

HISTORY SHEET

HOUSE

By: Representatives	Bill	1157	DATE ENGROSSED	April 9, 1969
	Resolution		DATE REENGROSSED	
	Memorial		DATE ENROLLED	

Representative HANNEMAN, Senator ELFSTROM, Representative MARTIN

TITLE
Relating to beverage containers; providing penalties; and prescribing an effective date.

HOUSE ACTION		SENATE ACTION	
READ FIRST TIME JAN 29 1969	READ SECOND TIME JAN 30 1969	READ FIRST TIME	READ SECOND TIME
REFERRED TO <i>State and Federal Affairs</i>		REFERRED TO	
REPORTED BACK APR 9 1969	WITH THE RECOMMENDATION THAT IT <input checked="" type="checkbox"/>	REPORTED BACK	WITH THE RECOMMENDATION THAT IT <input checked="" type="checkbox"/>
<input type="checkbox"/> DO PASS	<input checked="" type="checkbox"/> DO PASS WITH AMENDMENT		
REREFERRED TO <i>State + Federal Affairs</i>		REREFERRED TO	
REPORTED BACK APR 11 1969	WITH THE RECOMMENDATION THAT IT <input checked="" type="checkbox"/>	REPORTED BACK	WITH THE RECOMMENDATION THAT IT <input checked="" type="checkbox"/>
<input type="checkbox"/> DO PASS	<input type="checkbox"/> DO PASS WITH _____ AMENDMENT		
READ THIRD TIME AND PASSED		READ THIRD TIME AND PASSED	
SIGNED	CHIEF CLERK	SIGNED	SECRETARY OF SENATE
DATE		HOUSE CONCURRED IN SENATE AMENDMENTS AND REPASSED	

ADDITIONAL ACTION

DATE	ACTION
APR 11 1969	Willits gave notice to move for reconsideration of the vote <i>(WAF)</i>
APR 14 1969	Willits moved to reconsider vote by which bill was referred to Committee on State and Federal Affairs. FAILED <i>(WAF)</i>

HOUSE AMENDMENTS TO HOUSE BILL 1157

By COMMITTEE ON STATE AND FEDERAL AFFAIRS

April 9, 1969

On page 2 of the printed bill, delete lines 7 through 11 and insert:

"Section 2. A person required by this chapter to obtain a license, shall distribute, sell or offer for sale beer or any other malt beverage only in containers with a refund value, and shall offer a refund of not less than ^{1 cent} 5¢ for each such container. Nothing in this section applies to containers distributed, sold or offered for sale before the effective date of this ¹⁹⁶⁹ Act. This section applies only to beer or any other malt beverage sold for off-premise consumption.

"Section 3. (1) Nonalcoholic beverages shall be distributed, sold or offered for sale only in containers with a refund value, and a refund of not less than ^{juice - cents} 5¢ for each such container shall be offered. Nothing in this section applies to containers distributed, sold or offered for sale before the effective date of this Act. This section applies only to nonalcoholic beverages sold for off-premise consumption."

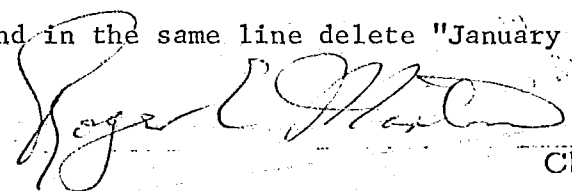
On ~~page 2~~ ² line 14, after the period insert "Nonalcoholic beverage does not include dairy products or natural fruit juices."

After line 14, insert:

"Section 4. After the effective date of this Act, every beverage container described in sections 2 and 3 of this Act shall bear a stamp or label clearly indicating the refund value of the container."

In line 15, delete "4" and insert "5".

In line 22, delete "5" and insert "6" and in the same line delete "January 1, 1971" and insert "July 1, 1970".



Chairman

Submit: 2 copies if no amendments
4 copies if amendments
5 copies if to be printed engrossed

Retain: 1 copy for committee files

Rep. Hanneman will lead floor discussion on this measure.

ENGROSSED

House Bill 1157

Sponsored by Representative HANNEMAN, Senator ELFSTROM,
Representative MARTIN

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 as introduced.

Prohibits sale of malt beverages and nonalcoholic beverages in non-returnable containers. Provides penalty. Authorizes Department of Agriculture to revoke or suspend license of violator.

Effective January 1, 1971.

1 A BILL FOR AN ACT

2 Relating to beverage containers; providing penalties; and prescribing an
3 effective date.

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

5 Section 1. Section 2 of this Act is added to and made a part of ORS
6 chapter 471.

Insert ①

7 ~~Section 2. No person required by this chapter to obtain a license shall
8 distribute, sell or offer for sale beer or any other malt beverage in non-
9 returnable containers.~~

10 Section 3. (1) ~~No person shall distribute, sell or offer for sale any non-
11 alcoholic beverage in nonreturnable containers.~~

12 (2) As used in this section "nonalcoholic beverage" means any mineral
13 waters, soda waters or any other carbonated or uncarbonated beverage
14 not containing alcohol that is commonly known as a soft drink.

