

A-Engrossed
Senate Bill 847

Ordered by the Senate April 2
Including Senate Amendments dated April 2

Sponsored by Senator DEMBROW, Representatives MARSH, SOLLMAN; Senator FINDLEY, Representative MOORE-GREEN

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.

Establishes Bottle Bill Expansion, Access and Transparency Task Force. Establishes Bottle Bill Expansion Subcommittee and Bottle Bill Access and Transparency Subcommittee within task force. Directs task force to report to interim committee of Legislative Assembly no later than [September 15] **January 1, 2022.**

Sunset December 31, 2022.

[Takes effect on 91st day following adjournment sine die.]

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to a task force on beverage containers; and declaring an emergency.

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

SECTION 1. (1) The Bottle Bill Expansion, Access and Transparency Task Force is established.

(2) The task force consists of 15 members appointed as follows:

(a) The President of the Senate shall appoint one member from among members of the Senate.

(b) The Speaker of the House of Representatives shall appoint one member from among members of the House of Representatives.

(c) The Director of the Department of Environmental Quality shall appoint one member to represent the department.

(d) The administrator of the Oregon Liquor Control Commission shall appoint 12 members as follows:

(A) One member to represent the commission;

(B) One member to represent a distributor cooperative established under ORS 459A.718;

(C) One member to represent the interests of dealers, as defined in ORS 459A.700;

(D) One member to represent the interests of recycling advocacy organizations;

(E) One member to represent the interests of environmental organizations;

(F) One member to represent the unhoused community;

(G) One member with broad national expertise in beverage container redemption and recycling systems;

(H) One member to represent the interests of the distilled liquor industry;

(I) Two members to represent wine manufactures;

(J) One member to represent wine distributors; and

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 **(K) One member with knowledge of and expertise in Oregon’s beverage container re-**
2 **demption and recycling system.**

3 **(3) The Bottle Bill Expansion Subcommittee is established within the task force. The**
4 **subcommittee consists of the members of the task force described in subsection (2)(a) to (c)**
5 **and (d)(A) to (E) and (H) to (K) of this section.**

6 **(4)(a) The subcommittee shall evaluate and make recommendations to the task force for**
7 **establishing a beverage container refund value for beverages and containers that are exempt**
8 **from the requirements of ORS 459A.700 to 459A.744 or to which the requirements of ORS**
9 **459A.700 to 459A.744 do not apply. Recommendations must include consideration of:**

10 **(A) Wine in metal cans;**

11 **(B) Wine in glass bottles;**

12 **(C) Distilled liquor;**

13 **(D) Premixed beverages containing distilled liquor;**

14 **(E) Water in a quantity of more than three liters; and**

15 **(F) Other beverages or containers the subcommittee considers appropriate.**

16 **(b) Notwithstanding paragraph (a)(F) of this subsection, the subcommittee may not re-**
17 **commend removing the exemption found in ORS 459A.702 for dairy or plant-based milks or**
18 **infant formula or recommend establishing a refund value for liquids that are not beverages**
19 **or that are not intended for human consumption.**

20 **(5) The Bottle Bill Access and Transparency Subcommittee is established within the task**
21 **force. The subcommittee consists of the members of the task force described in subsection**
22 **(2)(a) to (c) and (d)(A) to (G) and (K) of this section.**

23 **(6) The subcommittee shall study, evaluate and make recommendations to the task force**
24 **for:**

25 **(a) Requirements for convenience zones described in ORS 459A.738 in markets where the**
26 **volume of beverage containers redeemed at the full-service redemption center exceeds ca-**
27 **capacity.**

28 **(b) Options to create incentives for increasing redemption rates and remove or avoid**
29 **private or public disincentives to increasing redemption rates, should the redemption rate**
30 **of a distributor cooperative fall below 80 percent.**

31 **(c) Strategies to eliminate barriers to the siting of additional redemption centers.**

32 **(d) Requirements for distributor cooperatives to provide consumers with a detailed ac-**
33 **counting of the consumer’s returned beverage containers within one week after the con-**
34 **sumer returns beverage containers using a drop off service offered by the distributor**
35 **cooperative.**

36 **(e) Strategies to improve consumer access, efficiency and experience developed through**
37 **consultation with consumers using a variety of redemption methods.**

38 **(f) A nonparticipation fee charged to distributors that do not participate in a distributor**
39 **cooperative, if a comparison of redemption rates between distributors participating in a co-**
40 **operative and distributors not participating in a cooperative indicates that the fee would be**
41 **appropriate.**

42 **(7) The subcommittee shall study, evaluate and report to the task force its findings and**
43 **recommendations on the relative strengths and weaknesses of operational models for**
44 **beverage container redemption and recycling systems, including a comparison of redemption**
45 **rates and per-container processing costs in Oregon and states where moneys from the col-**

1 lection and redemption of beverage container deposits are administered by the state gov-
2 ernment. The subcommittee shall consult with the Container Recycling Institute when
3 conducting the study under this subsection.

4 (8) The task force shall approve or reject the recommendations of the Bottle Bill Ex-
5 pansion Subcommittee and Bottle Bill Access and Transparency Subcommittee by a vote of
6 the task force.

7 (9) A majority of the voting members of the task force constitutes a quorum for the
8 transaction of the business of the task force. A majority of the voting members of a sub-
9 committee of the task force constitutes a quorum for the transaction of the business of the
10 subcommittee.

11 (10) Official action by the task force requires the approval of a majority of the voting
12 members of the task force. Official action by a subcommittee of the task force requires the
13 approval of a majority of the voting members of the subcommittee.

14 (11) The task force shall elect one of its members to serve as chairperson. The chair-
15 person of the task force shall appoint a chairperson of the Bottle Bill Expansion Subcom-
16 mittee and appoint a chairperson of the Bottle Bill Access and Transparency Subcommittee.

17 (12) If there is a vacancy for any cause, the appointing authority shall make an appoint-
18 ment to become immediately effective.

19 (13) The task force shall meet at times and places specified by the call of the chairperson
20 or of a majority of the voting members of the task force. A subcommittee of the task force
21 shall meet at times and places specified by the call of the chairperson of the subcommittee
22 or of a majority of the voting members of the subcommittee.

23 (14) The task force may adopt rules necessary for the operation of the task force and the
24 subcommittees of the task force.

25 (15) The task force and the subcommittees of the task force may meet using video con-
26 ferencing technology or through some other electronic or virtual means.

27 (16) The task force shall submit a report and recommendations for legislation in the
28 manner provided by ORS 192.245 to the interim committees of the Legislative Assembly re-
29 lated to the environment no later than January 1, 2022.

30 (17) The Oregon Liquor Control Commission shall provide staff support to the task force
31 and to the subcommittees of the task force.

32 (18) Members of the Legislative Assembly appointed to the task force are nonvoting
33 members of the task force and to the subcommittees of the task force and may act in an
34 advisory capacity only.

35 (19) Members of the task force who are not members of the Legislative Assembly are not
36 entitled to compensation or reimbursement for expenses and serve as volunteers on the task
37 force.

38 (20) All agencies of state government, as defined in ORS 174.111, are directed to assist
39 the task force in the performance of the duties of the task force and of the subcommittees
40 of the task force and, to the extent permitted by laws relating to confidentiality, to furnish
41 information and advice the members of the task force consider necessary to perform their
42 duties.

43 **SECTION 2.** Section 1 of this 2021 Act is repealed on December 31, 2022.

44 **SECTION 3.** This 2021 Act being necessary for the immediate preservation of the public
45 peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect

1 **on its passage.**

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