

2019 Memorandum in Support

Bill: A5028-A by Assembly Member Englebright and S2129-A by Senator Kaminsky

Title: Relates to returnable bottles.

The Adirondack Mountain Club (ADK) Supports this Legislation.

This legislation would amend the environmental conservation law, in relation to returnable bottles. The legislation would also amend chapter 58 of the laws of 2013 amending the environmental conservation law and the state finance law relating to the "Cleaner, Greener NY Act of 2013."

The New York State Bottle Bill has reduced roadside container litter by 70 percent, and has helped to recycle over 300,000 tons of waste each year at no cost to local governments.¹ Expanding the bottle bill to a more inclusive list of containers will increase recycling and decrease litter. The expansion will help municipal recycling facilities, ensure a continued market for beverage container materials, and help decrease reliance on single-use plastic.

The proposed legislation will make good legislation even better by amending ECL 27-1003 to include wine, liquor, distilled spirits, cider, and wine products under the definition of beverage and also phase in non-carbonated soft drinks, fruit and vegetable juices, coffee and tea beverages, and carbonated fruit beverages. Proposed amendments to ECL 27-1007 add clarity for consumers who return bottles to retailers who use scrip or receipts that have expiration dates. ECL 27-1005 is amended to raise the handling fee paid to any dealer or operator of a redemption center to five cents (from 3.5 cents). The bill also provides greater flexibility for small retail businesses, ensures that returned containers are collected in a timely manner and at reasonable times, addresses container counting disputes, establishes minimum post-consumer content requirements for containers, incentivizes Universal Product Code use, authorizes DEC and the Department of Taxation and Finance to audit Reverse Vending Machines, and extends authority for Nassau, Suffolk, and New York City to enforce certain bottle bill provisions. In short, A5028-A/S2129-A makes the bottle bill better.

The Adirondack Mountain Club (ADK) Supports this Legislation.

¹ <https://www.dec.ny.gov/chemical/8500.html>