

## **SB 914 -1, -2 STAFF MEASURE SUMMARY**

### **Senate Committee On Environment and Natural Resources**

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**Prepared By:** Beth Patrino, LPRO Analyst

**Meeting Dates:** 3/7

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#### **WHAT THE MEASURE DOES:**

Requires a distributor or importer who does not participate in a beverage container distributor cooperative (cooperative) to register with the cooperative as a non-participating distributor or importer and report information necessary for the cooperative to maintain a beverage container registry. Requires cooperative to maintain a registry of all types of beverage containers sold in Oregon that describe the beverage containers with specified information, including container size, beverage name, and whether the container is glass, metal, or plastic. Requires registry to be provided to the Oregon Liquor Control Commission (OLCC) by July 1 each year. Grants immunity from state and federal antitrust laws to the cooperative for the limited purpose of establishing and operating the cooperative. Directs OLCC to actively supervise the cooperative to ensure authorized conduct and that policies of state are being fulfilled through cooperative activities, and to enjoin conduct not authorized by OLCC or that OLCC finds does not advance the interests of the state in carrying out the cooperative.

*No subsequent referral*

#### **ISSUES DISCUSSED:**

##### **EFFECT OF AMENDMENT:**

- 1 Specifies that registry is for all beverage containers sold and redeemed in Oregon. Removes requirement that distributor cooperative registry include information on the color of the glass if a container is glass.
- 2 Deletes provisions related to immunity from state and federal antitrust laws.

##### **BACKGROUND:**

In 1971, Oregon enacted the “Bottle Bill,” which is the nation’s longest-standing beverage container deposit law. In 2007, the legislature expanded coverage of the five-cent deposit to include water and flavored water. In 2011, the legislature expanded the types of beverage containers subject to the deposit to include juices, teas and more; set a trigger for the deposit to increase to 10 cents if the recycling rate fell below 80 percent for two consecutive years; and set up a redemption center pilot project. In 2013, Senate Bill 117 modified the redemption center program by removing its status as a pilot program and authorizing the Oregon Liquor Control Commission (OLCC) to approve additional centers. The redemption centers—known as “BottleDrops”—are operated and funded by the Oregon Beverage Recycling Cooperative in partnership with grocery retailers.

Senate Bill 914 would require a distributor or importer who does not participate in a beverage container distributor cooperative to register with and provide information to the cooperative. The measure would also require the cooperative to maintain and submit to OLCC a beverage container registry and grant the cooperative immunity from state and federal anti-trust laws for purposes of establishing and operating the cooperative.