

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)



123rd MAINE LEGISLATURE

SECOND REGULAR SESSION-2008

Legislative Document

No. 2207

S.P. 850

February 11, 2008

An Act To Diminish Global Warming

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

Reference to the Committee on Natural Resources suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator STRIMLING of Cumberland.
Cosponsored by Representative FINLEY of Skowhegan, Representative EBERLE of South Portland and Senators: BARTLETT of Cumberland, President EDMONDS of Cumberland, MARTIN of Aroostook, Representatives: BABBIDGE of Kennebunk, DUCHESNE of Hudson, KOFFMAN of Bar Harbor, MIRAMANT of Camden, WAGNER of Lewiston.

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

2 **Sec. 1. 32 MRSA c. 28-A** is enacted to read:

3 **CHAPTER 28-A**

4 **RETURNABLE LIGHTBULBS**

5 **§1881. Definitions**

6 As used in this chapter, unless the context otherwise indicates, the following terms
7 have the following meanings.

8 **1. Commissioner.** "Commissioner" means the Commissioner of Environmental
9 Protection.

10 **2. Department.** "Department" means the Department of Environmental Protection.

11 **3. Returnable lightbulbs.** "Returnable lightbulbs" means used compact fluorescent
12 lamps.

13 **§1882. Deposits and refunds**

14 To encourage the appropriate disposal of returnable lightbulbs, every compact
15 fluorescent lamp offered for sale to a consumer in this State must have a deposit value
16 that is payable upon purchase by the consumer and a refund value that is payable upon
17 redemption. The deposit and refund value are determined according to this section.

18 **1. Deposit and refund values.** For returnable lightbulbs, the deposit and refund
19 value is 25¢ per compact fluorescent lamp.

20 **2. Labels.** With regard to each compact fluorescent lamp sold or offered to be sold
21 in this State, the refund value and the word "Maine" or the abbreviation "ME" must be
22 clearly indicated on each compact fluorescent lamp by embossing, stamping, labeling or
23 other method.

24 **§1883. Local redemption centers**

25 Local redemption centers may be established and operated by any person or
26 municipality, agency or regional association, subject to the approval of the commissioner,
27 to serve the public and encourage the proper disposal of returnable lightbulbs.

28 **§1884. Returnable Lightbulb Fund**

29 The Returnable Lightbulb Fund is established to receive funds from the payment of
30 deposits on returnable lightbulbs, to pay out funds on the redemption of returnable
31 lightbulbs and to hold funds not required for either of those 2 purposes. The fund is a
32 nonlapsing dedicated fund. Interest accruing to the fund remains in the fund.

1 **§1885. Administrative provisions**

2 **1. Administration.** The department shall administer this chapter.

3 **2. Rulemaking.** The commissioner shall, in a manner consistent with the Maine
4 Administrative Procedure Act, adopt rules to implement this chapter. The rules must
5 specify the responsibilities of manufacturers, distributors and retailers of returnable
6 lightbulbs and the process by which deposits and refunds are paid. Rules adopted
7 pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375,
8 subchapter 2-A.

9 **Sec. 2. 38 MRSA c. 16-D** is enacted to read:

10 **CHAPTER 16-D**

11 **INCANDESCENT LAMPS**

12 **§1691. Definitions**

13 As used in this chapter, unless the context otherwise indicates, the following terms
14 have the following meanings.

15 **1. General service incandescent lamp.** "General service incandescent lamp" means
16 a standard incandescent or halogen-type lamp that is intended for general service
17 applications and has:

18 A. A medium screw base;

19 B. A wattage rating of no less than 25 watts and no greater than 150 watts; and

20 C. A bulb finish of frosted, clear or soft-white type.

21 A "general service incandescent lamp" does not include an appliance lamp, black light
22 lamp, bug lamp, colored lamp, enhanced spectrum lamp, infrared lamp, left-hand thread
23 lamp, marine lamp, marine signal service lamp, mine service lamp, plant light, reflector
24 lamp, rough service lamp, shatter resistant lamp, sign service lamp, silver bowl lamp,
25 showcase lamp, 3-way lamp, traffic signal lamp or vibration service or vibration resistant
26 lamp.

27 **§1692. Prohibition on sale of general service incandescent lamps**

28 Beginning January 1, 2010, a person may not sell, offer for sale or distribute in the
29 State a general service incandescent lamp.

30 **SUMMARY**

31 This bill prohibits, beginning January 1, 2010, the sale and distribution in the State of
32 incandescent lamps.

1 This bill also establishes a system of deposit and redemption for used compact
2 fluorescent lamps, referred to as returnable lightbulbs, and creates the Returnable
3 Lightbulb Fund, a dedicated fund for use in the payment of deposits and redemptions and
4 for holding funds not required for either purpose.