

1 Introduced by Committee on Environment

2 Date:

3 Subject: Conservation and development; beverage container redemption;
4 extended producer responsibility

5 Statement of purpose of bill as introduced: This bill proposes to require all
6 manufacturers and distributors of covered beverage containers to participate in
7 a producer responsibility organization that shall manage the collection and
8 disposition of beverage containers.

9 An act relating to establishing an extended producer responsibility program
10 for beverage containers

11 It is hereby enacted by the General Assembly of the State of Vermont:

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

13 CHAPTER 53. BEVERAGE CONTAINERS; DEPOSIT-REDEMPTION
14 SYSTEM

15 § 1521. DEFINITIONS

16 As used in this chapter:

17 (1) “Beverage” means beer or other malt beverages and mineral waters,
18 mixed wine drink, soda water and carbonated soft drinks in liquid form and
19 intended for human consumption. “Beverage” also means liquor and ready-to-
20 drink spirits beverage.

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 [Repealed.]~~

3 (3) “Container” means the individual, and separate, bottle, can, or jar, ~~or~~
4 ~~earthen~~ composed of glass, aluminum or other metal, paper, plastic polyethylene
5 terephthalate, high density polyethylene, or any combination of those
6 materials, and containing a ~~consumer product~~ beverage. This definition ~~shall~~
7 does not include containers made of biodegradable material carbonated
8 beverage containers with a volume greater than three liters.

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

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

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

19 (7) “Redemption center” means a store or other location where any
20 person may, during normal business hours, redeem the amount of the deposit

1 for any empty beverage container labeled or certified pursuant to section 1524
2 of this title.

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

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

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

11 § 1522. BEVERAGE CONTAINERS; DEPOSIT

12 (a) Except with respect to beverage containers that contain liquor, a deposit
13 of ~~not less than~~ five cents shall be paid by the consumer on each beverage
14 container sold at the retail level and refunded to the consumer upon return of
15 the empty beverage container. With respect to beverage containers of volume
16 greater than 50 ml- that contain liquor, a deposit of 15 cents shall be paid by
17 the consumer on each beverage container sold at the retail level and refunded
18 to the consumer upon return of the empty beverage container. The difference
19 between liquor bottle deposits collected and refunds made is hereby retained
20 by the Liquor Control Enterprise Fund for administration of this subsection.

1 (b) A retailer or a person operating a redemption center who redeems
2 beverage containers shall be reimbursed by the manufacturer or distributor of
3 such beverage containers in an amount that is three and one-half cents per
4 container for containers of beverage brands that are part of a commingling
5 program and ~~four~~ five cents per container for containers of beverage brands
6 that are not part of a commingling program. The handling fee shall not apply
7 to beverages that are covered by a stewardship plan approved by the Secretary
8 under this chapter.

9 * * *

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

12 § 1522a. RULES

13 ~~The Secretary may adopt rules, in accordance with 3 V.S.A. chapter 25,~~
14 ~~necessary for the administration of this chapter. These rules may include the~~
15 ~~following:~~

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

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

19 (3) ~~Administrative penalties for the failure by a redemption center or~~
20 ~~retailer to remove beverage containers that are not labeled prior to pickup by a~~
21 ~~distributor or manufacturer. Penalties may include nonpayment of the deposit~~

1 ~~and handling fee established under section 1522 of this title for a reasonable~~
2 ~~period of time and for the number of beverage containers that were not labeled.~~

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

5 § 1523. ACCEPTANCE OF BEVERAGE CONTAINERS

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

7 (1) A retailer shall not refuse to accept from any person any empty
8 beverage containers, labeled in accordance with section 1524 of this title, of
9 the kind, size, and brand sold by the retailer, or refuse to pay to that person the
10 refund value of a beverage container as established by section 1522 of this
11 title, except as provided in subsection (b) of this section.

12 (2) A manufacturer or distributor ~~may~~ shall not refuse to pick up from a
13 retailer that sells its product or a person operating a certified redemption center
14 any empty beverage containers, labeled in accordance with section 1524 of this
15 title, of the kind, size, and brand sold by the manufacturer or distributor, or
16 refuse to pay the retailer or a person operating a redemption center the refund
17 value of a beverage container as established by section 1522 of this title.

