

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Environment and Energy to which was referred House  
3 Bill No. 158 entitled “An act relating to the beverage container redemption  
4 system” respectfully reports that it has considered the same and recommends  
5 that the bill be amended by striking out all after the enacting clause and  
6 inserting in lieu thereof the following:

7 Sec. 1. 10 V.S.A. chapter 53 is amended to read:

8 CHAPTER 53. BEVERAGE CONTAINERS; DEPOSIT-REDEMPTION  
9 SYSTEM

10 § 1521. DEFINITIONS

11 As used in this chapter:

12 (1) “Beverage” means ~~beer or other malt beverages and mineral waters,~~  
13 ~~mixed wine drink, soda water and carbonated soft~~ all drinks in liquid form and  
14 intended for human consumption, except for milk, dairy products, plant-based  
15 beverages, infant formula, meal replacement drinks, or nonalcoholic cider.

16 ~~“Beverage” also means liquor and ready to drink spirits beverage.~~

17 (2) ~~“Biodegradable material” means material that is capable of being~~  
18 ~~broken down by bacteria into basic elements. [Repealed.]~~

19 (3) “Container” means the individual, and separate, bottle, can, or jar, ~~or~~  
20 ~~carton~~ composed of glass, aluminum or other metal, paper, plastic,  
21 polyethylene terephthalate, high density polyethylene, or any combination of  
22 those materials, and containing a ~~consumer product~~ beverage. This definition

1 ~~shall~~ does not include ~~containers made of biodegradable material~~  
2 noncarbonated beverage containers with a volume greater than two and one-  
3 half liters and carbonated beverage containers with a volume greater than three  
4 liters.

5 (4) “Distributor” means every person who engages in the sale of  
6 consumer products in containers to a dealer in this State, including any  
7 manufacturer who engages in such sales. Any dealer or retailer who sells, at  
8 the retail level, beverages in containers without having purchased them from a  
9 person otherwise classified as a distributor ~~shall be~~ is a distributor.

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

12 (6) “Recycling” means the process of sorting, cleansing, treating, and  
13 reconstituting waste and other discarded materials for the purpose of reusing  
14 the materials in the same or altered form.

15 (7) “Redemption center” means a store or other location where any  
16 person may, during normal business hours, redeem the amount of the deposit  
17 for any empty beverage container labeled or certified pursuant to section 1524  
18 of this title.

19 (8) “Secretary” means the Secretary of Natural Resources.

20 (9) “Mixed wine drink” means a beverage containing wine and more  
21 than 15 percent added plain, carbonated, or sparkling water and that contains  
22 added natural or artificial blended material, such as fruit juices, flavors,

1       flavoring, adjuncts, coloring, or preservatives; that contains not more than  
2       16 percent alcohol by volume; or other similar product marketed as a wine  
3       cooler.

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

5               (11) “Cider” has the same meaning as in 7 V.S.A. § 2.

6               (12) “Hard kombucha” means a fermented beverage produced from a  
7       mixture of steeped tea and sugar, combined with a culture of yeast strains and  
8       bacteria, that has an alcohol content of 0.5 percent or more alcohol by volume.

9               (13) “Plant-based beverage” means a liquid intended for human  
10       consumption that imitates dairy milk, consists of plant material suspended in  
11       water, and the primary protein source in the beverage is from plant material or  
12       a derivative of plant materials. Plant-based beverages include beverages made  
13       from rice, soy, nuts, oats, and hemp.

14              (14) “Vinous beverages” means all fermented beverages of any name or  
15       description manufactured or obtained for sale from the natural sugar content of  
16       fruits or other agricultural product, containing sugar, the total alcoholic content  
17       of which is not less than one percent nor more than 16 percent by volume at 60  
18       degrees Fahrenheit. As used in this section, “vinous beverages” does not mean  
19       cider, hard kombucha, or a mixed wine drink.

