

MAINE STATE LEGISLATURE

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Date: 6/4/07

L.D. 1717
(Filing No. H-418)

NATURAL RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1200, L.D. 1717, Bill, "An Act To Promote Recycling of Cellular Telephones"

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

Sec. 1. 38 MRSA §2143 is enacted to read:

§2143. Cellular telephone recycling

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Cellular telephone" means a mobile wireless telephone device that is designed to send or receive transmissions through a cellular radiotelephone service as defined in 47 Code of Federal Regulations, Section 22.99 (2005). "Cellular telephone" does not include a wireless telephone device that is integrated into the electrical architecture of a motor vehicle.

B. "Cellular telephone service provider" means a provider of wireless voice or data retail service.

C. "Retailer" means a person, firm or corporation that sells or offers to sell a cellular telephone to a consumer at retail.

2. Collection system. Effective January 1, 2008, a retailer shall accept, at no charge, used cellular telephones from any person. A retailer required to accept used cellular telephones under this subsection shall post, in a prominent location open to public view, a notice printed in boldface type and containing the following language: "We accept used cellular telephones at no charge."

3. Disposal ban. Effective January 1, 2008, a person may not dispose of a cellular telephone in solid waste for disposal in a solid waste disposal facility.

COMMITTEE AMENDMENT

0-113

1 4. Reports. By January 1, 2009, and every year thereafter until January 1, 2013, a
2 cellular telephone service provider shall report to the department the number of cellular
3 telephones collected pursuant to this section and how the collected cellular telephones
4 were disposed of, reused or recycled. By February 1, 2009 and every year thereafter until
5 February 1, 2013, the department shall report on the collection system to the joint
6 standing committee of the Legislature having jurisdiction over natural resources matters.'

7 **SUMMARY**

8 This amendment deletes the provisions in the bill that require retailers to have a
9 specified system in place for the collection of used cellular telephones and replaces those
10 provisions with a provision requiring retailers to accept used cellular telephones from any
11 person beginning January 1, 2008. It also deletes from the bill the provision making it
12 unlawful for retailers who do not comply with the law to sell cell phones in the State.

13 The amendment prohibits the disposal of cellular telephones in solid waste disposal
14 facilities. It requires service providers to report to the Department of Environmental
15 Protection the number of cellular telephones collected and how the collected phones were
16 disposed of, reused or recycled. It also requires the Department of Environmental
17 Protection to report on the collection program to the joint standing committee of the
18 Legislature having jurisdiction over natural resources matters.

FISCAL NOTE REQUIRED
(See attached)



123rd MAINE LEGISLATURE

LD 1717

LR 2351(02)

An Act To Promote Recycling of Cellular Telephones

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

Committee: Natural Resources

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

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