

Reprinted 4/87

FILED MAR 18 1987

SENATE FILE 443  
BY COMMITTEE ON ENVIRONMENT  
AND ENERGY UTILITIES  
*Approved (p. 758)*  
*(formerly SSB 199)*

Passed Senate, Date 4-1-87 (p. 1031) Passed House, Date \_\_\_\_\_  
Vote: Ayes 45 Nays 2 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act defining and establishing redemption centers, dealer  
2 agents, and territory of service between dealer agents and  
3 distributors, and subjecting violators to a penalty.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 443

S-3304

1 Amend Senate File 443 as follows:  
2 1. Page 1, by inserting after line 10 the  
3 following:  
4 "NEW SUBSECTION. 13. "Geographic territory" means  
5 the geographical area within a perimeter formed by the  
6 outermost boundaries served by a distributor."

S-3304

Filed March 26, 1987  
*Adopted 4/1/87 (p. 1031)*

BY PATRICK J. DELUHERY

SF 443

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1 Section 1. Section 455C.1, Code 1987, is amended by adding  
2 the following new subsections:

3 NEW SUBSECTION. 11. "Redemption center" means a facility  
4 at which consumers may return empty beverage containers and  
5 receive payment for the refund value of the empty beverage  
6 containers.

7 NEW SUBSECTION. 12. "Dealer agent" means a person who  
8 solicits or picks up empty beverage containers from a dealer  
9 for the purpose of returning the empty beverage containers to  
10 a distributor or manufacturer.

11 Sec. 2. Section 455C.2, subsection 2, Code 1987, is  
12 amended to read as follows:

13 2. In addition to the refund value provided in subsection  
14 1 of this section, a dealer, or person operating a redemption  
15 center, who redeems empty beverage containers or a dealer  
16 agent shall be reimbursed by the distributor required to  
17 accept the empty beverage containers an amount which is one  
18 cent per container. A dealer, dealer agent, or person  
19 operating a redemption center may compact empty metal beverage  
20 containers with the approval of the distributor required to  
21 accept ~~such-container~~ the containers.

22 Sec. 3. Section 455C.3, Code 1987, is amended by adding  
23 the following new subsection:

24 NEW SUBSECTION. 4. A distributor shall accept from a  
25 dealer agent any empty beverage container of the kind, size,  
26 and brand sold by the distributor and which was picked up or  
27 solicited by the dealer agent from a dealer within the  
28 geographic territory served by the distributor and the  
29 distributor shall pay the dealer agent the refund value of the  
30 empty beverage container and the reimbursement as provided in  
31 section 455C.2.

32 Sec. 4. Section 455C.4, Code 1987, is amended by adding  
33 the following new subsection:

34 NEW SUBSECTION. 4. A manufacturer or distributor may  
35 refuse to accept and to pay the refund value and reimbursement

1 as provided in section 455C.2 on any empty beverage container  
2 that was picked up or solicited by a dealer agent from a  
3 dealer outside the geographic territory served by the  
4 manufacturer or distributor.

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EXPLANATION

6 This bill defines redemption centers and dealer agents.  
7 The bill authorizes dealer agents to solicit and pick up empty  
8 beverage containers from dealers and requires them to return  
9 the containers for payment of the refund value and handling  
10 reimbursement to the distributor who sells that kind, size,  
11 and brand of beverage container within the geographic area  
12 where the containers were picked up.

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7 NEW SUBSECTION. 12. "Dealer agent" means a person who  
8 solicits or picks up empty beverage containers from a dealer  
9 for the purpose of returning the empty beverage containers to  
10 a distributor or manufacturer.

11 NEW SUBSECTION. 13. "Geographic territory" means the  
12 geographical area within a perimeter formed by the outermost  
13 boundaries served by a distributor.

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HOUSE AMENDMENT TO  
SENATE FILE 443

S-5651

- 1 Amend Senate File 443 as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, lines 29 and 30, by striking the words
- 4 "or solicited".
- 5 2. Page 2, line 5, by striking the words "or
- 6 solicited".

