

MAINE STATE LEGISLATURE

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L.D. 1901

DATE: 3-25-04

(Filing No. H-806)

NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
SECOND SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 1407, L.D. 1901, Bill, "An Act To Protect Health and the Environment by Improving the System for the Collection and Recovery of Mercury-added Thermostats"

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Sec. 1. 38 MRSA §1664, sub-§2, as enacted by PL 1999, c. 779, §2, is repealed and the following enacted in its place:

2. Thermostats. The following provisions apply to thermostats that contain mercury.

A. A manufacturer of thermostats that contain mercury or a manufacturer of thermostats that may replace thermostats that contain mercury shall, in addition to meeting the requirements under section 1662, provide incentives and sufficient information to purchasers and consumers of the thermostats for the purchasers or consumers to ensure that mercury in thermostats being removed from service is reused, recycled or otherwise managed in compliance with section 1663. A manufacturer that has complied with this subsection is not liable for improper disposal by purchasers or consumers of thermostats. Manufacturer collection programs conducted in accordance with universal waste rules adopted by the department meet the requirements of this subsection.

B. A wholesaler may not sell a thermostat in the State unless the wholesaler acts as a collection site for thermostats that contain mercury.

R.S.

COMMITTEE AMENDMENT "A" to H.P. 1407, L.D. 1901

2 (1) A wholesaler may meet the requirements of this
4 paragraph by participating as a collection site in a
6 manufacturer collection program as described under
8 paragraph A or by collecting thermostats that contain
 mercury and disposing of the collected thermostats in
 accordance with universal waste rules adopted by the
 department.

10 (2) For purposes of this paragraph, "wholesaler" means
12 a business that the department determines is primarily
14 engaged in the distribution and wholesale selling of
16 large quantities of heating, ventilation and air
 conditioning components to contractors who install
 heating, ventilation and air conditioning components.'

SUMMARY

18 This amendment replaces the bill. The amendment prohibits
20 a wholesaler from selling thermostats in the State unless the
22 wholesaler acts as a collection site for thermostats that contain
24 mercury either by participating in a manufacturer collection
 program or by disposing of the collected thermostats in
 accordance with universal waste rules adopted by the department.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT

121st Maine Legislature
Office of Fiscal and Program Review

LD 1901

An Act To Protect Health and the Environment by Improving the
System for the Collection and Recovery of Mercury-added Thermostats

LR 2786(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Natural Resources

Fiscal Note Required: Yes



Fiscal Note

Minor cost increase - General Fund
Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

The additional costs associated with this legislation can be absorbed by the Department of Environmental Protection utilizing existing budgeted resources.