20       § 1522. BEVERAGE CONTAINERS; DEPOSIT

21              (a) Except with respect to beverage containers that contain liquor, a deposit  
22       of not less than five cents shall be paid by the consumer on each beverage

1 container sold at the retail level and refunded to the consumer upon return of  
2 the empty beverage container. With respect to beverage containers that  
3 contain a vinous beverage, a deposit of 15 cents shall be paid by the consumer  
4 on each beverage container sold at the retail level and refunded to the  
5 consumer upon return of the empty beverage container. With respect to  
6 beverage containers of volume greater than 50 ml. that contain liquor, a deposit  
7 of 15 cents shall be paid by the consumer on each beverage container sold at  
8 the retail level and refunded to the consumer upon return of the empty  
9 beverage container. The difference between liquor bottle deposits collected  
10 and refunds made is hereby retained by the Liquor Control Enterprise Fund for  
11 administration of this subsection. Beginning on January 15, 2024 and annually  
12 thereafter, the Commissioner of Liquor and Lottery shall report to the  
13 Secretary of Natural Resources:

14 (1) the amount and tonnage of liquor bottles that the Department of  
15 Liquor and Lottery collected in the previous calendar year; and

16 (2) the redemption rate for liquor bottles in the previous calendar year.

17 (b) A retailer or a person operating a redemption center who redeems  
18 beverage containers shall be reimbursed by the manufacturer or distributor of  
19 such beverage containers in an amount that is three and one-half cents per  
20 container for containers of beverage brands that are part of a commingling  
21 program and ~~four~~ five cents per container for containers of beverage brands  
22 that are not part of a commingling program.

1 (c) [Repealed.]

2 (d) Containers shall be redeemed during no fewer than 40 hours per week  
3 during the regular operating hours of the establishment. [Repealed.]

4 § 1522a. RULES

5 The Secretary may adopt rules, in accordance with 3 V.S.A. chapter 25,  
6 necessary for the administration of this chapter. These rules may include the  
7 following:

8 (1) Provisions to ensure that beverage containers not labeled in  
9 accordance with section 1524 of this title are not redeemed.

10 (2) Provisions to ensure that beverage containers are commingled.

11 (3) Administrative penalties for the failure by a redemption center or  
12 retailer to remove beverage containers that are not labeled prior to pickup by a  
13 distributor or manufacturer. Penalties may include nonpayment of the deposit  
14 and handling fee established under section 1522 of this title for a reasonable  
15 period of time and for the number of beverage containers that were not labeled.

16 (4) Any other provision that may be necessary for the implementation of  
17 this chapter. [Repealed.]

18 § 1523. ACCEPTANCE OF BEVERAGE CONTAINERS

19 (a) Except as provided in section 1522 of this title:

20 (1) A retailer shall not refuse to accept from any person any empty  
21 beverage containers, labeled in accordance with section 1524 of this title, of  
22 the kind, size, and brand sold by the retailer, or refuse to pay to that person the

1 refund value of a beverage container as established by section 1522 of this  
2 title, except as provided in subsection (b) of this section.

3 (2) A manufacturer or distributor may not refuse to pick up from a  
4 retailer that sells its product or a person operating a certified redemption center  
5 any empty beverage containers, labeled in accordance with section 1524 of this  
6 title, of the kind, size, and brand sold by the manufacturer or distributor, or  
7 refuse to pay the retailer or a person operating a redemption center the refund  
8 value of a beverage container as established by section 1522 of this title.

9 (b) A retailer, ~~with the prior approval of the Secretary,~~ may refuse to  
10 redeem beverage containers if a ~~redemption center or centers are established~~  
11 ~~that serve the public need~~ stewardship plan that meets the requirements of  
12 section 1532 of this title has been implemented by the producer responsibility  
13 organization in the State and the retailer's building is less than 5,000 square  
14 feet.