18 (b)(1) A retailer, ~~with the prior approval of the Secretary,~~ may refuse to
19 redeem beverage containers if a ~~redemption center or centers are established~~
20 ~~that serve the public need~~ stewardship plan that meets the requirements of
21 section 1532 of this title has been implemented by the producer responsibility

1 organization in the State and the retailer's building is less than 5,000 square
2 feet.

3 (2) A manufacturer or distributor that sells directly to a consumer from a
4 retail location may refuse to redeem beverage containers if the retail location
5 where the manufacturer or distributor sells beverage containers is less than
6 5,000 square feet.

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

11 § 1524. LABELING

12 (a)(1) Every beverage container sold or offered for sale at retail in this State
13 shall clearly indicate by embossing ~~or on the normal product label,~~ imprinting
14 on the normal product label, or ~~in the case of a metal beverage container on the~~
15 ~~top of the container,~~ other approved method secured to the container the word
16 “Vermont” or the letters “VT” and the refund value of the container one of the
17 following in not less than one-eighth inch type size or such other alternate
18 indications as may be approved by the Secretary.

19 (2) The label shall be on the top lid of the beverage container, the side of
20 the beverage container, or in a clearly visible location on the beverage

1 container. This subsection does not prohibit including names or abbreviations
2 of other states with deposit legislation comparable to this chapter.

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

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

12 * * *

13 § 1527. **PENALTY REDEMPTION OF LIQUOR BOTTLES**

14 ~~A person who violates a provision of this chapter shall be fined not more~~
15 ~~than \$1,000.00 for each violation~~ Notwithstanding any other provision of this
16 chapter to the contrary, redemption of beverage containers of volume greater
17 than 50 ml that contain liquor shall be subject to the following requirements:

18 (1) Deposit. Beverage containers subject to this section shall have a
19 deposit of 15 cents on each container sold at the retail level and returned to the
20 consumer upon return of the empty beverage container.

1 (2) Handling fee. Beverage containers subject to this section shall pay a
2 retailer that redeems a beverage container three and one-half cents per
3 container.

4 (3) Retail redemption. A retailer shall not refuse to accept beverage
5 containers subject to this section or refuse to pay that person the refund value
6 established by subdivision (1) of this section for any container sold by the
7 retailer unless the container is not clean, broken, or has an exemption issued by
8 the Secretary. The Department of Liquor and Lottery shall not refuse to pick
9 up empty beverage containers subject to this section, pay the refund value, or
10 pay the handling fee to a retailer subject to this section.

11 (4) Coordination with producer responsibility organization. The
12 Department of Liquor and Lottery may coordinate with and compensate the
13 producer responsibility organization to collect beverages subject to this section
14 at points of redemption that are a part of the collection plan developed by the
15 producer responsibility organization. Containers collected at these points of
16 collection shall not be subject to the handling fee established by subdivision
17 (2) of this section.

18 (5) Performance goals and reporting. The Department of Liquor and
19 Lottery shall be subject to the redemption rate goals established in section
20 1534 of this title for beverage containers containing liquor. Beginning on

1 January 15, 2027, and annually thereafter, the Commissioner of Liquor and
2 Lottery shall report to the Secretary of Natural Resources:
3 (A) the amount and tonnage of liquor bottles that the Department of
4 Liquor and Lottery collected in the previous calendar year; and
5 (B) the redemption rate for liquor bottles in the previous calendar
6 year.

7 * * *

8 § 1529. REDEMPTION CENTER CERTIFICATION

9 A person operating a redemption center ~~may~~ shall obtain a certification
10 from the Secretary. A redemption center certification shall include the
11 following:

- 12 (1) Specification of the name and location of the facility;
13 (2) ~~If the certified redemption center redeems more than 250,000~~
14 ~~containers per year, a requirement that the certified redemption center shall~~
15 ~~participate in an approved commingling agreement; and~~
16 (3) Additional conditions, requirements, and restrictions as the Secretary
17 may deem necessary to implement the requirements of this chapter. This ~~may~~
18 shall include requirements concerning reporting, recording, and inspections of
19 the operation of the site.

