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

8676

2009-2010 Regular Sessions

I N A S S E M B L Y

June 3, 2009

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

AN ACT to amend the environmental conservation law, in relation to authorizing deposit initiators or distributors to count empty containers by mechanical process at a location other than the redemption center or dealer's place of business

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

Section 1. Paragraph (b) of subdivision 8 of section 27-1007 of the environmental conservation law, as added by section 4 of part SS of chapter 59 of the laws of 2009, is amended to read as follows:

(b) A deposit initiator or distributor shall not require empty containers to be counted at a location other than the redemption center or dealer's place of business. The dealer or redemption center shall have the right to be present at the count, UNLESS SUCH DEPOSIT INITIATOR OR DISTRIBUTOR COUNTS EMPTY CONTAINERS AT A LOCATION OTHER THAN THE REDEMPTION CENTER OR DEALER'S PLACE OF BUSINESS BY MEANS OF A MECHANICAL PROCESS WHICH SHALL BE ANNUALLY CERTIFIED TO ITS ACCURACY BY A QUALIFIED INDEPENDENT THIRD-PARTY IN ACCORDANCE WITH RULES AND REGULATIONS PROMULGATED BY THE DEPARTMENT.

S 2. This act shall take effect on the same date and in the same manner as section 4 of part SS of chapter 59 of the laws of 2009 takes effect.

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

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