15 (c) A retailer ~~or~~ that is not exempt, a person operating a redemption center,  
16 or any other point of redemption may only refuse to redeem beverage  
17 containers that are not clean; or are broken; and shall not redeem beverage  
18 containers that are not labeled in accordance with section 1524 of this title.

19 § 1524. LABELING

20 (a)(1) Every beverage container sold or offered for sale at retail in this  
21 State shall clearly indicate by embossing ~~or~~, imprinting on the normal product  
22 label, or ~~in the case of a metal beverage container on the top of the container,~~

1 other approved method secured to the container the word “Vermont” or the  
2 letters “VT” and ~~the refund value of the container~~ one of the following in not  
3 less than one-eighth inch type size or such other alternate indications as may be  
4 approved by the Secretary:

5 (A) the refund value of the container;

6 (B) the words “refund value”; or

7 (C) the letters “RV”.

8 (2) The label shall be on the top lid of the beverage container, the side of  
9 the beverage container, or in a clearly visible location on the beverage  
10 container. This subsection does not prohibit including names or abbreviations  
11 of other states with deposit legislation comparable to this chapter.

12 (b) Each beverage container sold or offered for sale in the State that has a  
13 deposit pursuant to section 1522 of this title shall include a Universal Product  
14 Code and barcode. Each distributor shall provide the Universal Product Code  
15 and barcode as part of its beverage registration or within 60 days following  
16 March 1, 2025, whichever occurs first.

17 (c) The Commissioner of Liquor and Lottery may allow, in the case of  
18 liquor bottles, a conspicuous, adhesive sticker to be attached to indicate the  
19 deposit information required in subsection (a) of this section, provided that the  
20 size, placement, and adhesive qualities of the sticker are as approved by the  
21 Commissioner. The stickers shall be affixed to the bottles by the  
22 manufacturer, except that liquor that is sold in the State in quantities less than

1 100 cases per year may have stickers affixed by personnel employed by the  
2 Division of Liquor Control.

3 ~~(e) This section shall not apply to permanently labeled beverage containers.~~

4 (d) The Secretary may allow a manufacturer, a distributor, or a retailer of  
5 vinous beverage containers to attach a conspicuous adhesive sticker to the  
6 beverage containers to indicate the deposit information required in subsection  
7 (a) of this section, provided that the size, placement, and adhesive qualities of  
8 the sticker are as approved by the Secretary. If the Secretary allows the use of  
9 an adhesive sticker under this subsection, the sticker shall be affixed by the  
10 manufacturer, the distributor, or the retailer.

11 \* \* \*

12 § 1527. PENALTY

13 ~~A person who violates a provision of this chapter shall be fined not more~~  
14 ~~than \$1,000.00 for each violation. [Repealed.]~~

15 \* \* \*

16 § 1529. REDEMPTION CENTER CERTIFICATION

17 A person operating a redemption center may obtain a certification from the  
18 Secretary. A redemption center certification shall include the following:

19 (1) Specification of the name and location of the facility;

20 ~~(2) If the certified redemption center redeems more than 250,000~~  
21 ~~containers per year, a requirement that the certified redemption center shall~~  
22 ~~participate in an approved commingling agreement; and~~





1 shall take into the consideration the needs of small manufacturers that do not  
2 generate a significant volume of containers.

3 (d) After approval, the producer responsibility organization shall maintain a  
4 website that identifies:

5 (1) the name and principal business address of each manufacturer  
6 participating in the producer responsibility organization; and

7 (2) the name of each beverage and the container size covered by the  
8 stewardship plan.

9 (e) If the producer responsibility organization fails to implement the  
10 requirements of this chapter, the rules adopted by the Secretary, or an approved  
11 stewardship plan, the Secretary may dissolve the producer responsibility  
12 organization.