20 * * *

1 § 1531. MANUFACTURER PARTICIPATION IN PRODUCER

2 RESPONSIBILITY ORGANIZATION

3 (a) No manufacturer or distributor may sell or distribute a beverage
4 container in this State without participating in a Secretary-approved producer
5 responsibility organization.

6 (b) On or before January 1, 2026, manufacturers of beverage containers
7 sold or distributed within the State shall apply to the Secretary to form a
8 producer responsibility organization to fulfill the requirements of
9 manufacturers under this chapter.

10 (c) The Secretary may approve, for a period not longer than 10 years, the
11 producer responsibility organization, provided that:

12 (1) the producer responsibility organization has the capacity to
13 administer the requirements of a stewardship plan required by section 1532 of
14 this title; and

15 (2) the producer responsibility organization does not create any
16 unreasonable barriers to joining the producer responsibility organization and
17 shall take into the consideration the needs of small manufacturers that do not
18 generate a significant volume of containers.

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

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

3 (2) the name of each beverage and the container size covered by the
4 stewardship plan; and

5 (3) for each beverage container subject to the plan, a Universal Product
6 Code and a barcode shall be displayed on the container.

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

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

1 (g) The producer responsibility organization shall reimburse the Secretary
2 for the costs of overseeing the administration of the program under this chapter
3 as follows:

4 (1) The Secretary shall annually provide an estimate of the costs of
5 overseeing the administration of the program to the producer responsibility
6 program, including staff costs, compliance, and oversight of the system.

7 (2) The producer responsibility organization shall provide any
8 comments to the Secretary’s budget within 30 days following receipt. The
9 Agency of Natural Resources shall respond to all comments provided by the
10 producer responsibility organization and may make changes to its budget in
11 response to those comments. These comments and the responses shall be
12 provided to the General Assembly as a part of the Secretary’s budget.

13 (3) Reimbursement of Agency of Natural Resources costs under this
14 subsection shall be subject to the State budgeting process, and the producer
15 responsibility organization shall not be required to reimburse any Agency cost
16 unless that cost is approved as a part of the Agency’s budget.

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

1 § 1532. STEWARDSHIP PLAN; MINIMUM REQUIREMENTS

2 (a) Plan elements. On or before October 1, 2026, an approved producer
3 responsibility organization shall submit a stewardship plan to the Secretary. A
4 stewardship plan shall, at a minimum, meet all of the following requirements
5 of this section:

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

12 (A) at least three points of redemption per county, at least one of
13 which provides an immediate return of a deposit to a consumer;

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

17 (C) how sites of redemption are or will be sited in areas with high
18 population density or located in centers designated under 24 V.S.A. chapter
19 76A.

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

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

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

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

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

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

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

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

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

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

6 (2) the amount, in containers and tons, and material type of beverage
7 containers redeemed under the plan and the redemption rate of beverage
8 containers;

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

11 (4) the carbon impacts associated with the administration of the
12 stewardship plan;

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

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

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

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

6 (9) a description and copies of educational materials and educational
7 strategies the producer responsibility organization uses for the purposes of this
8 program; and

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

10 (c) Secretary of Natural Resources approval. The plan shall be submitted
11 to the Secretary, and, after concluding that the plan meets the criteria
12 established in section 1532 of this title and the elements of the plan will
13 maximize diversion of recyclable materials, provide convenience to users, and
14 create a more circular economy, the Secretary's approval pursuant to this
15 subsection shall be for a period not greater than five years.

16 (d) Revision of stewardship goals. If the producer responsibility
17 organization fails to meet the beverage container redemption rate in section
18 1534 of this title for all other beverage containers, the Secretary may require
19 the producer responsibility organization to implement activities to enhance the
20 rate of redemption, including additional public education and outreach,
21 additional redemption sites, or additional redemption opportunities.

1 § 1533. PROGRAM AND FISCAL AUDIT

2 (a) Program audit. Beginning on March 1, 2032, and every five years
3 thereafter, the producer responsibility organization shall conduct an
4 independent third-party program audit of the operation of the stewardship plan.
5 The audit shall make recommendations to improve the operation of the
6 collection program established by this chapter.

