S T A T E O F N E W Y O R K

6734

2009-2010 Regular Sessions

I N A S S E M B L Y

March 11, 2009

Introduced by M. of A. MILLER -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to increasing the refund value of a beverage container paid by a distributor to a dealer where such container was accepted by such dealer without the use of a reverse vending machine

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

Section 1. Section 27-1003 of the environmental conservation law is amended by adding a new subdivision 12 to read as follows:

12. "REVERSE VENDING MACHINE" MEANS A DEVICE WHICH AUTOMATICALLY PROVIDES A RECEIPT FOR A REFUND VALUE OR A REFUND TO A REDEEMER OF A BEVERAGE CONTAINER IN THE AMOUNT OF THE REFUND VALUE OF THE BEVERAGE CONTAINER, UPON PLACEMENT OF THE BEVERAGE CONTAINER ON OR WITHIN THE DEVICE FOR ELECTRONIC VALIDATION OF DEPOSIT REQUIREMENTS.

S 2. Subdivision 3 of section 27-1007 of the environmental conservation law, as amended by section 84 of part A of chapter 389 of the laws of 1997, is amended to read as follows:

3. In addition to the refund value of a beverage container as established by section 27-1005 of this title, a distributor as part of its agreement with any dealer or operator of a redemption center shall reimburse such dealer or operator:

A. 2.0 cents for each beverage container accepted by the distributor from such dealer or operator of a redemption center, WHERE SUCH BEVERAGE CONTAINER WAS ACCEPTED BY THE DEALER OR OPERATOR OF SUCH REDEMPTION CENTER WITH THE USE OF A REVERSE VENDING MACHINE.

B. 3.0 CENTS FOR EACH BEVERAGE CONTAINER ACCEPTED BY THE DISTRIBUTOR FROM SUCH DEALER OR OPERATOR OF SUCH REDEMPTION CENTER, WHERE SUCH BEVERAGE CONTAINER WAS ACCEPTED BY THE DEALER OR OPERATOR OF SUCH REDEMPTION CENTER WITHOUT THE USE OF A REVERSE VENDING MACHINE.

S 3. This act shall take effect on the ninetieth day after it shall have become a law.

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

LBD09676-01-9