

MAINE STATE LEGISLATURE

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R.O.S.

L.D. 2004

DATE: 3-15-02

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MAJORITY
NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1501, L.D. 2004, Bill, "An Act to Phase Out the Availability of Mercury-added Products"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 38 MRSA §1661-C, sub-§5 is enacted to read:

5. Mercury-added thermostats. After January 1, 2006, a person may not sell or offer to sell or distribute for promotional purposes a mercury-added thermostat except for a thermostat used for manufacturing or industrial purposes. A manufacturer of mercury-added thermostats may apply to the commissioner prior to January 1, 2003 for an exemption from the provisions of this subsection for one or more specific uses of a mercury-added thermostat. The Commissioner of Environmental Protection may grant an exemption with or without conditions upon finding that:

A. The manufacturer has demonstrated that a system exists for the proper collection, transportation and processing of the mercury-added thermostat at the end of its life; and

B. The specific use or uses of the mercury-added thermostat provide a net benefit to the environment, public health or public safety when compared to available nonmercury alternatives.

Sec. 2. Report. The Commissioner of Environmental Protection shall submit a report by January 1, 2003 to the joint standing committee of the Legislature having jurisdiction over

COMMITTEE AMENDMENT

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2 natural resources matters on the information submitted pursuant
to the Maine Revised Statutes, Title 38, section 1661-A. That
report must include:

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6 A. A summary of all data received by the Department of
Environmental Protection under Title 38, section 1661-A;

8 B. Based on that data, a comprehensive strategy to reduce
the mercury content of products with the goal of maximizing
10 the reduction of mercury emissions to the environment; and

12 C. Any legislation necessary to implement the strategy
proposed in the report.

14
16 The joint standing committee of the Legislature having
jurisdiction over natural resources matters may report out
legislation to the First Regular Session of the 121st Legislature
18 to implement recommendations included in this report.'

20 Further amend the bill by inserting at the end before the
summary the following:

22
24 **'FISCAL NOTE**

26 The additional costs associated with administering a ban on
the sale of certain mercury-added thermostats, collecting certain
28 data, developing a comprehensive strategy pertaining to the
reduction of mercury emissions to the environment and submitting
30 a required report to the Legislature can be absorbed by the
Department of Environmental Protection utilizing existing
32 budgeted resources.'

34
36 **SUMMARY**

38 This amendment is the majority report of the Joint Standing
Committee on Natural Resources. This amendment replaces the bill.

40 The amendment bans the sale of mercury-added thermostats
after January 1, 2006, except for mercury-added thermostats used
42 for manufacturing or industrial processes. A process is created
allowing the Commissioner of Environmental Protection to allow
44 for exemptions to the prohibition for manufacturers who
demonstrate the existence of a recycling program for the
46 mercury-added thermostats and that the use of the mercury-added
thermostats provides a net benefit to the environment, public
48 health or public safety.

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COMMITTEE AMENDMENT "A" to H.P. 1501, L.D. 2004

2 The amendment also directs the Department of Environmental
3 Protection to report to the joint standing committee of the
4 Legislature having jurisdiction over natural resources matters by
5 January 1, 2003 on the product notification data received by the
6 department by that date under the requirements of existing law.
7 That report must also include recommendations on a comprehensive
8 strategy to reduce the mercury content of products with the goal
9 of maximizing the reduction of mercury emissions to the
10 environment and any legislation necessary to implement those
11 recommendations. The committee is given the authority to report
12 out legislation to the First Regular Session of the 121st
13 Legislature to implement recommendations included in this report.

14 The amendment also adds a fiscal note to the bill.

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