

# MAINE STATE LEGISLATURE

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FILED

L.D. 1058

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DATE: 3-8-06

(Filing No. S-483)

NATURAL RESOURCES

Reported by:

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STATE OF MAINE  
SENATE  
122ND LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 375, L.D. 1058, Bill, "An Act To Regulate the Use of Batteries Containing Mercury"

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, sub-§2-A is enacted to read:

2-A. Mercury-added button cell battery. "Mercury-added button cell battery" means a button cell battery to which the manufacturer intentionally introduces mercury.

Sec. 2. 38 MRSA §1661-C, sub-§9 is enacted to read:

9. Button cell batteries. After June 30, 2011, a person may not sell or offer to sell or distribute for promotional purposes a mercury-added button cell battery for consumer use or a product for consumer use that contains a mercury-added button cell battery.

Sec. 3. Report. By January 15, 2009, the Department of Environmental Protection shall submit a report, including recommendations, on the state of the technology of mercury-free button cell batteries to the joint standing committee of the Legislature having jurisdiction over natural resources matters. As part of its study, the department shall review and report on the following matters concerning all uses of button cell batteries and specifically their use in watches, precision instruments, hearing aids and medical devices:

COMMITTEE AMENDMENT

2 1. The availability of mercury-free button cell batteries  
in retail outlets in the State;

4 2. The reliability and safety of mercury-free button cell  
6 batteries being sold in the State;

8 3. Whether reasonable substitutes exist for mercury-added  
10 button cell batteries in all applications;

12 4. The status of any testing and analysis of mercury-free  
button cell batteries;

14 5. The disparity, if any, between the cost of mercury-free  
16 button cell batteries and button cell batteries containing  
mercury; and

18 6. Whether prohibiting the sale of mercury-added button  
20 cell batteries after June 30, 2011 is practical.

The department shall confer with and solicit information  
22 from representatives of the battery, watch, precision instrument,  
hearing aid and medical device industries regarding the  
24 industries' experience with testing, reliability of use, cost and  
availability of mercury-free button cell batteries.

26  
The joint standing committee of the Legislature having  
28 jurisdiction over natural resources matters may report out  
legislation relating to the department's report to the First  
30 Regular Session of the 124th Legislature.'

32  
**SUMMARY**

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This amendment replaces the bill. The amendment bans the  
36 sale, after June 30, 2011, of mercury-added button cell batteries  
and consumer products that contain mercury-added button cell  
38 batteries. It also directs the Department of Environmental  
Protection to report, by January 15, 2009, on the state of the  
40 technology of mercury-free button cell batteries.

42  
**FISCAL NOTE REQUIRED**  
44 **(See attached)**



# 122nd MAINE LEGISLATURE

LD 1058

LR 1253(02)

## An Act to Regulate the Use of Batteries Containing Mercury

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

Committee: Natural Resources

Fiscal Note Required: Yes

### Fiscal Note

	2005-06	2006-07	Projections 2007-08	Projections 2008-09
<b>Appropriations/Allocations</b>				
Other Special Revenue Funds	\$0	\$0	\$12,500	\$15,000

#### Correctional and Judicial Impact Statements:

Establishes a new civil violation.

The collection of additional fines may increase General Fund revenue by minor amounts.

#### Fiscal Detail and Notes

This legislation will require a future Other Special Revenue Funds allocation to the Solid Waste Management Fund of \$12,500 in fiscal year 2007-08 and \$15,000 in fiscal year 2008-09. The allocation will allow expenditures for contractual services of a consultant for report preparation assistance as well as required mailings.