

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-574)
109TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 69, L.D. 75, Bill, "AN ACT to Allow Dealers to Restrict the Hours during which they will Accept Returnable Beverage Containers."

Amend the bill by inserting before the enacting clause the following:

'Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the current law requiring dealers to accept returnable beverage containers at any time during their business day creates severe problems for many store owners with respect to cash flow, storage space and personnel; and

Whereas, the current law imposes an especially unfair burden on smaller dealers who are, in the aforementioned respects, even less able to handle returnables throughout their entire business day; and

Whereas, this burden may pose an immediate threat to the livelihood of some smaller dealers; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore'

Further amend the bill by striking out everything after the enacting clause and inserting in its place the following:

'32 MRSA §1866, sub-§2-A is enacted to read:

2-A. Limitation on hours for returning containers. A dealer may refuse to accept beverage containers during no more than 3 hours in any one business day. If a dealer refuses to accept containers under this subsection, the hours during which he will not accept containers shall be conspicuously posted.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.'

Statement of Fact

This amendment makes the bill an emergency bill and permits store owners to refuse to accept returnable bottles during no more than 3 hours in any one business day. If a dealer does so limit his hours, he must conspicuously post the hours during which he will not accept returnables.