S-5651

Filed March 30, 1988

*Senate Journal 4/6 (p. 1274)*

RECEIVED FROM THE HOUSE

now  
SF 443

SSB # 199  
Environment and Energy  
Utilities

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
ENVIRONMENT AND ENERGY  
UTILITIES BILL)

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

A BILL FOR

1 An Act defining and establishing redemption centers, dealer  
2 agents, and territory of service between dealer agents and  
3 distributors, and subjecting violators to a penalty.

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

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10 a distributor or manufacturer.

11 Sec. 2. Section 455C.2, subsection 2, Code 1987, is  
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14 1 of this section, a dealer, or person operating a redemption  
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17 accept the empty beverage containers an amount which is one  
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19 operating a redemption center may compact empty metal beverage  
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21 accept ~~such-container~~ the containers.

22 Sec. 3. Section 455C.3, Code 1987, is amended by adding  
23 the following new subsection:

24 NEW SUBSECTION. 4. A distributor shall accept from a  
25 dealer agent any empty beverage container of the kind, size,  
26 and brand sold by the distributor and which was picked up or  
27 solicited by the dealer agent from a dealer within the  
28 geographic territory served by the distributor and the  
29 distributor shall pay the dealer agent the refund value of the  
30 empty beverage container and the reimbursement as provided in  
31 section 455C.2.

32 Sec. 4. Section 455C.4, Code 1987, is amended by adding  
33 the following new subsection:

34 NEW SUBSECTION. 4. A manufacturer or distributor may  
35 refuse to accept and to pay the refund value and reimbursement

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1 as provided in section 455C.2 on any empty beverage container  
2 that was picked up or solicited by a dealer agent from a  
3 dealer outside the geographic territory served by the  
4 manufacturer or distributor.

5 EXPLANATION

6 This bill defines redemption centers and dealer agents.  
7 The bill authorizes dealer agents to solicit and pick up empty  
8 beverage containers from dealers and requires them to return  
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10 reimbursement to the distributor who sells that kind, size,  
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SENATE FILE 443

AN ACT  
DEFINING AND ESTABLISHING REDEMPTION CENTERS, DEALER AGENTS,  
AND TERRITORY OF SERVICE BETWEEN DEALER AGENTS AND DISTRI-  
BUTORS, AND SUBJECTING VIOLATORS TO A PENALTY.

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

Section 1. Section 455C.1, Code 1987, is amended by adding the following new subsections:

NEW SUBSECTION. 11. "Redemption center" means a facility at which consumers may return empty beverage containers and receive payment for the refund value of the empty beverage containers.

NEW SUBSECTION. 12. "Dealer agent" means a person who solicits or picks up empty beverage containers from a dealer for the purpose of returning the empty beverage containers to a distributor or manufacturer.

NEW SUBSECTION. 13. "Geographic territory" means the geographical area within a perimeter formed by the outermost boundaries served by a distributor.

Sec. 2. Section 455C.2, subsection 2, Code 1987, is amended to read as follows:

2. In addition to the refund value provided in subsection 1 of this section, a dealer, or person operating a redemption center, who redeems empty beverage containers or a dealer agent shall be reimbursed by the distributor required to accept the empty beverage containers an amount which is one cent per container. A dealer, dealer agent, or person operating a redemption center may compact empty metal beverage containers with the approval of the distributor required to accept such container the containers.

Sec. 3. Section 455C.3, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 4. A distributor shall accept from a dealer agent any empty beverage container of the kind, size,

and brand sold by the distributor and which was picked up by the dealer agent from a dealer within the geographic territory served by the distributor and the distributor shall pay the dealer agent the refund value of the empty beverage container and the reimbursement as provided in section 455C.2.

Sec. 4. Section 455C.4, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 4. A manufacturer or distributor may refuse to accept and to pay the refund value and reimbursement as provided in section 455C.2 on any empty beverage container that was picked up by a dealer agent from a dealer outside the geographic territory served by the manufacturer or distributor.

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JO ANN ZIMMERMAN  
President of the Senate

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DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 443, Seventy-second General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved May 10, 1988

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TERRY E. BRANSTAD  
Governor