

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1414 Session of  
1987

INTRODUCED BY BRANDT, BROUJOS, SIRIANNI, MORRIS, BATTISTO,  
SEMMELE, JOSEPHS, NOYE, CAWLEY, FARGO, WOGAN, CARN, NAHILL,  
BARLEY, SCHULER, J. TAYLOR, FOX, G. SNYDER, CLYMER, FARMER,  
JOHNSON, FOSTER, J. L. WRIGHT, STUBAN AND HERSHEY, JUNE 1,  
1987

REFERRED TO COMMITTEE ON LIQUOR CONTROL, JUNE 1, 1987

AN ACT

1 Amending the act of April 12, 1951 (P.L.90, No.21), entitled "An  
2 act relating to alcoholic liquors, alcohol and malt and  
3 brewed beverages; amending, revising, consolidating and  
4 changing the laws relating thereto; regulating and  
5 restricting the manufacture, purchase, sale, possession,  
6 consumption, importation, transportation, furnishing, holding  
7 in bond, holding in storage, traffic in and use of alcoholic  
8 liquors, alcohol and malt and brewed beverages and the  
9 persons engaged or employed therein; defining the powers and  
10 duties of the Pennsylvania Liquor Control Board; providing  
11 for the establishment and operation of State liquor stores,  
12 for the payment of certain license fees to the respective  
13 municipalities and townships, for the abatement of certain  
14 nuisances and, in certain cases, for search and seizure  
15 without warrant; prescribing penalties and forfeitures;  
16 providing for local option, and repealing existing laws,"  
17 providing for container recycling; and making a repeal.

18 The General Assembly of the Commonwealth of Pennsylvania  
19 hereby enacts as follows:

20 Section 1. The act of April 12, 1951 (P.L.90, No.21), known  
21 as the Liquor Code, is amended by adding a section to read:

22 Section 307. Container Recycling Control.--(a) There is  
23 hereby established a recycling value, in an amount as set forth  
24 in this section, on each container sold or offered for sale in

1 Pennsylvania Liquor Stores except containers of nonalcoholic  
2 beverages.

3 (1) The recycling value shall be collected on each container  
4 at the time of sale by the liquor store.

5 (2) The initial recycling value of each container shall be  
6 fifty cents (50¢) per container. The alternate recycling value  
7 of each container shall be seventy-five cents (75¢) per  
8 container.

9 (b) Each liquor store shall accept for redemption any  
10 container identified as provided in subsection (c) and shall pay  
11 to the person presenting the container for redemption the  
12 initial recycling value of the container as established in  
13 subsection (a), subject to the provisions of subsection (g).

14 (c) The board shall cause every container subject to the  
15 provisions of this section to have clearly indicated thereon by  
16 a mark securely affixed to the container that the container has  
17 a recycling value pursuant to this act. The mark may be made by  
18 embossing, stamping or labeling the container in such a manner  
19 that it is securely affixed pursuant to requirements established  
20 by the board.

21 (d) The processing, handling, container identification,  
22 transportation and storage of containers subject to the  
23 provisions of this section shall be accomplished by the board,  
24 in accordance with regulations and guidelines established  
25 pursuant hereto, utilizing existing procedures, contractors,  
26 facilities and personnel to the maximum extent possible.

27 (e) All empty containers received by the board shall be  
28 disposed of only to persons, including the manufacturer of its  
29 agents, engaged in recycling activities, except that if the  
30 board, after investigation, determines it to be impossible to

1 dispose of empty containers by recycling because of the  
2 unavailability of a market, the board may dispose of empty  
3 containers to persons other than those engaged in recycling  
4 activities. In such cases, the board shall justify and  
5 substantiate its action in the report to the General Assembly  
6 required by subsection (f).

7 (1) The board is hereby authorized to contract with any  
8 party, including the manufacturer or his agents, for the removal  
9 and recycling of empty containers from the custody of the board.

10 (2) Any revenues generated by the sale of empty containers  
11 shall be used by the board to offset the costs of the recycling  
12 program established herein, including the costs of container  
13 identification required by subsection (c).

14 (f) Within two months following the end of one year from the  
15 effective date of this act, and annually thereafter, the board  
16 shall prepare and submit to the General Assembly a report  
17 summarizing its activities under this section. The report shall  
18 include, but not be limited to:

19 (1) the total number of containers subject to a recycling  
20 value and the total number of containers returned for recycling;

21 (2) the level of participation by regions of the  
22 Commonwealth;

23 (3) the cost of the program;

24 (4) the number of containers disposed of by recycling and  
25 the number of containers disposed of other than by recycling,  
26 with justification as required by subsection (e); and

27 (5) an analysis of the benefits of and recommendations  
28 regarding the program.

29 (g) The board shall impose the alternate recycling value  
30 established in subsection (a) if, at the end of two years

1 following the effective date of this act, the total number of  
2 containers returned for recycling is less than seventy-five per  
3 centum of the containers sold which are subject to the recycling  
4 value imposed by this subsection.

5 Section 2. Section 491(5) of the act is repealed.

6 Section 3. This act shall take effect January 1, 1988.