

4.8-93 Referred to Envir.

FILED MAR 10 1993

SENATE FILE 265  
BY COMMITTEE ON ENVIRONMENT AND  
ENERGY UTILITIES

(SUCCESSOR TO SSB 149)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the control of certain beverage containers and  
2 the reimbursement amounts for redemption of beverage  
3 containers.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 265

1 Section 1. Section 455C.1, subsections 1, 2, and 9, Code  
2 1993, are amended to read as follows:

3 1. "Beverage" means wine as defined in section 123.3,  
4 subsection 37, alcoholic liquor as defined in section 123.3,  
5 subsection 5, beer as defined in section 123.3, subsection 7,  
6 low or nonalcoholic beers and wines, wine coolers, mineral  
7 water, soda water and similar carbonated soft drinks, and  
8 fruit juices and fruit drinks when contained in a beverage  
9 container of twelve or fewer ounces, in liquid form and  
10 intended for human consumption. "Beverage" does not include  
11 milk intended for human consumption when contained in a paper  
12 carton.

13 2. "Beverage container" means any sealed ~~glass, plastic,~~  
14 ~~or metal~~ bottle, can, jar, or carton containing a beverage.

15 9. "Distributor" means any person who engages in the sale  
16 or distribution of beverages in beverage containers to a  
17 dealer in this state, including any manufacturer who engages  
18 in such sales or distribution.

19 Sec. 2. Section 455C.2, subsection 2, Code 1993, is  
20 amended to read as follows:

21 2. In addition to the refund value provided in subsection  
22 1 of this section, a dealer, or person operating a redemption  
23 center who redeems empty beverage containers or a dealer agent  
24 shall be reimbursed by the distributor required to accept the  
25 empty beverage containers an amount which is one-cent two  
26 cents per container. A dealer, dealer agent, or person  
27 operating a redemption center may compact empty metal beverage  
28 containers with the approval of the distributor required to  
29 accept the containers.

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EXPLANATION

31 This bill extends the application of refund values to low  
32 or nonalcoholic beers and wines, wine coolers, and fruit  
33 juices and fruit drinks when contained in a beverage container  
34 of 12 or fewer ounces, with the exception of milk intended for  
35 human consumption and contained in a paper carton. The bill

1 specifically includes persons who engage in the distribution  
2 of beverages in beverage containers in the definition of  
3 distributor. The bill requires a dealer or a person operating  
4 a redemption center to be reimbursed for redeeming the  
5 containers in an amount of two cents per container rather than  
6 the current amount of one cent per container.

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FINK, CH.  
ROSENBERG  
KERSTEN

SSB 149  
ENVIRONMENT & ENERGY  
UTILITIES

SENATE FILE 265  
BY (PROPOSED COMMITTEE ON  
ENVIRONMENT AND ENERGY  
UTILITIES BILL BY CHAIRPERSON  
ROSENBERG)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the refund values and reimbursement amounts  
2 for redemption of beverage containers.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 455C.1, subsections 1, 2, and 9, Code  
2 1993, are amended to read as follows:

3 1. "Beverage" means wine as defined in section 123.3,  
4 subsection 37, alcoholic liquor as defined in section 123.3,  
5 subsection 5, beer as defined in section 123.3, subsection 7,  
6 mineral water, soda water and similar carbonated soft drinks,  
7 and any other drinkable liquid, in liquid form and intended  
8 for human consumption. "Beverage" does not include milk  
9 intended for human consumption when contained in a paper  
10 carton.

11 2. "Beverage container" means any sealed glass, plastic,  
12 or metal bottle, can, jar, or carton containing a beverage.

13 9. "Distributor" means any person who engages in the sale  
14 or distribution of beverages in beverage containers to a  
15 dealer in this state, including any manufacturer who engages  
16 in such sales or distribution.

17 Sec. 2. Section 455C.2, subsections 1 and 2, Code 1993,  
18 are amended to read as follows:

19 1. A refund value of not less than five ten cents shall be  
20 paid by the consumer on each beverage container sold in this  
21 state by a dealer for consumption off the premises. Upon  
22 return of the empty beverage container upon which a refund  
23 value has been paid to the dealer or person operating a  
24 redemption center and acceptance of the empty beverage  
25 container by the dealer or person operating a redemption  
26 center, the dealer or person operating a redemption center  
27 shall return the amount of the refund value to the consumer.

28 2. In addition to the refund value provided in subsection  
29 1 of this section, a dealer, or person operating a redemption  
30 center who redeems empty beverage containers or a dealer agent  
31 shall be reimbursed by the distributor required to accept the  
32 empty beverage containers an amount which is one cent and one-  
33 half cents per container. A dealer, dealer agent, or person  
34 operating a redemption center may compact empty metal beverage  
35 containers with the approval of the distributor required to

1 accept the containers.

2 Sec. 3. Section 455C.5, subsection 3, Code 1993, is  
3 amended to read as follows:

4 3. The provisions of subsections 1 and 2 of this section  
5 do not apply to a refillable glass beverage container which  
6 has a brand name permanently marked on it and which has a  
7 refund value of not less than five ten cents, to any other  
8 refillable beverage container which has a refund value of not  
9 less than five ten cents and which is exempted by the director  
10 under rules adopted by the commission, or to a beverage  
11 container sold aboard a commercial airliner or passenger train  
12 for consumption on the premises.

13 EXPLANATION

14 This bill extends the application of refund values to all  
15 beverages and beverage containers with the exception of milk  
16 intended for human consumption and contained in a paper carton  
17 and specifically includes persons who engage in the  
18 distribution of beverages in beverage containers in the  
19 definition of distributor. The bill requires a refund value  
20 of not less than 10 cents rather than the current five cents  
21 to be paid by the consumer on any beverage container sold in  
22 the state and requires a dealer or a person operating a  
23 redemption center to be reimbursed for redeeming the  
24 containers in an amount which is one and one-half cents per  
25 container rather than the current amount of one cent per  
26 container.

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