

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 426

S. P. 145

In Senate, January 29, 1969

Referred to Committee on Labor. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Beliveau of Oxford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Revising the Bedding and Upholstered Furniture Law.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 26, § 83, amended. The last sentence of section 83 of Title 26 of the Revised Statutes is repealed, as follows:

~~There shall always be available for the administration of this subchapter state moneys in an amount not less than the revenue derived from the fees collected under this subchapter, except that any unexpended balance shall remain in the General Fund.~~

Sec. 2. R. S., T. 26, § III, repealed and replaced. Section III of Title 26 of the Revised Statutes is repealed and the following enacted in place thereof:

§ III. Registration

Manufacturers or importers of all articles of bedding or upholstered furniture or cushions as defined in section 81, manufactured or imported into this State for sale in this State, shall register with the department on forms provided by the department. The forms shall set forth, among other items, the name and address of the manufacturer or importer, the type of articles manufactured or imported, the composition of the stuffing and such other information as the department may require. A fee of \$50 shall accompany each initial registration. This registration shall be valid only for the calendar year in which it is issued and may be renewed by filling out such forms as shall be prescribed by the department, which form shall be accompanied by payment of a fee of \$50.

Sec. 3. R. S., T. 26, § III-A, additional. Title 26 of the Revised Statutes is amended by adding a new section III-A, to read as follows:

§ III-A. Issuance of certificate of registration and appeal procedures

Upon receipt of the registration form, the department shall, if the applicant is in compliance with this subchapter and the regulations of the department, issue a certificate of registration to the manufacturer or importer. If the department fails to issue such certificate of registration or renewal thereof, the applicant may appeal to the Superior Court in accordance with the appeal procedure from decisions of the Commissioner of Labor and Industry under section 7.

Sec. 4. R. S., T. 26, § 112, amended. The first 2 paragraphs of section 112 of Title 26 of the Revised Statutes, as amended by chapter 138 of the public laws of 1967, are further amended to read as follows:

Each article containing new material covered by this subchapter shall bear securely attached thereto and plainly visible a substantial white cloth tag or other comparable material acceptable to the commissioner, upon which shall be indelibly stamped or printed, in English, **the name of the manufacturer**, a statement showing the kind of materials used in filling such article, with approximate percentages when mixed, and with the word "New" clearly printed thereon.

Each article covered by this subchapter, containing secondhand material, or a portion thereof, shall bear securely attached thereto and plainly visible a substantial yellow cloth tag or other comparable material acceptable to the commissioner, upon which shall be indelibly stamped or printed, in English, **the name of the manufacturer**, a statement showing the kind of materials used in filling such articles, with approximate percentages when mixed, and shall state "Sterilized and Disinfected."

Sec. 5. R. S., T. 26, § 113, amended. Section 113 of Title 26 of the Revised Statutes, as last repealed and replaced by section 45 of chapter 513 of the public laws of 1965, is amended to read as follows:

§ 113. Sterilization

No person shall manufacture for sale, sell, lease, offer to sell or lease, or deliver or consign in sale or lease, or have in his possession with intent to sell, lease, deliver or consign in sale or lease any article of bedding ~~or~~, upholstered furniture **or cushion** covered in this subchapter in which in the making, remaking or renovation thereof, any material has been used that comes from an animal or fowl, that contains any bugs, vermin, insects or filth, that is insanitary, that contains burlap or other material which has been used for balings, or that is secondhand, unless such material has been effectively cleansed and sterilized or disinfected by a process approved by the department and in accordance with the regulations of the department.

Sec. 6. R. S., T. 26, § 114, amended. The 2nd paragraph of section 114 of Title 26 of the Revised Statutes is amended to read as follows:

For all initial permits issued there shall, at the time of issue thereof, be paid by the applicant to the department a fee of \$50, and an annual renewal charge of ~~\$5~~ \$10 shall be paid to the same department.

Sec. 7. R. S., T. 26, § 115, additional. Title 26 of the Revised Statutes is amended by adding a new section 115, to read as follows:

§ 115. Requirement of certificate of registration for sale

Only bedding, upholstered furniture and cushions for which the manufacturer or importer has been issued a certificate of registration as provided in section 111 may be sold or distributed in this State.

Sec. 8. Effective date. This Act shall become effective on January 1, 1970.