

*Reported 3/17/83*

Small Business and Commerce: Lonergan, Chair; Gronstal and Schroeder.

*Amend for 3225 to Pass 3/8/83 (p. 650)*

HOUSE FILE

135

1983

BY LONERGAN

SMALL BUSINESS AND COMMERCE

Passed House, Date 3-14-83 (p. 126) Passed Senate, Date \_\_\_\_\_Vote: Ayes 93 Nays 0 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act placing time limitations on the pickup of empty  
 2 beverage containers by distributors and on the payment  
 3 of the refund value and reimbursement for the beverage  
 4 containers.

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

HOUSE FILE 135

H-3225

1 Amend House File 135 as follows:

2 1. Page 1, line 5, by inserting after the word  
 3 "weekly" the words ", or when the distributor delivers  
 4 the beverage product if deliveries are less frequent  
 5 than weekly,".

6 2. Title page, by striking lines 1 through 4 and  
 7 inserting in lieu thereof the following: "An Act  
 8 establishing time limits for obligations of  
 9 distributors relating to the pickup of beverage  
 10 containers."

H-3225 FILED MARCH 8, 1983

*Adopted 3/14/83 (p. 125)*BY COMMITTEE ON SMALL BUSINESS  
AND COMMERCE

HOUSE FILE 135

H-3250

1 Amend House File 135 as follows:

2 1. Page 1, by striking lines 11 and 12 and  
 3 inserting in lieu thereof the words "~~shall does not~~  
 4 ~~apply to a-distributor-selling-alcoholic-liquor-to~~  
 5 the pick up of beverage containers from the Iowa beer  
 6 and liquor control department and the payment of the  
 7 refund value for the containers."

H-3250 FILED MARCH 11, 1983

*Adopted 3/14/83 (p. 125)*

BY SPEAR of Lee

1 Section 1. Section 455C.3, subsection 2, Code 1983, is  
2 amended to read as follows:

3 2. A distributor shall accept and pick up from a dealer  
4 served by the distributor or a redemption center for a dealer  
5 served by the distributor at least weekly any empty beverage  
6 container of the kind, size and brand sold by the distributor,  
7 and shall pay to the dealer or person operating a redemption  
8 center the refund value of a beverage container and the  
9 reimbursement as provided under section 455C.2 within one  
10 week following pickup of the containers. This subsection  
11 ~~shall~~ does not apply to a distributor selling alcoholic liquor  
12 to the Iowa beer and liquor control department.

13 EXPLANATION

14 This bill provides that a distributor must pick up empty  
15 beverage containers from dealers or a redemption center at  
16 least weekly and must pay the refund value and handling charge  
17 to the dealers or redemption centers within one week following  
18 the pickup. This bill takes effect July 1 following its en-  
19 actment.

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Energy  
Bruner, Chair  
Gallagher  
Hultman

*2/17/83*  
*Amend for 34556*  
*To Pass 4/6 (p. 1130)*

HOUSE FILE 135

BY LONERGAN

(As Amended and Passed by the House)

*As* Passed House, Date 4-18-83 (p. 1368) Passed Senate, Date 4-11-83 (p. 1191)

Vote: Ayes 94 Nays 0 Vote: Ayes 41 Nays 0

Approved May 6, 1983 (p. 1913)

### A BILL FOR

- 1 An Act establishing time limits for obligations of
- 2 distributors relating to the pickup of beverage containers.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

#### SENATE AMENDMENT TO HOUSE FILE 135

H-3714

- 1 Amend House File 135 as amended, passed and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 12, by inserting after the word
- 4 "containers" the words "or when the dealer or
- 5 redemption center normally pays the distributor for
- 6 the deposit on beverage products purchased from the
- 7 distributor if less frequent than weekly. A
- 8 distributor or employee or agent of a distributor
- 9 is not in violation of this subsection if a redemption
- 10 center is closed when the distributor attempts to
- 11 make a regular delivery or a regular pickup of empty
- 12 beverage containers".

