FILED
Date _____
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Clerk _____
Comm. Amdt. _____

Amendment No._____

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Signature of Sponsor

AMEND Senate Bill No. 1404 **House Bill No. 1167***

by deleting in its entirety the amendatory language of subsection (a) in SECTION 5 of the printed bill and by substituting instead the following:

SECTION 5.

(a) Beginning October 1, 2009, every deposit beverage distributor shall pay to the department of revenue a container recovery fee for each deposit beverage container manufactured in or imported into this state. The fee shall be imposed only once on the same deposit beverage container, and shall be implemented in phases as follows:

(1) The amount of the container recovery fee from October 1, 2009, until June 30, 2010, shall be one-quarter of one cent ($0.0025) per deposit beverage container;

(2) Beginning July 1, 2010, the amount of the container recovery fee shall be reduced to $0.00035 per deposit beverage container and shall remain at that level until June 30, 2013; and

(3) Beginning July 1, 2013, the amount of the container recovery fee shall increase to one-eighth of one cent ($0.00125) per deposit beverage container, and shall remain at that level until changed by an act of the general assembly.

AND FURTHER AMEND by deleting in its entirety the amendatory language in SECTION 21 of the printed bill and by substituting instead the following language:

SECTION 21.

(a) Beginning April 1, 2011, the department of revenue shall pay to a certified redemption center, by agency of a certified processor, a handling fee for each deposit beverage container that has been redeemed by the certified redemption center and received by the certified processor in accordance with regulations and standards

established by the board.

(b) The amount of the handling fee shall be one cent ($0.01) per deposit beverage container, and shall remain at that level until changed by the board according to either of the following conditions:

(1) If moneys in the fund decrease to a level at which the fund can no longer sustain in the long term a handling fee of one cent ($0.01) per deposit beverage container, the amount of the handling fee shall be reduced by the board, in consultation with the commissioner of revenue, and according to terms promulgated by the board by rule.

(2) If moneys in the fund increase to a level at which the fund can sustain in the long term an increase in the handling fee, the amount of the handling fee shall be increased by the board, in consultation with the commissioner of revenue, and according to terms promulgated by the board by rule.