13 (f) If no producer responsibility organization is formed, the Secretary shall  
14 either require the formation of the producer responsibility organization or  
15 adopt and administer a plan that meets the requirements of section 1532 of this  
16 title. If the Secretary administers the plan adopted under section 1532, the  
17 Secretary shall charge each manufacturer the costs of plan administration, the  
18 Agency's oversight costs, and a recycling market development assessment of  
19 10 percent of the plan's total cost to be deposited in the Solid Waste  
20 Management Assistance Account of the Waste Management Assistance Fund,  
21 for the purpose of providing grants to develop markets to recycle materials.

1        (g) The producer responsibility organization shall reimburse the Agency of  
2        Natural Resources for all oversight costs in administering this chapter.

3        (h) Manufacturers and distributors of liquor are exempt from the  
4        requirements of this section and the requirement to implement a stewardship  
5        plan under section 1532 of this title.

6        § 1532. STEWARDSHIP PLAN; MINIMUM REQUIREMENTS

7        (a) Plan elements. On or before October 1, 2024, an approved producer  
8        responsibility organization shall submit a stewardship plan to the Secretary. A  
9        stewardship plan shall, at a minimum, meet all of the following requirements  
10       of this section:

11       (1) Convenience of collection. A plan shall ensure that consumers have  
12       convenient opportunities to redeem beverage containers. The plan shall take  
13       reasonable efforts to site points of redemption equitably across all regions of  
14       the State to allow for convenient and reasonable access of all Vermonters to  
15       redemption opportunities. A plan shall document how redemption services  
16       will be available to consumers as follows:

17       (A) at least three points of redemption per county that provide an  
18       immediate return of a deposit to a consumer unless a waiver is granted by the  
19       Secretary;

20       (B) at least one point of redemption per municipality with a  
21       population of 7,000 or more persons that provides an immediate return of a  
22       deposit to a consumer unless a waiver is granted by the Secretary; and

1           (C) how sites of redemption are or will be sited in areas with high  
2           population density or located in centers designated under 24 V.S.A. chapter  
3           76A.

4           (2) Fair operation and compensation to redemption centers. The plan  
5           shall satisfy all of the following requirements.

6           (A) The plan shall describe how all locations that redeem beverage  
7           containers are fairly compensated for their participation in the collection  
8           program.

9           (B) There shall not be barriers to the participation in the collection  
10          program for a redemption center, except for restrictions that are authorized by  
11          the Secretary.

12          (C) The plan shall describe how management and sorting of  
13          containers at redemption centers is minimized. The plan shall document how  
14          brand sorting will be eliminated at points of redemption.

15          (D) The plan shall describe how materials will be picked up from  
16          redemption centers on a timely basis.

17          (E) The plan shall maximize the use of existing infrastructure when  
18          establishing points of collection under subdivision (1) of this subsection (a).

19          (3) Education to consumers. The plan shall describe what education  
20          efforts will be undertaken to increase the number of beverage containers  
21          redeemed in the State.

1           (4) Consultation with stakeholders. The producer responsibility  
2           organization shall consult with stakeholders on the development of the plan.  
3           The plan shall include processes for regular consultation, which shall not be  
4           less than annually, with stakeholders including the Agency, redemption  
5           centers, municipal and private recycling organizations, and other stakeholders.

6           (b) Reporting. At a frequency required by the Secretary but not less than  
7           annually, the producer responsibility organization shall report the following to  
8           the Secretary:

9                   (1) the name, address, and business hours of each redemption center  
10                  participating in the approved stewardship plan;

11                   (2) the amount, in containers and tons, and material type of beverage  
12                  containers redeemed under the plan and the redemption rate by the following  
13                  categories of:

14                           (A) vinous beverage containers; and

15                           (B) all other beverage containers;

16                   (3) the location and amount of beverage container material that was  
17                  recycled and what products that beverage container material was recycled into;

18                   (4) the carbon impacts associated with the administration of the  
19                  stewardship plan;

