

6273

2009-2010 Regular Sessions

I N S E N A T E

November 6, 2009

Introduced by Sen. ESPADA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the environmental conservation law, in relation to prohibiting deposit initiators from picking up commingled containers processed through a reverse vending machine

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. Section 27-1003 of the environmental conservation law is
2 amended by adding a new subdivision 14 to read as follows:
3 14. "THIRD PARTY PICK UP AGENT" MEANS AN ENTITY THAT PICKS UP CONTAIN-
4 ERS THAT WERE PROCESSED THROUGH REVERSE VENDING MACHINES AND IS NOT
5 RELATED TO ANY DEPOSIT INITIATORS THROUGH INTERLOCKING DIRECTORS OR
6 OTHER MEANS.
7 S 2. Subdivision 4 of section 27-1007 of the environmental conserva-
8 tion law, as added by section 4 of part SS of chapter 59 of the laws of
9 2009, is amended to read as follows:
10 4. A deposit initiator shall ONLY accept from a dealer or operator of
11 a redemption center any empty beverage container of the design, shape,
12 size, color, composition and brand sold or offered for sale by the
13 deposit initiator, and shall pay the dealer or operator of a redemption
14 center the refund value of each such beverage container as established
15 by section 27-1005 of this title. A deposit initiator shall accept and
16 redeem all such empty beverage containers from a dealer or redemption
17 center without limitation on quantity.
18 S 3. Section 27-1007 of the environmental conservation law is amended
19 by adding a new subdivision 12 to read as follows:
20 12. DEPOSIT INITIATORS SHALL NOT PICK UP CONTAINERS COMMINGLED AND
21 PROCESSED THROUGH A REVERSE VENDING MACHINE.
22 S 4. This act shall take effect immediately.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

LBD15014-01-9