



# New York State YMCA Youth And Government

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Committee Assignment: Senate Liberty 1

Bill #:SL-03

**Sponsors:** Christopher Baker, Jeremy Martelle, Jr.

**An Act To** Amend the New York State Environmental Conservation Law §27-1005 to change the refund value on a beverage container sold within New York State under the Bottle Bill from not less than five cents to not less than ten cents.

*The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

## **Purpose**

This legislation will increase the refund value for a beverage container sold within New York State from five cents to ten cents.

## **Summary of Provisions**

### **Section 1**

**Beverage container:** shall mean the individual, separate, sealed glass, metal, aluminum, steel or plastic bottle, can or jar used for containing less than one gallon or 3.78 liters at the time of sale or offer for sale of a beverage intended for use or consumption in this state. Beverage containers sold or offered for sale or distributed aboard aircraft or ships shall be considered as intended for use or consumption outside this state.

**Refund value:** shall mean the deposit on a beverage container collected by a registered deposit initiator as defined in New York State Environmental Conservation Law §27-1003.

### **Section 2**

§ 27-1005. Refund value.

No person shall sell or offer for sale a beverage container in this state unless the deposit on such beverage container is or has been collected by a registered deposit initiator and unless such container has a refund value of not less than ~~five~~ ten cents which is clearly indicated thereon as provided in section 27-1011 of this title.

## **Justification**

The New York State Bottle Bill has significantly contributed to a cleaner and healthier New York State. Its stated purpose is to reduce litter, ease the burden on solid waste facilities and encourage recycling activity. According to the New York State Department of Environmental Conservation, the Bottle Bill as of 2016 reduced roadside container litter by 70 percent and helped to recycle 5.1 billion plastic, glass and aluminum beverage containers totaling more than 246,000 tons, all at no cost to local governments. Increasing the guaranteed proceeds from the Bottle Bill



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to approximately \$30 million dollars will provide double the amount of the existing funding for the New York State Environmental Protection Funds. The Federal Environmental Protection Agency has recognized the benefits nationally of bottle bills, including reductions in the amount of waste sent to landfills and incinerators, conservation of natural resources, energy savings and creation of jobs in the recycling and manufacturing industries. The New York Department of Environmental Conservation reports an overall redemption rate of 65% as of 2017. The Environmental Protection Agency reports that beverage containers compose only 4-6% (by weight) of municipal solid waste, but the upstream environmental effects of container wasting are disproportionately high. Beverage containers account for 20% of the greenhouse gas emissions resulting from replacing wasted containers with new containers made from virgin materials. By increasing collection and recycling of these containers, bottle bills mitigate their negative environmental effects. Increasing the refund value from five to ten cents provides a greater financial incentive for recycling and a disincentive to litter, while at the same time increases guaranteed revenue to the State.

### **Fiscal Implications**

There are no known negative fiscal implications to the State. The State is anticipated to double the guaranteed proceeds it currently receives under the Bottle Bill from \$15 million to \$30 million.

### **Environmental Implications**

The reduction of plastic environmental waste will improve communities throughout the state. The added incentive of a ten-cent recovery upon return of plastic bottles will motivate New York State residents to recycle. The reduction of greenhouse gas emissions and waste in water systems will ensure a healthy living environment for residents.

### **Effective Date**

The bill will go into effect one year after passage.