20                   (5) the costs associated with administration of the stewardship plan,  
21                  including the costs of collection, management, and transportation of redeemed  
22                  containers and the amount received for commodities;

1           (6) a description of any improvements made in the reporting year to  
2           increase ease and convenience for consumers to return beverage containers for  
3           redemption;

4           (7) efforts taken by or on behalf of the manufacturer or distributor to  
5           reduce environmental impacts throughout the product life cycle and to increase  
6           reusability or recyclability at the end of the life cycle by material type;

7           (8) efforts taken by or on behalf of the producer responsibility  
8           organization to improve the environmental outcomes of the program by  
9           improving operational efficiency, such as reduction of truck trips through  
10          improved material handling or compaction or the increased use of refillable  
11          containers in a local refilling system;

12          (9) a description and copies of educational materials and educational  
13          strategies the producer uses for the purposes of this program; and

14          (10) any additional information required by the Secretary.

15          (c) Secretary of Natural Resources approval. The plan shall be submitted  
16          to the Secretary, and, after concluding that the elements of the plan will  
17          maximize diversion of recyclable materials, provide convenience to users, and  
18          create a more circular economy, the Secretary’s approval pursuant to this  
19          subsection shall be for a period not greater than five years.

20          § 1533. PROGRAM AND FISCAL AUDIT

21          (a) Program audit. Beginning on March 1, 2030 and every five years  
22          thereafter, the producer responsibility organization shall conduct an

1 independent third-party program audit of the operation of the stewardship plan.  
2 The audit shall make recommendations to improve the operation of the  
3 collection program established by this chapter.

4 (b) Fiscal audit. Beginning on March 1, 2026 and annually thereafter, the  
5 producer responsibility organization shall conduct an independent third-party  
6 fiscal audit of the program. The fiscal audit shall provide a transparent fiscal  
7 analysis of the producer responsibility organization, its expenditures, the  
8 number of beverage containers collected, and the amount of unclaimed  
9 deposits. The audit shall also provide the redemption rate of beverage  
10 containers redeemed in the State after approval by the Secretary.

11 (c) Submission to Secretary. The results of each audit required under  
12 subsections (a) and (b) of this section shall be submitted to the Secretary for  
13 purposes of reviewing performance of the stewardship plan and for oversight  
14 of the requirements of this chapter.

15 § 1534. BEVERAGE CONTAINER REDEMPTION RATE GOAL;

16 REPORT

17 (a) It is a goal of the State that the following minimum beverage container  
18 redemption rates shall be satisfied by the specified dates:

19 (1) Beginning on July 1, 2026: 75 percent.

20 (2) Beginning on July 1, 2030: 80 percent.

21 (3) Beginning on July 1, 2035: 85 percent.

22 (4) Beginning on July 1, 2040: 90 percent.

1        (b) Beginning on July 1, 2025 and annually thereafter, the Secretary of  
2        Natural Resources shall submit to the Senate Committees on Natural  
3        Resources and Energy and on Finance and the House Committees on  
4        Environment and Energy and on Ways and Means a written report containing  
5        the current beverage container redemption rate in the State for the following  
6        three categories of beverage containers:

7            (1) liquor bottles;

8            (2) vinous beverage containers; and

9            (3) all other beverage containers.

10        (c) Beginning on January 1, 2028, if the Secretary determines that the  
11        redemption rate goal established in subsection (a) of this section was not met  
12        for one or more of the beverage container categories listed under subsection (b)  
13        of this section for two consecutive years, the beverage container deposit for the  
14        category shall increase by five cents, provided that the maximum deposit for  
15        any beverage container category shall not exceed 20 cents for vinous beverage  
16        containers and liquor bottles and shall not exceed 10 cents for every other  
17        container. Within one year following the Secretary's determination under this  
18        section, manufacturers and distributors shall comply with the labeling  
19        requirements of section 1524 of this title before assessing the relevant deposit  
20        established under this subsection for the beverage container.

