

MAINE STATE LEGISLATURE

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L.D. 599

DATE: 4/21/05

(Filing No. H-1163)

NATURAL RESOURCES

Minority

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "B" to H.P. 432, L.D. 599, Bill, "An Act To Protect Household Pets and Other Small Animals from Poisoning"

Amend the bill in section 1 in that part designated "~~§1611.~~" in subsection 1 in the first line (page 1, line 7 in L.D.) by striking out the following: "After October 1, 2005, a" and inserting in its place the following: 'A'

Further amend the bill in section 1 in that part designated "~~§1611.~~" in subsection 1 in the 3rd and 4th lines (page 1, lines 9 and 10 in L.D.) by striking out the following: "or propylene glycol"

Further amend the bill in section 1 in that part designated "~~§1611.~~" in subsection 3 in the 2nd line (page 1, line 22 in L.D.) by striking out the following: "anitfreeze" and inserting in its place the following: 'antifreeze'

Further amend the bill in section 1 in that part designated "~~§1611.~~" by striking out all of subsection 4 (page 1, lines 29 to 37 in L.D.) and inserting in its place the following:

'4. Limitation of liability. A manufacturer, distributor, recycler or seller of any engine coolant or antifreeze that contains more than 10% ethylene glycol that is required to contain an aversive agent under this section is not liable to any person for any personal injury, death, property damage, damage to the environment or natural resources or economic loss that

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COMMITTEE AMENDMENT "B" to H.P. 432, L.D. 599

2 results from the inclusion of an aversive agent if the aversive
3 agent is included in ethylene glycol engine coolant or antifreeze
4 in concentrations mandated by this section. The limitation on
5 liability provided in this section does not apply to a particular
6 liability to the extent that the cause of the liability is
7 unrelated to the inclusion of the aversive agent in engine
8 coolant or antifreeze.'

9
10 Further amend the bill in section 1 in that part designated
11 "~~§1611.~~" in subsection 5 in the last line (page 1, line 44 in
12 L.D.) by striking out the following: "or propylene glycol"

13
14 Further amend the bill by inserting after section 1 the
15 following:

16 'Sec. 2. **Effective date.** This Act takes effect when at least 3
17 New England states, excluding this State, have adopted laws that
18 prohibit the sale of any engine coolant or antifreeze that
19 contains more than 10% ethylene glycol unless it includes
20 denatonium benzoate at a minimum of 30 parts per million as a
21 bittering agent or contains an aversive agent other than
22 denatonium benzoate that meets or exceeds the degree of aversion
23 in test subjects obtained by using the formulation of 30 parts
24 per million denatonium benzoate in antifreeze. The Commissioner
25 of Environmental Protection shall notify, in writing, the Revisor
26 of Statutes when at least 3 New England states, excluding this
27 State, have adopted laws in accordance with this section.'

30 **SUMMARY**

31
32 This amendment is the minority report. It deletes the
33 requirement in the bill that engine coolant or antifreeze that
34 contains more than 10% propylene glycol must include an aversive
35 agent. It adds a limitation of liability for damage to the
36 environment or natural resources or economic loss that results
37 from the inclusion of an aversive agent. It also makes the Act
38 effective when at least 3 New England states, excluding this
39 State, have adopted similar laws.

40
41
42 **FISCAL NOTE REQUIRED**
(See attached)



122nd MAINE LEGISLATURE

LD 599

LR 0494(03)

An Act To Protect Household Pets and Other Small Animals from Poisoning

Fiscal Note for Bill as Amended by Committee Amendment "B"

Committee: Natural Resources

Fiscal Note Required: Yes

Minority Report

Fiscal Note

Minor cost increase - General Fund

Minor cost increase - Other Special Revenue Funds