

SB 1508-3  
(LC 26)  
2/6/12 (DLT/ps)

**PROPOSED AMENDMENTS TO  
SENATE BILL 1508**

1 On page 1 of the printed bill, line 2, after “containers;” insert “creating  
2 new provisions; amending ORS 459.992;”.

3 In line 8, delete “as established by” and insert “specified in”.

4 In line 11, delete “as established by” and insert “specified in”.

5 In line 28, delete “that carry a refund value returned” and insert “re-  
6 turned for the refund value specified in ORS 459A.705”.

7 On page 2, line 1, after “value” insert “specified in ORS 459A.705”.

8 In line 6, delete “aluminum,” and after “glass” insert “, metal”.

9 In line 11, delete “aluminum,” and after “glass” insert “, metal”.

10 Delete lines 12 and 13 and insert:

11 “(6)(a) By August 1 of each calendar year, using the beverage container  
12 return data provided in subsection (5)(b) of this section, the Oregon Liquor  
13 Control Commission shall calculate the previous calendar year’s percentage  
14 of beverage containers returned for the refund value specified in ORS  
15 459A.705 for each distributor cooperative. The commission shall carry out the  
16 calculation separately for glass, metal and plastic beverage containers and  
17 shall post the percentages on the commission’s website.

18 “(b) By August 1 of each calendar year, using the beverage container re-  
19 turn data provided in subsection (5)(c) of this section, the commission shall  
20 calculate the previous calendar year’s percentage of beverage containers re-  
21 turned for the refund value specified in ORS 459A.705 for each distributor  
22 or importer that does not participate in a distributor cooperative. The com-

1 mission shall carry out the calculation separately for glass, metal and plastic  
2 beverage containers and shall post the percentages on the commission's  
3 website.

4 “(c) By August 1 of each calendar year, using the beverage container re-  
5 turn data provided in subsection (5)(b) and (c) of this section, the commission  
6 shall calculate as an aggregate the previous calendar year's percentage of  
7 beverage containers returned for the refund value specified in ORS 459A.705  
8 for all distributors and importers in Oregon. The commission shall carry out  
9 the calculation separately for glass, metal and plastic beverage containers  
10 and shall post the aggregate percentages on the commission's website.

11 “(d) Except for the percentages described in paragraphs (a) to (c) of this  
12 subsection, the commission may not disclose any information provided by a  
13 distributor, an importer or a distributor cooperative under subsection (5) of  
14 this section.”.

15 After line 15, insert:

16 **“SECTION 4.** ORS 459.992 is amended to read:

17 “459.992. (1) The following are Class A misdemeanors:

18 “(a) Violation of rules or ordinances adopted under ORS 459.005 to 459.105  
19 and 459.205 to 459.385.

20 “(b) Violation of ORS 459.205.

21 “(c) Violation of ORS 459.270.

22 “(d) Violation of ORS 459A.080.

23 “(e) Violation of ORS 459.272.

24 “(2) Each day a violation referred to by subsection (1) of this section  
25 continues constitutes a separate offense. Such separate offenses may be  
26 joined in one indictment or complaint or information in several counts.

27 “(3) Violation of ORS 459A.705, 459A.710 or 459A.720 or **section 2 (5) of**  
28 **this 2012 Act** is a Class A misdemeanor.

29 “(4) In addition to the penalty prescribed by subsection (3) of this section,  
30 the Oregon Liquor Control Commission or the State Department of Agricul-

1 ture may revoke or suspend the license of any person who willfully violates  
2 ORS 459A.705, 459A.710 or 459A.720 or **section 2 (5) of this 2012 Act**, who  
3 is required by ORS chapter 471 or 635, respectively, to have a license.”.

4 In line 16, delete “4” and insert “5”.

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