to
21 beverage containers of volume greater than 50 ml. ~~which that~~ contain liquor or

1 wine, a deposit of ~~15 cents~~ \$0.15 shall be paid by the consumer on each
2 beverage container sold at the retail level and shall be refunded to the
3 consumer upon return of the empty beverage container. The difference
4 between liquor bottle deposits collected and refunds made is ~~hereby~~ retained
5 by the Liquor Control Enterprise Fund for administration of this subsection.

6 (b) A retailer or a person operating a redemption center who redeems
7 beverage containers shall be reimbursed by the manufacturer or distributor of
8 such beverage containers in an amount ~~which is three and one-half cents~~
9 of \$0.035 per container for containers of beverage brands that are part of a
10 commingling program and ~~four cents~~ \$0.04 per container for containers of
11 beverage brands that are not part of a commingling program.

12 (c) ~~[Deleted.]~~ [Repealed.]

13 (d) Containers shall be redeemed during no fewer than 40 hours per week
14 during the regular operating hours of the establishment.

15 Sec. 3e. 10 V.S.A. § 1524 is amended to read:

16 § 1524. LABELING

17 (a) Every beverage container sold or offered for sale at retail in this ~~state~~
18 State shall clearly indicate by embossing or imprinting on the normal product
19 label, or in the case of a metal beverage container on the top of the container,
20 the word “Vermont” or the letters “VT” and the refund value of the container
21 in not less than one-eighth inch type size or such other alternate indications as

1 may be approved by the ~~secretary~~ Secretary. This subsection does not prohibit
2 including names or abbreviations of other states with deposit legislation
3 comparable to this chapter.

4 (b) ~~The commissioner of the department of liquor control~~ Commissioner of
5 Liquor Control may allow, in the case of liquor bottles, a conspicuous,
6 adhesive sticker to be attached to indicate the deposit information required in
7 subsection (a) of this section, provided that the size, placement, and adhesive
8 qualities of the sticker are as approved by the ~~commissioner~~ Commissioner.
9 The stickers shall be affixed to the bottles by the manufacturer, except that
10 liquor ~~which~~ that is sold in the ~~state~~ State in quantities less than 100 cases per
11 year may have stickers affixed by personnel employed by the ~~department~~
12 Department.

13 (c) This section shall not apply to permanently labeled beverage containers.

14 (d) The Secretary may allow, in the case of wine bottles, a conspicuous,
15 adhesive sticker to be attached to indicate the deposit information required in
16 subsection (a) of this section, provided that the size, placement, and adhesive
17 qualities of the sticker are as approved by the Secretary. The stickers shall be
18 affixed by the manufacturer.