

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 [Repealed.]~~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 ~~carton~~ 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 or its subsidiary is registered  
13                 under 26 U.S.C. § 501(c)(3) as a nonprofit entity, the board of which shall  
14                 include representatives of retailers, redemption locations, solid waste  
15                 management entities, and solid waste haulers;

16                 (2) the producer responsibility organization has the capacity to  
17                 administer the requirements of a stewardship plan required by section 1532 of  
18                 this title; and

19                 (3) the producer responsibility organization does not create any  
20                 unreasonable barriers to joining the producer responsibility organization 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;

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

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

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

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

1 Management Assistance Account of the Waste Management Assistance Fund,  
2 for the purpose of providing grants to develop markets to recycle materials.

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

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

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

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

19 (h) Manufacturers and distributors of liquor are exempt from the  
20 requirements of this section and the requirement to implement a stewardship  
21 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, provided that in the first three years of implementation of the plan  
4           compensation for redemption locations shall be no lower than the relevant  
5           returned deposit for the container plus three and one-half cents per container.

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

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

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

14          (E) The plan shall maximize the use of existing infrastructure,  
15          including retailers, existing redemption centers, and solid waste management  
16          entities, when establishing points of collection under subdivision (1) of this  
17          subsection (a).

18          (3) Collection location standards. All locations that provide for  
19          redemption of beverage containers shall:

20                 (A) provide expeditious redemption services that limit the need for  
21                 persons redeeming containers to wait for redemption services;

1           (B) be at sites that are secure, sufficiently lighted, and managed to  
2           ensure the safety of persons redeeming containers at a location; and

3           (C) comply with all application laws related to the collection,  
4           transportation and disposition of mandated recyclables.

5           (4) Education to consumers. The plan shall describe what education  
6           efforts will be undertaken to increase the number of beverage containers  
7           redeemed in the State.

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

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

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

18               (2) the amount, in containers and tons, and material type of beverage  
19               containers redeemed under the plan and the redemption rate of beverage  
20               containers;

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

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

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

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

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

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

19          (9) a description and copies of educational materials and educational  
20          strategies the producer responsibility organization uses for the purposes of this  
21          program; and

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

2           (c) Secretary of Natural Resources approval. The plan shall be submitted  
3 to the Secretary, and, after concluding that the plan meets the criteria  
4 established in section 1532 of this title and the elements of the plan will  
5 maximize diversion of recyclable materials, provide convenience to users, and  
6 create a more circular economy, the Secretary’s approval pursuant to this  
7 subsection shall be for a period not greater than five years.

8           (d) Revision of stewardship goals. If the producer responsibility  
9 organization fails to meet the beverage container redemption rate in section  
10 1534 of this title for all other beverage containers, the Secretary may require  
11 the producer responsibility organization to implement activities to enhance the  
12 rate of redemption, including additional public education and outreach,  
13 additional redemption sites, or additional redemption opportunities.

14           § 1533. PROGRAM AND FISCAL AUDIT

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

20           (b) Fiscal audit. Beginning on March 1, 2028, and annually thereafter, the  
21 producer responsibility organization shall conduct an independent third-party

1 fiscal audit of the program. The fiscal audit shall provide a transparent fiscal  
2 analysis of the producer responsibility organization, its expenditures, the  
3 number of beverage containers collected, and the amount of unclaimed  
4 deposits. The audit shall also provide the redemption rate of beverage  
5 containers redeemed in the State. The Secretary shall approve the audit results  
6 and the redemption rate of beverage containers included in the audit.

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

11 § 1534. BEVERAGE CONTAINER REDEMPTION RATE GOAL;

12 REPORT

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

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

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

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

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

19 (b)(1) Beginning on July 1, 2027, and annually thereafter, the Secretary of  
20 Natural Resources shall submit to the House Committees on Environment and  
21 on Ways and Means and the Senate Committees on Natural Resources and

1 Energy and on Finance a written report containing the current beverage  
2 container redemption rate in the State for the following two categories of  
3 beverage containers:

4 (A) liquor bottles; and

5 (B) all other beverage containers.

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

10 § 1535. RULEMAKING

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

13 § 1536. ANTITRUST; CONDUCT AUTHORIZED

14 (a) Activity authorized. A manufacturer, group of manufacturers, or  
15 producer responsibility organization implementing or participating in an  
16 approved collection plan under this chapter for the collection, transport,  
17 processing, and management of beverage container is individually or jointly  
18 immune from liability for conduct under State laws relating to antitrust,  
19 restraint of trade, unfair trade practices, and other regulation of trade or  
20 commerce under 9 V.S.A. chapter 63, subchapter 1 to the extent that the

1 conduct is reasonably necessary to plan, implement, and comply with the  
2 producer responsibility organization’s chosen system for beverage containers.

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

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

9 § 7714. TYPE 3 PROCEDURES

10 (a) Purpose; scope.

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

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

17 (A) Each general permit issued pursuant to the Secretary’s authority  
18 under this title other than a general permit subject to section 7712 of this  
19 chapter. However, this section does not apply to a notice of intent under a  
20 general permit.

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

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

4 (i) an aquatic nuisance control permit under chapter 50 of this  
5 title;

6 (ii) a change in treatment for a public water supply under chapter  
7 56 of this title;

8 (iii) a collection plan for mercury-containing lamps under section  
9 7156 of this title;

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

12 (v) a primary battery stewardship plan under section 7586 of this  
13 title;

14 (vi) a covered household products collection plan under section  
15 7813 of this title; and

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

17 (b) Notice of application. The Secretary shall provide notice of an  
18 administratively complete application through the environmental notice  
19 bulletin.

20 (c) Notice of draft decision; comment period. The Secretary shall provide  
21 notice of the draft decision through the environmental notice bulletin and shall

1 post the draft decision to the bulletin. The Secretary shall provide a public  
2 comment period.

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

6 (e) Notice of final decision. The Secretary shall provide notice of the final  
7 decision through the environmental notice bulletin and shall post the final  
8 decision to the bulletin. The Secretary shall provide a response to comments.

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

10 § 1388. CLEAN WATER FUND

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

13 (1) revenues from the Property Transfer Tax surcharge established under  
14 32 V.S.A. § 9602a;

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

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

20 (A) in State fiscal year 2029, the first \$1,500,000.00 of unclaimed  
21 beverage container deposits remitted to the State shall be transferred to the

1 Solid Waste Management Assistance Account of the fund created pursuant to  
2 section 6618 of this title;

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

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

11 (D) in State fiscal year 2032, the first \$500,000.00 of unclaimed  
12 beverage container deposits remitted to the State shall be transferred to the  
13 Solid Waste Management Assistance Account of the fund created pursuant to  
14 section 6618 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.

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

2 § 6618. WASTE MANAGEMENT ASSISTANCE FUND

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

1 section. Interest earned by the Fund shall be deposited into the appropriate  
2 Fund account. Disbursements from the Fund accounts shall be made by the  
3 State Treasurer on warrants drawn by the Commissioner of Finance and  
4 Management.

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

9 \* \* \*

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

17 Sec. 5. BOTTLE BILL RECYCLING AND MATERIALS REPORTING

18 A manufacturer or distributor collecting beverage containers subject to  
19 10 V.S.A chapter 53 shall report recycling information to the Secretary of  
20 Natural Resources in the same manner as recycled materials are reported to the  
21 Secretary under 10 V.S.A. chapter 159. The information shall include:

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

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

5           Sec. 6. EFFECTIVE DATES

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

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

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