21        § 1535. RULEMAKING



1        The Secretary may adopt rules, in accordance with 3 V.S.A. chapter 25,  
2        necessary for the administration of this chapter.

3        Sec. 2. 10 V.S.A. § 1530(c)(1) is amended to read:

4            (c)(1) ~~On or before January 1, 2020, and quarterly thereafter,~~ Every quarter,  
5        at the time a report is filed pursuant to subsection (d) of this section, each  
6        deposit initiator shall remit to the Commissioner of Taxes ~~any~~ 50 percent of the  
7        abandoned beverage container deposits from the preceding quarter. The  
8        remaining 50 percent of the abandoned beverage container deposits shall be  
9        retained by the producer responsibility organization implementing the  
10       requirements of this chapter for the deposit initiator. The amount of  
11       abandoned beverage container deposits for a quarter is the amount equal to the  
12       amount of deposits that the deposit initiator collected in the quarter less the  
13       amount of the total refund value paid out by the deposit initiator for beverage  
14       containers during the quarter.

15       Sec. 3. 10 V.S.A. § 1530(c)(1) is amended to read:

16            (c)(1) Every quarter, at the time a report is filed pursuant to subsection (d)  
17        of this section, each deposit initiator shall remit to the Commissioner of Taxes  
18        ~~50 percent of the~~ any abandoned beverage container deposits from the  
19        preceding quarter. ~~The remaining 50 percent of the abandoned beverage~~  
20        ~~container deposits shall be retained by the producer responsibility organization~~  
21        ~~implementing the requirements of this chapter for the deposit initiator.~~ The  
22        amount of abandoned beverage container deposits for a quarter is the amount

1 equal to the amount of deposits that the deposit initiator collected in the quarter  
2 less the amount of the total refund value paid out by the deposit initiator for  
3 beverage containers during the quarter.

4 Sec. 4. 10 V.S.A. § 7714 is amended to read:

5 § 7714. TYPE 3 PROCEDURES

6 (a) Purpose; scope.

7 (1) The purpose of this section is to establish the public notice and  
8 comment requirements that the Department must follow when adopting general  
9 permits, except for general permits governed by section 7712 of this chapter,  
10 and when considering other permits listed in this section.

11 (2) The procedures under this section shall be known as Type 3  
12 Procedures. This section governs each of the following:

13 (A) Each general permit issued pursuant to the Secretary's authority  
14 under this title other than a general permit subject to section 7712 of this  
15 chapter. However, this section does not apply to a notice of intent under a  
16 general permit.

17 (B) Issuance of a dam safety order under chapter 43 of this title,  
18 except for an unsafe dam order under section 1095 of this title.

19 (C) An application or request for approval of:

20 (i) an aquatic nuisance control permit under chapter 50 of this  
21 title;

1 (ii) a change in treatment for a public water supply under chapter  
2 56 of this title;

3 (iii) a collection plan for mercury-containing lamps under section  
4 7156 of this title;

5 (iv) an individual plan for the collection and recycling of  
6 electronic waste under section 7554 of this title; ~~and~~

7 (v) a primary battery stewardship plan under section 7586 of this  
8 title; and

9 (vi) approval of a stewardship plan required under chapter 53 of  
10 this title.

11 (b) Notice of application. The Secretary shall provide notice of an  
12 administratively complete application through the environmental notice  
13 bulletin.

14 (c) Notice of draft decision; comment period. The Secretary shall provide  
15 notice of the draft decision through the environmental notice bulletin and shall  
16 post the draft decision to the bulletin. The Secretary shall provide a public  
17 comment period.

18 (d) Public meeting. The Secretary shall hold a public meeting whenever  
19 any person files a written request for such a meeting. The Secretary otherwise  
20 may hold a public meeting at ~~his or her~~ the Secretary's discretion.

1 (e) Notice of final decision. The Secretary shall provide notice of the final  
2 decision through the environmental notice bulletin and shall post the final  
3 decision to the bulletin. The Secretary shall provide a response to comments.

