

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 4 - 0 - 3

Yeas: Beyer, Cannon, Macpherson, Dingfelder

Nays: -

Exc.: Burley, Jenson, Smith G.

Prepared By: Cat McGinnis, Administrator

Meeting Dates: 5/2, 5/4, 5/11

WHAT THE MEASURE DOES: Expands type of beverage containers subject to deposit provisions in the Bottle Bill to include water and flavored water containers. Defines water and flavored water. Modifies definition of "beverage container" to exclude cartons, foil pouches, drink boxes and containers that contain beverage greater than three fluid liters. Allows a small dealer that occupies a space of less than 5,000 square feet to refuse to accept beverage containers of a type, size and brand the dealer does not sell and limits to 50 containers per person per day the number of containers the small dealer must redeem. Requires dealer to post conditions under which dealer may refuse to accept empty beverage containers. Makes manufacturer, distributor or importer liable to dealer or redemption center for failure to pay refund value or collect containers and provides for treble damages. Creates a Bottle Bill Task Force of nine members appointed by the Governor and specifies duties. Directs task force to report to legislature by November 1, 2008. Declares an emergency, effective on passage. Sets January 1, 2009 as operative date for provisions that expand the Bottle Bill.

ISSUES DISCUSSED:

- Distribution network for bottled water
- Proposed amendments by Northwest Grocery Association
- Redemption centers and consumer convenience
- Composition, charge and timelines of Bottle Bill Task Force
- Impact on schools, military, small dealers and those large dealers that sell beverages only incidentally
- Volume of beverage container litter
- Provisions of bottle bills in other states

EFFECT OF COMMITTEE AMENDMENT: Clarifies types of containers a dealer occupying a space of less than 5,000 square feet may refuse to accept. Eliminates discretionary attorney fees for prevailing party in a dispute regarding distributor failure to pay refund to dealer. Revises composition and charge of the Bottle Bill task force; prohibits appointment of more than three members with ties to beverage container industry; directs task force to include recommendations relating to establishing and funding redemption centers, expanding list of containers, increasing deposits, addressing out of state container returns, and collecting and utilizing the refund value of unredeemed beverage containers. Removes PETE (Polyethylene terephthalate) from the definition of beverage container and removes definition of (Polyethylene terephthalate). Defines water and flavored water as any beverage identified on its label as a type of water.

BACKGROUND: The Oregon "Bottle Bill" was implemented in 1972 to reduce litter and increase recycling. Under the current system, a five-cent deposit per beverage container is assessed on non-refillable and non-standardized bottles and a two-cent deposit is assessed for standardized, refillable bottles. The deposit applies to beer, other malt beverages and carbonated beverages. Since its inception, the number and types of single-serving beverage containers has greatly increased, with many not currently subject to a deposit.

5/18/2007 12:44:00 PM

This summary has not been adopted or officially endorsed by action of the committee.