Insert ②

15 ~~Section 4~~ (1) The State Department of Agriculture may revoke or
16 suspend the license of any person required by ORS chapter 635 to have
17 a license if such a person violates subsection (1) of section 3 of this Act.

18 (2) In addition to any license revocation or suspension authorized by
19 subsection (1) of this section, a person who violates subsection (1) of
20 section 3 of this Act may be punished, upon conviction, by a fine not ex-
21 ceeding \$500.

22 Section ⁶~~4~~. This Act takes effect on ^{July 1, 1970}~~January 1, 1971~~.



Nonalcoholic beverage does not include dairy products or natural fruit juices.

1 A BILL FOR AN ACT
2 Relating to beverage containers; providing penalties; and prescribing an
3 effective date.

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

5 Section 1. Section 2 of this Act is added to and made a part of ORS
6 chapter 471.

Incer - ①

7 ~~Section 2. No person required by this chapter to obtain a license shall
8 distribute, sell or offer for sale beer or any other malt beverage in non-
9 returnable containers.~~

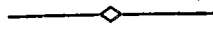
10 ~~Section 3. (1) No person shall distribute, sell or offer for sale any non-
11 alcoholic beverage in nonreturnable containers.~~

12 (2) As used in this section "nonalcoholic beverage" means any mineral
13 waters, soda waters or any other carbonated or uncarbonated beverage
14 not containing alcohol that is commonly known as a soft drink.
Nonalcoholic beverage does not include dairy products as defined in ORS 309.001.

15 ^② Section 4. After the effective date of this Act, every beverage con-
16 tainer described in sections 2 and 3 of this Act shall bear a stamp or label
17 clearly indicating the refund value of the container.

18 (2) In addition to any license revocation or suspension authorized by
19 subsection (1) of this section, a person who violates subsection (1) of
20 section 3 of this Act may be punished, upon conviction, by a fine not ex-
21 ceeding \$500.

22 Section ⁶~~7~~. This Act takes effect on ^{July 1, 1970}~~January 1, 1971~~.



1 A BILL FOR AN ACT

2 Relating to beverage containers; providing penalties; and prescribing an
3 effective date.

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

5 Section 1. Section 2 of this Act is added to and made a part of ORS
6 chapter 471.

7 ^① Section 2. A person required by this chapter to obtain a license, shall
8 distribute, sell or offer for sale beer or any other malt beverage only in
9 containers with a refund value, and shall offer a refund of not less than
10 five cents for each such container. Nothing in this section applies to con-
11 tainers distributed, sold or offered for sale before the effective date of
12 this 1969 Act. This section applies only to beer or any other malt beverage
13 sold for off-premise consumption.

14 "Section 3. (1) Nonalcoholic beverages shall be distributed, sold or
15 offered for sale only in containers with a refund value, and a refund of
16 not less than five cents for each such container shall be offered. Nothing
17 in this section applies to containers distributed, sold or offered for sale
18 before the effective date of this Act. This section applies only to non-
19 alcoholic beverages sold for off-premise consumption.

20 section 3 of this Act may be punished, upon conviction, by a fine not ex-
21 ceeding \$500.

22 Section ⁶/_{6k} This Act takes effect on ^{July 1, 1970} ~~January 1, 1971~~.



House Bill 1157

Sponsored by Representative HANNEMAN, Senator ELFSTROM,
Representative MARTIN

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 **as introduced**.

Prohibits sale of malt beverages and nonalcoholic beverages in non-returnable containers. Provides penalty. Authorizes Department of Agriculture to revoke or suspend license of violator.

Effective January 1, 1971.

1 A BILL FOR AN ACT:

2 Relating to beverage containers; providing penalties; and prescribing an
3 effective date.

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

5 **Section 1.** Section 2 of this Act is added to and made a part of ORS
6 chapter 471.

7 **Section 2.** No person required by this chapter to obtain a license shall
8 distribute, sell or offer for sale beer or any other malt beverage in non-
9 returnable containers.

10 **Section 3.** (1) No person shall distribute, sell or offer for sale any non-
11 alcoholic beverage in nonreturnable containers.

12 (2) As used in this section "nonalcoholic beverage" means any mineral
13 waters, soda waters or any other carbonated or uncarbonated beverage
14 not containing alcohol that is commonly known as a soft drink.

15 **Section 4.** (1) The State Department of Agriculture may revoke or
16 suspend the license of any person required by ORS chapter 635 to have
17 a license if such a person violates subsection (1) of section 3 of this Act.