4 Sec. 5. 10 V.S.A. § 1388 is amended to read:

5 § 1388. CLEAN WATER FUND

6 (a) There is created a special fund to be known as the Clean Water Fund to  
7 be administered by the Secretary of Administration. The Fund shall consist of:

8 (1) revenues from the Property Transfer Tax surcharge established under  
9 32 V.S.A. § 9602a;

10 (2) other gifts, donations, and impact fees received from any source,  
11 public or private, dedicated for deposit into the Fund and approved by the  
12 Secretary of Administration;

13 (3) 50 percent of the unclaimed beverage container deposits (escheats)  
14 remitted to the State under chapter 53 of this title;

15 (4) six percent of the revenues from the meals and rooms taxes imposed  
16 under 32 V.S.A. chapter 225; and

17 (5) other revenues dedicated for deposit into the Fund by the General  
18 Assembly.

19 (b) Notwithstanding any contrary provisions of 32 V.S.A. chapter 7,  
20 subchapter 5, unexpended balances and any earnings shall remain in the Fund  
21 from year to year.

22 Sec. 6. 10 V.S.A. § 6618(a) is amended to read:

1           (a) There is hereby created in the State Treasury a fund to be known as the  
2           Waste Management Assistance Fund, to be expended by the Secretary of  
3           Natural Resources. The Fund shall have three accounts: one for Solid Waste  
4           Management Assistance, one for Hazardous Waste Management Assistance,  
5           and one for Electronic Waste Collection and Recycling Assistance. The  
6           Hazardous Waste Management Assistance Account shall consist of a  
7           percentage of the tax on hazardous waste under the provisions of 32 V.S.A.  
8           chapter 237, as established by the Secretary, the toxics use reduction fees  
9           under subsection 6628(j) of this title; and appropriations of the General  
10          Assembly. In no event shall the amount of the hazardous waste tax that is  
11          deposited to the Hazardous Waste Management Assistance Account exceed  
12          40 percent of the annual tax receipts. The Solid Waste Management  
13          Assistance Account shall consist of the franchise tax on waste facilities  
14          assessed under the provisions of 32 V.S.A. chapter 151, subchapter 13;  
15          50 percent of the unclaimed beverage container deposits remitted to the State  
16          under chapter 53 of this title; and appropriations of the General Assembly.  
17          The Electronic Waste Collection and Recycling Account shall consist of the  
18          program and implementation fees required under section 7553 of this title. All  
19          balances in the Fund accounts at the end of any fiscal year shall be carried  
20          forward and remain a part of the Fund accounts, except as provided in  
21          subsection (e) of this section. Interest earned by the Fund shall be deposited  
22          into the appropriate Fund account. Disbursements from the Fund accounts

1 shall be made by the State Treasurer on warrants drawn by the Commissioner  
2 of Finance and Management.

3 Sec. 7. SYSTEMS ANALYSIS OF BEVERAGE CONTAINER SYSTEM

4 On or before January 15, 2025, the Agency of Natural Resources shall  
5 submit to the House Committee on Environment and Energy and the Senate  
6 Committee on Natural Resources and Energy a written report on:

7 (1) an estimate of the total system costs and savings associated with the  
8 implementation of the expanded beverage container redemption system under  
9 10 V.S.A. chapter 53, including climate impacts;

10 (2) an estimate of the impacts of an expanded beverage container  
11 redemption system on the recycling system, including how much additional  
12 beverage container material will be collected by the expansion of the bottle  
13 bill; the operational savings, if any, on material recovery facilities; the loss to  
14 material recovery facilities from the removal of bottle bill material from the  
15 recycling system; and an estimate of the impacts on tipping fees at each  
16 material recovery facility;

