



Legislation Text

File #: Res 1100-2011, **Version:** A

Proposed Res. No. 1100-A

Resolution calling upon the New York State Legislature to enact S. 5403-2011 and A. 7137-2011, which would amend the Environmental Conservation Law and the State Finance Law, in relation to requiring retained deposits on unredeemed containers to be deposited in the Environmental Protection Fund.

By Council Members Koppell, James, Lander, Palma, Vann and Van Bramer

Whereas, The New York State Returnable Container Act, commonly known as the “Bottle Bill,” establishes a consumer deposit and redemption program for certain beverage containers whereby deposit initiators collect a deposit of five cents from every retail seller for each relevant container, and consumers then pay the five cent deposit to retailers for each container purchased; and

Whereas, Upon return of the empty container, a retailer or redemption center refunds the deposit to the consumer, and the retailer or redemption center is reimbursed the deposit plus a 3.5-cent handling fee paid by the distributor or deposit initiator for each empty container returned; and

Whereas, From October 1, 2006, to September 30, 2007, for example, the statewide recovery rate of containers included in the Bottle Bill was 66.8 percent, and deposits paid for these unreturned bottles totaled \$103,434,828; and

Whereas, Under the original Bottle Bill, deposits paid on containers that were not returned for refund were retained by distributors or other deposit initiators; and

Whereas, In 2009, amendments to the Bottle Bill resulted in 80% of these unrefunded deposits being paid to the State General Fund through the Department of Taxation and Finance on a quarterly basis; and

Whereas, The State’s Environmental Protection Fund is largely funded by proceeds from the real estate transfer tax and is used to help pay for projects and programs related to smart growth, historic preservation,

open space protection, recycling, landfill closure, zoos, botanical gardens, aquaria, and other environmental concerns; and

Whereas, By transferring these unrefunded deposits into the Environmental Protection Fund, the Bottle Bill's contribution to environmental protection would be substantially enhanced; and

Whereas, Under the proposed legislation 25% of the unrefunded deposits would be deposited into the Environmental Protection Fund starting in State FY 2013-14, and this amount would increase to 50%, 75%, and 100% for each of the following three years, respectively; and

Whereas, Such additional expenditures on protecting the environment would directly benefit the entire State of New York, including New York City; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to enact S. 5403-2011 and A. 7137-2011, which would amend the Environmental Conservation Law and the State Finance Law, in relation to requiring retained deposits on unredeemed containers to be deposited in the Environmental Protection Fund.

DAA
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