

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 121st MAINE LEGISLATURE

## SECOND REGULAR SESSION-2004

---

Legislative Document

No. 1661

H.P. 1237

House of Representatives, December 19, 2003

### **An Act To Ban the Sale of Novelties Containing Batteries with Mercury**

---

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 16, 2003. Referred to the Committee on Natural Resources pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative COWGER of Hallowell.  
Cosponsored by Senator DAMON of Hancock and  
Representatives: BULL of Freeport, DUNLAP of Old Town, HUTTON of Bowdoinham,  
KOFFMAN of Bar Harbor, O'NEIL of Saco, SAVIELLO of Wilton, SMITH of Monmouth,  
THOMPSON of China.

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

4 **Sec. 1. 38 MRSA §1661, sub-§1, ¶¶D and E,** as repealed and replaced by PL 2001, c. 656, §1, are amended to read:

6 D. An electric relay or other electrical device; and

8 E. A lamp; and

10 **Sec. 2. 38 MRSA §1661, sub-§1, ¶F** is enacted to read:

12 F. A novelty that contains a battery that contains mercury.

14 **Sec. 3. 38 MRSA §1661, sub-§6** is enacted to read:

16 6. Novelty. "Novelty" means a product intended mainly for  
18 personal or household enjoyment or adornment. "Novelty"  
20 includes, but is not limited to, items intended for use as  
22 practical jokes, figurines, adornments, toys, games, cards,  
ornaments, yard statues and figures, candles, jewelry, holiday  
decorations and items of apparel.

24 **Sec. 4. 38 MRSA §1661-C, sub-§5-A** is enacted to read:

26 5-A. Novelties. After January 1, 2006, a person may not  
28 sell or offer to sell or distribute for promotional purposes a  
novelty that contains a battery that contains mercury in the  
State.

30 **SUMMARY**

32 This bill bans, after January 1, 2006, the sale in this  
34 State of novelties that contain batteries that contain mercury,  
such as light-up games, cards and adornments.