18 (2) In addition to any license revocation or suspension authorized by
19 subsection (1) of this section, a person who violates subsection (1) of
20 section 3 of this Act may be punished, upon conviction, by a fine not ex-
21 ceeding \$500.

22 **Section 5.** This Act takes effect on January 1, 1971.



**HOUSE AMENDMENTS TO
HOUSE BILL 1157**

By COMMITTEE ON STATE AND FEDERAL AFFAIRS

April 9, 1969

1 On page 2 of the printed bill, delete lines 7 through 11 and insert:

2 "Section 2. A person required by this chapter to obtain a license, shall
3 distribute, sell or offer for sale beer or any other malt beverage only in
4 containers with a refund value, and shall offer a refund of not less than
5 five cents for each such container. Nothing in this section applies to con-
6 tainers distributed, sold or offered for sale before the effective date of
7 this 1969 Act. This section applies only to beer or any other malt beverage
8 sold for off-premise consumption.

9 "Section 3. (1) Nonalcoholic beverages shall be distributed, sold or
10 offered for sale only in containers with a refund value, and a refund of
11 not less than five cents for each such container shall be offered. Nothing
12 in this section applies to containers distributed, sold or offered for sale
13 before the effective date of this Act. This section applies only to non-
14 alcoholic beverages sold for off-premise consumption."

15 In line 14, after the period insert "Nonalcoholic beverage does not in-
16 clude dairy products or natural fruit juices."

17 After line 14, insert:

18 "Section 4. After the effective date of this Act, every beverage con-
19 tainer described in sections 2 and 3 of this Act shall bear a stamp or label
20 clearly indicating the refund value of the container."

21 In line 15, delete "4" and insert "5".

22 In line 22, delete "5" and insert "6" and in the same line delete "January
23 1, 1971" and insert "July 1, 1970".

NOTE: Matter in *italics* in an amended section is new; matter ~~lined out and bracketed~~ is existing law to be omitted; complete new sections begin with **Section** :

A BILL FOR

AN ACT

Relating to beverage containers; providing penalties;
and prescribing an effective date.

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

Section 1. Section 2 of this Act is added to and made a part of ORS chapter 471.

Section 2. No person required by this chapter to obtain a license shall distribute, sell or offer for sale beer or any other malt beverage in non-returnable glass containers.

Section 3. (1) No person shall distribute, sell or offer for sale any non-alcoholic beverage in non-returnable containers.

(2) As used in this section "non-alcoholic beverage" means any mineral waters, soda waters or any other carbonated or uncarbonated beverage not containing alcohol that is commonly known as a soft drink.

Section 4. (1) The ^{State} Department of Agriculture may revoke or suspend the license of any person required by ORS chapter 635 to have a license if such a person violates subsection (1) of section 3 of this Act.

(2) In addition to any license revocation or suspension authorized by subsection (1) of this section, a person who

violates subsection (1) of section 3 of this Act may be punished, upon conviction, by a fine not exceeding \$500.

Section 5. This Act takes effect on January 1, 1971.

HOUSE BILL BACK

RECEIVED
HOUSE DESK

B.H.

▼ CROSS OUT INAPPLICABLE WORDS ▼

BILL)
~~RESOLUTION~~) NUMBER 1157 1969 JAN 28 AM 10 1
~~MEMORIAL~~)

Title: Relating to beverage containers; providing penalties; and prescribing an effective date.

Introduced by: Representatives Hanneman *PH*
 Senator Elfstrom

ADDITIONAL SIGNERS

HOUSE

SENATE

Akeson
 Anunsen
 Bazett
 Bennett
 Boe
 Bradley
 Browne
 Carson
 Chuinard
 Cole
 Crothers
 Davis
 Day
 Detering
 Dielschneider
 Dugdale
 Elliott
 Eymann
 Frost
 Graham
 Groener
 Gwinn
 Haas
 Hanneman *PH*
 Hansell
 Hart
 Hartung
 Heard
 Howard
 Howe

Ingalls
 Johnson
 Kennedy
 Lang
 Macpherson
 Mann
 Markham
 Martin *R. M.*
 McCready
 McGilvra
 McKenzie
 Meeker
 Peck
 Priestley
 Pynn
 Richards
 Ripper
 Roberts
 Rogers
 Skelton
 Smith
 Stathos
 Stevenson
 Thornton
 Turner
 Willits
 Wilson, Don
 Wilson, M. Keith
 Wingard
 Young

Atiyeh
 Bain
 Bateson
 Boivin
 Burns
 Cook
 Dement
 Eivers
 Elfstrom *R*
 Fadeley
 Flegel
 Hallock
 Holmstrom
 Hoyt
 Husband
 Huston
 Inskeep
 Ireland
 Jernstedt
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 Potts
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 Willner
 Yturri

Staple

Staple