H-3714 FILED APRIL 13, 1983

RECEIVED FROM THE SENATE

*House concurred 4/12/83 (p. 1368)*

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1 Section 1. Section 455C.3, subsection 2, Code 1983, is  
2 amended to read as follows:

3 2. A distributor shall accept and pick up from a dealer  
4 served by the distributor or a redemption center for a dealer  
5 served by the distributor at least weekly, or when the  
6 distributor delivers the beverage product if deliveries are  
7 less frequent than weekly, any empty beverage container of  
8 the kind, size and brand sold by the distributor, and shall  
9 pay to the dealer or person operating a redemption center  
10 the refund value of a beverage container and the reimbursement  
11 as provided under section 455C.2 within one week following  
12 pickup of the containers. This subsection ~~shall~~ does not  
13 apply to a distributor selling alcoholic liquor to the Iowa  
14 beer and liquor control department.

2055, 2077  
2425, 2427

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HOUSE FILE 135

S-3358

1 Amend House File 135 as amended, passed and  
2 reprinted by the House, as follows:  
3 1. Page 1, line 12, by inserting after the word  
4 "containers" the words "or when the dealer or  
5 redemption center normally pays the distributor for  
6 beverage products purchased from the distributor if  
7 less frequent than weekly".

S-3358 FILED  
MARCH 28, 1983  
*ADO 4/11/83 (p. 1191)*

BY CHARLES P. MILLER

HOUSE FILE 135

S-3359

1 Amend House File 135 as amended, passed and  
2 reprinted by the House, as follows:  
3 1. Page 1, line 12, by inserting before the word  
4 "This" the words "A distributor or employee or agent  
5 of a distributor is not in violation of this subsection  
6 if a redemption center is closed when the distributor  
7 attempts to make a regular delivery or a regular  
8 pickup of empty beverage containers."

S-3359 FILED  
MARCH 28, 1983  
*ADO 4/11 (p. 1191)*

BY CHARLES P. MILLER

HOUSE FILE 135

S-3455

1 Amend House File 135 as amended, passed and  
2 reprinted by the House, as follows:  
3 1. Page 1, line 12, by inserting after the word  
4 "containers" the words "or when the dealer or  
5 redemption center normally pays the distributor for  
6 the deposit on beverage products purchased from the  
7 distributor if less frequent than weekly. A  
8 distributor or employee or agent of a distributor  
9 is not in violation of this subsection if a redemption  
10 center is closed when the distributor attempts to  
11 make a regular delivery or a regular pickup of empty  
12 beverage containers".

S-3455 FILED  
APRIL 6, 1983  
*Adopted 4/11/83 (p. 1191)*

BY COMMITTEE ON ENERGY  
JAMES GALLAGHER, CHAIR

to a distributor selling alcoholic liquor to the Iowa beer and liquor control department.

HOUSE FILE 135

AN ACT

ESTABLISHING TIME LIMITS FOR OBLIGATIONS OF DISTRIBUTORS RELATING TO THE PICKUP OF BEVERAGE CONTAINERS.

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

Section 1. Section 455C.3, subsection 2, Code 1983, is amended to read as follows:

2. A distributor shall accept and pick up from a dealer served by the distributor or a redemption center for a dealer served by the distributor at least weekly, or when the distributor delivers the beverage product if deliveries are less frequent than weekly, any empty beverage container of the kind, size and brand sold by the distributor, and shall pay to the dealer or person operating a redemption center the refund value of a beverage container and the reimbursement as provided under section 455C.2 within one week following pickup of the containers or when the dealer or redemption center normally pays the distributor for the deposit on beverage products purchased from the distributor if less frequent than weekly. A distributor or employee or agent of a distributor is not in violation of this subsection if a redemption center is closed when the distributor attempts to make a regular delivery or a regular pickup of empty beverage containers. This subsection ~~shall~~ does not apply

\_\_\_\_\_  
DONALD D. AVENSON  
Speaker of the House

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ROBERT T. ANDERSON  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 135, Seventieth General Assembly.

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JOSEPH O'HERN  
Chief Clerk of the House

Approved May 6, 1983

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TERRY E. BRANSTAD  
Governor

H.F. 135