

MAINE STATE LEGISLATURE

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SAC
ROFS

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Date: 4/24/21

(Filing No. S-59)

MAJORITY

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ENVIRONMENT AND NATURAL RESOURCES

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Reproduced and distributed under the direction of the Secretary of the Senate.

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STATE OF MAINE

6

SENATE

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130TH LEGISLATURE

8

FIRST SPECIAL SESSION

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COMMITTEE AMENDMENT "A" to S.P. 15, L.D. 8, "An Act To Support Collection and Proper Disposal of Unwanted Drugs"

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Amend the bill in section 2 in §1612 in subsection 1 in paragraph D in subparagraph (4) in the last line (page 2, line 4 in L.D.) by inserting after the following: "forms" the following: 'and prescription pet food'

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Amend the bill in section 2 in §1612 in subsection 1 in paragraph H in the first line (page 2, line 24 in L.D.) by inserting after the following: "unwanted" the following: 'expired'

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Amend the bill in section 2 in §1612 in subsection 3 by striking out all of paragraph E (page 4, lines 10 to 18 in L.D.) and inserting the following:

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'E. A certification that, upon implementation of the plan, the operator, jointly with the operators of other approved plans if any, will develop and administer a publicly accessible website that includes:

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(1) A list of authorized collectors, collection locations and the collection methods available at each collection location available under each stewardship program, updated as necessary;

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(2) General information regarding the purpose and scope of the stewardship program or programs and the opportunities available to consumers under the program or programs for the safe disposal of covered drugs that are household pharmaceutical waste; and

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(3) A statement that the stewardship program or programs are designed for the collection of covered drugs that are household pharmaceutical waste only;'

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Amend the bill in section 2 in §1612 in subsection 3 in paragraph J in subparagraph (1) in the 3rd line (page 4, line 43 in L.D.) by striking out the following: "90%" and inserting the following: '75%'

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "A" to S.P. 15, L.D. 8 (S-59)

1 Amend the bill in section 2 in §1612 in subsection 5 in the first blocked paragraph in
2 the first line (page 6, line 10 in L.D.) by inserting after the following: "program," the
3 following: 'or if multiple stewardship programs exist.'

4 Amend the bill in section 2 in §1612 in subsection 5 in the first blocked paragraph in
5 the 2nd line (page 6, line 11 in L.D.) by inserting after the following: "program" the
6 following: 'or programs'

7 Amend the bill in section 2 in §1612 in subsection 10 in paragraph J in the last line
8 (page 8, line 41 in L.D.) by striking out the following: "and"

9 Amend the bill in section 2 in §1612 in subsection 10 in paragraph K in the last line
10 (page 8, line 44 in L.D.) by striking out the following: ";" and inserting the following: ';
11 and'

12 Amend the bill in section 2 in §1612 in subsection 10 by inserting after paragraph K
13 the following:

14 'L. An analysis of the market share of covered drugs sold by participating
15 manufacturers in the State and any other information required by the department for
16 determining appropriate cost allocation in accordance with subsection 5.'

17 Amend the bill in section 4 in the first 2 lines (page 10, lines 15 and 16 in L.D.) by
18 striking out the following: "Within 180 days after the effective date of this Act" and
19 inserting the following: 'On or before July 1, 2022'

20 Amend the bill by inserting after section 4 the following:

21 '**Sec. 5. Appropriations and allocations.** The following appropriations and
22 allocations are made.

23 **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

24 **Maine Environmental Protection Fund 0421**

25 Initiative: Provides an allocation for one Environmental Specialist III position and
26 associated costs.

27	OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
28	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
29	Personal Services	\$59,642	\$89,688
30	All Other	\$6,071	\$8,662
31			
32	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$65,713</u>	<u>\$98,350</u>

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34 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
35 number to read consecutively.

36 **SUMMARY**

37 This amendment, which is the majority report of the committee, amends the bill to
38 exclude prescription pet food from the definition of "covered drug"; to amend the drug
39 take-back program consumer awareness goals; to clarify the allocation of program costs
40 among participating manufacturers if more than one drug take-back program is in

COMMITTEE AMENDMENT

ROFS

COMMITTEE AMENDMENT "A" to S.P. 15, L.D. 8 (S-59)

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operation; to require that a drug take-back stewardship plan must be submitted by a drug manufacturer or drug take-back stewardship organization to the Department of Environmental Protection for review on or before July 1, 2022; and to incorporate other technical changes. It also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



130th MAINE LEGISLATURE

LD 8

LR 245(02)

An Act To Support Collection and Proper Disposal of Unwanted Drugs

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-59)
 Committee: Environment and Natural Resources
 Fiscal Note Required: Yes

Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
Appropriations/Allocations				
Other Special Revenue Funds	\$65,713	\$98,350	\$102,821	\$107,067
Revenue				
Other Special Revenue Funds	\$65,713	\$98,350	\$102,821	\$107,067

Fiscal Detail and Notes

This bill would establish a drug take-back stewardship program requirement for household pharmaceutical waste overseen by the Department of Environmental Protection (DEP). Manufacturers of household pharmaceuticals would be able to choose to create individual programs, coordinate with other manufacturers or utilize a third-party administrator when developing drug take-back programs to meet the stewardship requirements. Costs related to the drug take-back stewardship programs would be paid by participating manufacturers. The bill authorizes the DEP to establish fees, to be paid by participants in the programs, to offset department costs related to overseeing the program requirements. DEP has indicated that additional staffing would be required and the bill includes allocations of \$65,713 in fiscal year 2021-22 and \$ 98,350 in fiscal year 2022-23 to DEP for one Environmental Specialist III position and associated costs. It is anticipated that the DEP will be able to fund the increased allocation with the new fees.