1	L.D. 1662
2	Date: (Filing No. H-)
3	ENVIRONMENT AND NATURAL RESOURCES
4	Reproduced and distributed under the direction of the Clerk of the House.
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	130TH LEGISLATURE
8	FIRST SPECIAL SESSION
9 10 11	COMMITTEE AMENDMENT " " to H.P. 1233, L.D. 1662, "An Act To Update Maine's Sales Prohibition on Upholstered Furniture Treated with Flame-retardant Chemicals"
12	Amend the bill by striking out the title and substituting the following:
13 14	'An Act Regarding Maine's Sales Prohibition on Upholstered Furniture Treated with Flame-retardant Chemicals'
15 16	Amend the bill by striking out everything after the enacting clause and inserting the following:
17 18	'Sec. 1. 38 MRSA §1609-A, sub-§3, ¶B, as enacted by PL 2017, c. 311, §1, is amended to read:
19 20 21 22 23 24	B. Upholstered furniture purchased for public use in public facilities, including, but not limited to, schools, jails and hospitals, that is required by the State of California to meet the flammability standard in California Department of Consumer Affairs, Bureau of Home Furnishings and Thermal Insulation Technical Bulletin 133, "Flammability Test Procedure for Seating Furniture for Use in Public Occupancies," dated January 1991; and
25 26	Sec. 2. 38 MRSA §1609-A, sub-§3, ¶C, as enacted by PL 2017, c. 311, §1, is amended to read:
27 28 29 30 31	C. New upholstered furniture otherwise subject to the prohibition in subsection 2 that is sold, offered for sale or distributed for promotional purposes in the State by a retailer or wholesaler on or after January 1, 2019 and that was imported into the State or otherwise purchased or acquired by the retailer or wholesaler for sale or distribution in the State prior to January 1, 2019-; and
32	Sec. 3. 38 MRSA §1609-A, sub-§3, ¶D is enacted to read:
33 34	D. Electronic components and associated electronic component casings of upholstered furniture that is subject to the prohibition in subsection 2.

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1	Sec. 4. 38 MRSA §1609-A, sub-§3-A is enacted to read:
2	3-A. Retailer indemnification. If upholstered furniture delivered to a retailer in the
3	State by the manufacturer of the upholstered furniture is subsequently determined to
4	contain flame-retardant chemicals such that it is prohibited from sale or distribution in the
5	State under subsection 2, the retailer is entitled to a full refund from the manufacturer with
6	respect to that upholstered furniture, including shipping and other related costs.'
7	Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
8	number to read consecutively.
9	SUMMARY
10	This amendment replaces the bill. It amends the law restricting the sale of residential
11	upholstered furniture treated with flame-retardant chemicals to:
12	1. Provide that those restrictions do not apply to any electronic components and
13	associated electronic component casings of that furniture; and
14	2. To include a retailer indemnification provision entitling a retailer in the State to a

flame-retardant chemicals such that it is prohibited from sale or distribution in the State under the law.

full refund from the manufacturer of the upholstered furniture for any upholstered furniture

delivered to the retailer by the manufacturer that is subsequently determined to contain