

Minority Report
A-Engrossed
Senate Bill 1508

Ordered by the Senate February 16
Including Senate Minority Report Amendments dated February 16

Sponsored by nonconcurring members of the Senate Committee on Environment and Natural Resources: OLSEN,
THOMSEN

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Allows beverage distributors or importers to establish distributor cooperative for certain purposes. [*Provides that dealer that uses distributor cooperative is not required to return beverage containers to distributor or importer that does not participate in distributor cooperative.*] Requires distributor cooperative, and distributors and importers that do not participate in distributor cooperative, to provide Oregon Liquor Control Commission with report on beverage container return data each calendar year.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to beverage containers; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2012 Act is added to and made a part of ORS 459A.700 to**
5 **459A.740.**

6 **SECTION 2. (1) Two or more distributors or importers may establish a distributor coop-**
7 **erative for the purposes of:**

8 (a) **Collecting the refund value of beverage containers as established by ORS 459A.705**
9 **from distributors or importers and refunding to dealers the amount the dealers paid for the**
10 **refund value of empty beverage containers;**

11 (b) **Paying the refund value as established by ORS 459A.705 for beverage containers sold**
12 **in this state; and**

13 (c) **Processing beverage containers sold in this state.**

14 (2) **A distributor cooperative established under this section must service a majority of**
15 **the dealers in this state.**

16 (3)(a) **For purposes of this subsection, beverage container return data is the number of**
17 **beverage containers that carry a refund value returned in Oregon during the calendar year**
18 **and the number of beverage containers that carry a refund value sold in Oregon during the**
19 **calendar year, calculated separately.**

20 (b) **By July 1 of each calendar year, a distributor cooperative shall provide the Oregon**
21 **Liquor Control Commission with a report that lists, in aggregate form for all distributors**
22 **and importers that participate in the distributor cooperative, the previous calendar year's**
23 **beverage container return data, calculated separately for aluminum, glass and plastic**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **beverage containers.**

2 (c) **By July 1 of each calendar year, a distributor or importer that does not participate**
3 **in a distributor cooperative shall provide the commission with a report that lists the**
4 **distributor's or the importer's beverage container return data for the previous calendar**
5 **year, calculated separately for aluminum, glass and plastic beverage containers.**

6 (4) **The commission may not disclose any return data or other related information pro-**
7 **vided by a distributor cooperative to the commission under this section.**

8 **SECTION 3. The first reports to the Oregon Liquor Control Commission required under**
9 **section 2 (3) of this 2012 Act must be filed no later than July 1, 2013, for calendar year 2012.**

10 **SECTION 4. This 2012 Act being necessary for the immediate preservation of the public**
11 **peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect**
12 **on its passage.**

13