7 (b) Fiscal audit. Beginning on March 1, 2028, and annually thereafter, the
8 producer responsibility organization shall conduct an independent third-party
9 fiscal audit of the program. The fiscal audit shall provide a transparent fiscal
10 analysis of the producer responsibility organization, its expenditures, the
11 number of beverage containers collected, and the amount of unclaimed
12 deposits. The audit shall also provide the redemption rate of beverage
13 containers redeemed in the State. The Secretary shall approve the audit results
14 and the redemption rate of beverage containers included in the audit.

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

1 § 1534. BEVERAGE CONTAINER REDEMPTION RATE GOAL;

2 REPORT

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

5 (1) Beginning on July 1, 2028: 75 percent.

6 (2) Beginning on July 1, 2032: 80 percent.

7 (3) Beginning on July 1, 2037: 85 percent.

8 (4) Beginning on July 1, 2042: 90 percent.

9 (b)(1) Beginning on July 1, 2027, and annually thereafter, the Secretary of
10 Natural Resources shall submit to the House Committees on Environment and
11 on Ways and Means and the Senate Committees on Natural Resources and
12 Energy and on Finance a written report containing the current beverage
13 container redemption rate in the State for the following two categories of
14 beverage containers:

15 (A) liquor bottles; and

16 (B) all other beverage containers.

17 (2) Each annual report submitted under subdivision (1) of this subsection
18 shall include a recommendation of whether the beverage container deposit for
19 either of the beverage categories should be increased to improve redemption of
20 that category of beverage container.

1 § 1535. RULEMAKING

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

4 § 1536. ANTITRUST; CONDUCT AUTHORIZED

5 (a) Activity authorized. A manufacturer, group of manufacturers, or
6 producer responsibility organization implementing or participating in an
7 approved collection plan under this chapter for the collection, transport,
8 processing, and management of beverage container is individually or jointly
9 immune from liability for conduct under State laws relating to antitrust,
10 restraint of trade, unfair trade practices, and other regulation of trade or
11 commerce under 9 V.S.A. chapter 63, subchapter 1 to the extent that the
12 conduct is reasonably necessary to plan, implement, and comply with the
13 producer responsibility organization's chosen system for beverage containers.

14 (b) Limitations on antitrust activity. Subsection (a) of this section shall not
15 apply to an agreement among producers, groups of manufacturers, retailers,
16 wholesalers, or the producer responsibility organization affecting the price of
17 beverage containers or any agreement restricting the geographic area in which
18 or customers to whom beverage containers shall be sold.

19 Sec. 2. 10 V.S.A. § 7714 is amended to read:

20 § 7714. TYPE 3 PROCEDURES

21 (a) Purpose; scope.

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

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

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

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

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

14 (i) an aquatic nuisance control permit under chapter 50 of this
15 title;

16 (ii) a change in treatment for a public water supply under chapter
17 56 of this title;

18 (iii) a collection plan for mercury-containing lamps under section
19 7156 of this title;

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

1 (v) a primary battery stewardship plan under section 7586 of this
2 title;

3 (vi) a covered household products collection plan under section
4 7813 of this title; and

5 (vii) a stewardship plan required under chapter 53 of this title.

6 (b) Notice of application. The Secretary shall provide notice of an
7 administratively complete application through the environmental notice
8 bulletin.

9 (c) Notice of draft decision; comment period. The Secretary shall provide
10 notice of the draft decision through the environmental notice bulletin and shall
11 post the draft decision to the bulletin. The Secretary shall provide a public
12 comment period.

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

16 (e) Notice of final decision. The Secretary shall provide notice of the final
17 decision through the environmental notice bulletin and shall post the final
18 decision to the bulletin. The Secretary shall provide a response to comments.

