



**Testimony of Kimberly McCullough, Policy Director  
Concerning SB 522  
Senate Committee on Environment and Natural Resources  
March 14, 2019**

Chair Dembrow and Members of the Committee:

The American Civil Liberties Union of Oregon<sup>1</sup> appreciates the opportunity to provide comments on SB 522, which would create a \$250 violation for the return of 25 or more out-of-state beverage containers to Oregon bottle redemption stations.

**We hope a more creative solution is possible because of the negative impact this bill would have on people living in poverty and houseless individuals who collect and return bottles to redemption stations as an act of survival.** Returning bottles is an important source of income for many people living in poverty. Fining people for acts of survival—people who are trying to scrape by enough money to survive—is deeply problematic and likely to exacerbate issues of poverty in our communities.

Please note that we appreciate that the proponents of this bill did not make the penalty in this bill a misdemeanor, but we are still concerned about the impact of a significant fine on people who have so little money that they are returning bottles as a source of income.

We understand from talking with some of the proponents of this bill that there has been an apparent increase in the number of out-of-state bottles returned to redemption stations in Oregon after our bottle deposit was increased from \$0.05 to \$0.10. We have also heard that this creates a financial problem in the bottle distributors, although we are unclear whether the financial “problem” is that bottle distributors are actually losing money or simply are not making as much of a profit from the bottle deposit system as they would prefer.<sup>2</sup>

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<sup>1</sup> The American Civil Liberties Union of Oregon (ACLU of Oregon) is a nonpartisan, nonprofit organization dedicated to preservation and enhancement of civil liberties and civil rights, with more than 45,000 members and supporters statewide.

<sup>2</sup> Reading this article gives us some pause:

<https://www.wweek.com/news/state/2017/02/01/corporate-lobbyists-turned-oregons-iconic-bottle-bill-into-a-sweet-payday-for-their-clients/>

Assuming that this is truly a problem, our suggestion to the committee is to take a deeper look into more creative solutions. For example, would it be possible to label Oregon bottles so that only they may be returned to Oregon redemption stations? Or if bottle distributors are truly losing money on this (which again, we don't have sufficient information to understand), would it perhaps make more sense for the government to manage the deposit funds, so there is no risk to industry of losing money on our state-created deposit system? This is the type of inquiry we hope the committee will engage in before passage of this bill.

For these reasons, the ACLU of Oregon urges you to look into this issue more carefully and consider creative solutions before creating another fine in our system that will negatively impact people living in poverty. Please feel free to contact us if you have any questions, comments, or concerns.