

**PROPOSED AMENDMENTS TO  
SENATE BILL 117**

1 On page 1 of the printed bill, line 2, after “ORS” insert “459A.735 and”.

2 Delete lines 4 through 29.

3 Delete page 2 and insert:

4 **“SECTION 1. The beverage container redemption center approved**  
5 **by the Oregon Liquor Control Commission as a pilot project pursuant**  
6 **to ORS 459A.737 before the effective date of this 2013 Act is deemed**  
7 **approved by the commission for the purposes of ORS 459A.737 as**  
8 **amended by section 2 of this 2013 Act.**

9 **“SECTION 2. ORS 459A.737 is amended to read:**

10 **“459A.737. (1)(a) Pursuant to the provisions of ORS 459A.735, the Oregon**  
11 **Liquor Control Commission:**

12 **“(A) Shall approve one beverage container redemption center [*pilot***  
13 ***project*] in a city having a population of less than 300,000, operated by a**  
14 **distributor cooperative serving a majority of the dealers in this state[.]; and**

15 **“(B) May approve one or more additional beverage container re-**  
16 **demption centers operated by a distributor cooperative serving a ma-**  
17 **ajority of the dealers in this state.**

18 **“(b) Notwithstanding any other provision of ORS 459A.700 to 459A.740,**  
19 **[*the*] a beverage container redemption center [*operated under the pilot***  
20 ***project*]:**

21 **“(A) May not refuse to accept and to pay the refund value of up to**  
22 **[300] 350 individual empty beverage containers, as established by ORS**

1 459A.705, returned by any one person during one day[.];

2 **“(B) Must provide hand counting of up to 50 individual empty**  
3 **beverage containers that are returned for the refund value established**  
4 **by ORS 459A.705;**

5 **“(C) May provide drop off service for at least 125 individual empty**  
6 **beverage containers returned by any one person during one day for the**  
7 **refund value established by ORS 459A.705, and may provide an ac-**  
8 **counting mechanism by which the person may redeem the refund**  
9 **value of the beverage containers at a later date; and**

10 **“(D) May provide other services as determined necessary by the**  
11 **person responsible for the operation of the beverage container re-**  
12 **demption center.**

13 **“(2)(a) For each beverage container redemption center, the commis-**  
14 **sion shall specify up to two convenience zones [for the pilot project], based**  
15 **to the greatest extent practicable upon the proposals submitted as part**  
16 **of the application for the redemption center under ORS 459A.735 (2).**  
17 The first convenience zone shall be the sector within *[the one and one-half*  
18 *mile radius]* **a radius of not more than two miles** around the beverage  
19 container redemption center *[pilot project, and]*. The second convenience zone  
20 shall be the sector *[within the three mile radius]* **beginning at the border**  
21 **of the first convenience zone and continuing to a radius of not more**  
22 **than three and one-half miles** around the beverage container redemption  
23 center *[pilot project]*.

24 **“(b) All dealers doing business within the first convenience zone that oc-**  
25 **cupy a space of 5,000 or more square feet in a single area may participate**  
26 **in, and be served by, the [pilot project] beverage container redemption**  
27 **center and, if such a dealer participates in, and is served by, the [pilot**  
28 **project] redemption center, the dealer may, notwithstanding any other**  
29 **provision of ORS 459A.700 to 459A.740, refuse to accept and to pay the refund**  
30 **value of empty beverage containers.**

1       “(c) All dealers doing business within the second convenience zone that  
2 occupy a space of 5,000 or more square feet in a single area may participate  
3 in, and be served by, the [*pilot project*] **beverage container redemption**  
4 **center** and, if such a dealer participates in, and is served by, the [*pilot*  
5 *project*] **redemption center**, the dealer may, notwithstanding any other  
6 provision of ORS 459A.700 to 459A.740, refuse to accept and to pay the refund  
7 value of more than 24 individual empty beverage containers returned by any  
8 one person during one day.