17 (3) an estimate of the costs of operating a redemption center and other  
18 alternate points of redemption under a stewardship plan and a recommendation  
19 on whether the handling fee should be altered or replaced with an alternative  
20 means of compensating points of redemption;

21 (4) an estimate of the impact on overall recycling in the State and the  
22 redemption rates of beverage containers under 10 V.S.A. chapter 53 if the

1 producer responsibility organization (PRO) implementing the stewardship plan  
2 under that chapter were authorized to retain 100 percent, 50 percent, or none of  
3 the abandoned beverage container deposits, including:

4 (A) the estimated number of beverage container redemption sites in  
5 the State under the PRO’s stewardship plan under each option for the PRO’s  
6 retention of the abandoned beverage container deposits; and

7 (B) the geographic distribution of beverage container redemption  
8 sites across the State under the PRO’s stewardship plan under each option for  
9 the PRO’s retention of the abandoned beverage container deposits.

10 (5) an estimate of the impact on the Clean Water Fund and State  
11 implementation of the State’s water quality programs and regulatory  
12 requirements if the abandoned beverage container deposits were not deposited  
13 into the Clean Water Fund under 10 V.S.A. § 1388.

14 Sec. 8. REPEAL

15 10 V.S.A. § 1528 (beverage registration with ANR) and 10 V.S.A. § 1529  
16 (redemption center certification by ANR) are repealed on March 1, 2025.

17 Sec. 9. IMPLEMENTATION; TRANSITION

18 (a) In the implementation and enforcement of the requirements of this act,  
19 the Secretary of Natural Resources may:

20 (1) allow beverage containers to be sold or redeemed that do not meet  
21 the labeling requirements of 10 V.S.A. § 1524;

1           (2) determine whether a beverage or container is subject to the  
2           requirements of 10 V.S.A. chapter 53 due to the nature of the beverage or the  
3           composition or size of the container; and

4           (3) exercise discretion in the administration and enforcement of the  
5           requirements of 10 V.S.A. chapter 53 for categories or types of beverages or  
6           beverage containers.

7           (b) This section shall be repealed on March 1, 2028.

8           Sec. 10. BOTTLE BILL RECYCLING AND MATERIALS REPORTING

9           A manufacturer or distributor collecting beverage containers subject to 10  
10          V.S.A chapter 53 shall report recycling information to the Secretary of Natural  
11          Resources in the same manner as recycled materials are reported to the  
12          Secretary under 10 V.S.A. chapter 159. The information shall include:

13           (1) the amount in containers and tons and material type of beverage  
14           container collected; and

15           (2) the location and amount of beverage container material and what  
16           products the beverage containers were recycled into.

17          Sec. 11. EFFECTIVE DATES

18          This act shall take effect on July 1, 2023, except that:

19           (1) in Sec. 1, 10 V.S.A. § 1521(1) (expansion of the definition of  
20           beverage types) and 10 V.S.A. § 1522(a)(deposit for vinous beverages) shall  
21           take effect on January 1, 2027;



1           (2) in Sec. 1, 10 V.S.A. § 1524(b) (requiring a UPC label on containers)  
2           shall take effect on March 1, 2025;

3           (3) in Sec. 1, 10 V.S.A. § 1531(a) (prohibiting the sale or distribution  
4           without participating in the producer responsibility organization) shall take  
5           effect on March 1, 2025;

6           (4) Sec. 2 (remittance of abandoned beverage container deposits) shall  
7           take effect on January 1, 2026;

8           (5) Sec. 3. (repeal of remittance of beverage container deposit) shall take  
9           effect on July 1, 2031;

10           (6) Sec. 5 (changing the amount of funds deposited in the Clean Water  
11           Fund) shall take effect on July 1, 2031; and

12           (7) Sec. 6 (Waste Management Assistance Fund) shall take effect on  
13           July 1, 2031.

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20           (Committee vote: \_\_\_\_\_)

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Representative \_\_\_\_\_

FOR THE COMMITTEE