19 Sec. 3. 10 V.S.A. § 1388 is amended to read:

20 § 1388. CLEAN WATER FUND

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

3 (1) revenues from the Property Transfer Tax surcharge established under
4 32 V.S.A. § 9602a;

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

8 (3) the unclaimed beverage container deposits (escheats) remitted to the
9 State under chapter 53 of this title, except as follows:

10 (A) in State fiscal year 2029, the first \$1,500,000.00 of unclaimed
11 beverage container deposits remitted to the State shall be transferred to the
12 Solid Waste Management Assistance Account of the fund created pursuant to
13 section 6618 of this title;

14 (B) in State fiscal year 2030, the first \$500,000.00 of unclaimed
15 beverage container deposits remitted to the State shall be transferred to the
16 Solid Waste Management Assistance Account of the fund created pursuant to
17 section 6618 of this title;

18 (C) in State fiscal year 2031, the first \$500,000.00 of unclaimed
19 beverage container deposits remitted to the State shall be transferred to the
20 Solid Waste Management Assistance Account of the fund created pursuant to
21 section 6618 of this title; and

1 (D) in State fiscal year 2032, the first \$500,000.00 of unclaimed
2 beverage container deposits remitted to the State shall be transferred to the
3 Solid Waste Management Assistance Account of the fund created pursuant to
4 section 6618 of this title;

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

7 (5) other revenues dedicated for deposit into the Fund by the General
8 Assembly.

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

12 Sec. 4. 10 V.S.A. § 6618 is amended to read:

13 § 6618. WASTE MANAGEMENT ASSISTANCE FUND

14 (a) There is hereby created in the State Treasury a fund to be known as the
15 Waste Management Assistance Fund to be expended by the Secretary of
16 Natural Resources. The Fund shall have three accounts: one for Solid Waste
17 Management Assistance, one for Hazardous Waste Management Assistance,
18 and one for Electronic Waste Collection and Recycling Assistance. The
19 Hazardous Waste Management Assistance Account shall consist of a
20 percentage of the tax on hazardous waste under the provisions of 32 V.S.A.
21 chapter 237, as established by the Secretary; the toxics use reduction fees

1 under subsection 6628(j) of this title; and appropriations of the General
2 Assembly. In no event shall the amount of the hazardous waste tax that is
3 deposited to the Hazardous Waste Management Assistance Account exceed 40
4 percent of the annual tax receipts. The Solid Waste Management Assistance
5 Account shall consist of the franchise tax on waste facilities assessed under the
6 provisions of 32 V.S.A. chapter 151, subchapter 13, transfers from the Clean
7 Water Fund, and appropriations of the General Assembly. The Electronic
8 Waste Collection and Recycling Account shall consist of the program and
9 implementation fees required under section 7553 of this title. All balances in
10 the Fund accounts at the end of any fiscal year shall be carried forward and
11 remain a part of the Fund accounts, except as provided in subsection (e) of this
12 section. Interest earned by the Fund shall be deposited into the appropriate
13 Fund account. Disbursements from the Fund accounts shall be made by the
14 State Treasurer on warrants drawn by the Commissioner of Finance and
15 Management.

16 (b) The Secretary may authorize disbursements from the Solid Waste
17 Management Assistance Account for the purpose of enhancing solid waste
18 management in the State in accordance with the adopted waste management
19 plan. This includes:

20 * * *

1 (11) Bottle bill implementation grants. The Secretary shall enter a grant
2 with the producer responsibility organization approved under chapter 53 of this
3 title. The grant shall be for four years and reimburse the cost of equipment and
4 improvements to infrastructure documented by the producer responsibility
5 organization in its approved stewardship plan. Any unexpended funds shall
6 roll over to the next fiscal year. Funds not encumbered by the end of fiscal
7 year 2032 shall be transferred to the Clean Water Fund.

8 Sec. 5. 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
11 Natural 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. 6. EFFECTIVE DATES

18 This act shall take effect on July 1, 2025, except that:

19 (1) in Sec. 1, 10 V.S.A. § 1531(d)(3) (requiring a UPC label on
20 containers) shall take effect on March 1, 2027; and

1 (2) in Sec. 1, 10 V.S.A. § 1531(a) (prohibiting the sale or distribution
2 without participating in the producer responsibility organization) shall take
3 effect on March 1, 2027.