9       “(d) All dealers doing business within either convenience zone that oc-  
10 cupy a space of less than 5,000 square feet in a single area may, notwith-  
11 standing any other provision of ORS 459A.700 to 459A.740, refuse to accept  
12 and to pay the refund value of more than 24 individual empty beverage con-  
13 tainers returned by any one person during one day.

14       “(e)(A) Any dealer doing business in either convenience zone that occu-  
15 pies a space of 5,000 or more square feet in a single area that does not par-  
16 ticipate in, and is not served by, the [*pilot project*] **beverage container**  
17 **redemption center** may not refuse to accept and to pay the refund value  
18 of up to [~~300~~] **350** individual empty beverage containers, as established by  
19 ORS 459A.705, returned by any one person during one day and must provide  
20 **equivalent** services [*similar*] to those provided by the **beverage container**  
21 **redemption center** [*pilot project*], including hand counting [*of individual*  
22 *empty beverage containers that are returned for the refund value established*  
23 *by ORS 459A.705*] **and drop off service, under subsection (1)(b) of this**  
24 **section.**

25       “(B) **In addition to the requirements specified in subparagraph (A)**  
26 **of this paragraph, a dealer described in this paragraph must:**

27       “(i) **Post in each area where beverage containers are received a**  
28 **clearly visible and legible sign that contains the list of services that**  
29 **must be provided by the dealer; and**

30       “(ii) **Provide two automated reverse vending machines capable of**

1 **processing metal, plastic and glass beverage containers, or one auto-**  
2 **ated reverse vending machine capable of processing metal, plastic**  
3 **and glass beverage containers for each 500,000 beverage containers sold**  
4 **by the dealer in the previous calendar year, whichever is greater.**

5 “(3) The commission may adopt all rules necessary to implement and ad-  
6 minister the provisions of this section.

7 **“SECTION 3.** ORS 459A.735 is amended to read:

8 “459A.735. (1) To facilitate the return of empty beverage containers and  
9 to serve dealers of beverages, any person may establish a redemption center,  
10 subject to the approval of the Oregon Liquor Control Commission, at which  
11 any person may return empty beverage containers and receive payment of the  
12 refund value of such beverage containers.

13 “(2) Application for approval of a redemption center shall be filed with  
14 the commission. The application shall state the name and address of the  
15 person responsible for the establishment and operation of the redemption  
16 center, the kind of beverage containers that will be accepted at the redemp-  
17 tion center, [*and*] the names and addresses of the dealers to be served by the  
18 redemption center **and proposals for the two convenience zones de-**  
19 **scribed in ORS 459A.737.** The application shall include such additional in-  
20 formation as the commission may require.

21 “(3) The commission shall approve a redemption center if it finds the re-  
22 demption center will provide a convenient service to persons for the return  
23 of empty beverage containers. The order of the commission approving a re-  
24 demption center shall state the dealers to be served by the redemption center  
25 and the kind of empty beverage containers that the redemption center must  
26 accept. The order may contain such other provisions to ensure the redemp-  
27 tion center will provide a convenient service to the public as the commission  
28 may determine.

29 “(4) The commission may review at any time approval of a redemption  
30 center. After written notice to the person responsible for the establishment

1 and operation of the redemption center, and to the dealers served by the re-  
2 demption center, the commission may, after hearing, withdraw approval of  
3 a redemption center if the commission finds there has not been compliance  
4 with its order approving the redemption center, or if the redemption center  
5 no longer provides a convenient service to the public.

6 **“SECTION 4. (1) The additional requirements for beverage con-  
7 tainer redemption centers imposed by the amendments to ORS  
8 459A.737 by section 2 of this 2013 Act apply to all beverage container  
9 redemption centers whether approved before, on or after the effective  
10 date of this 2013 Act.**

11 **“(2) The amendments to ORS 459A.735 by section 3 of this 2013 Act  
12 apply to applications for approval filed with the Oregon Liquor Control  
13 Commission on or after the effective date of this 2013 Act.”.**

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