

MAINE STATE LEGISLATURE

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Date 6/14/23 MAJORITY

(Filing No H-532)

ENVIRONMENT AND NATURAL RESOURCES

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STATE OF MAINE

HOUSE OF REPRESENTATIVES

131ST LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to HP 1160, LD 1814, "An Act to Reduce Mercury in the Environment by Phasing Out Certain Fluorescent Light Bulbs"

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

Sec. 1. 38 MRSA §1672, sub-§1, ¶A-2 is enacted to read

A-2 "Compact fluorescent mercury-added lamp" means a compact, low-pressure, mercury-containing, electric-discharge light source, whether integrally ballasted or nonintegrally ballasted and regardless of the tube diameter or length and the shape or size of the lamp, in which a fluorescent coating transforms a portion of the ultraviolet energy generated by the mercury discharge into visible light and that

(1) Has a single base or end cap of any type, including, but not limited to, a screw base type, a bayonet base type or a 2-pin or 4-pin base type, and

(2) Provides a light emission between a correlated color temperature of 1,700K and 24,000K and a Duv of +0.024 and -0.024 in the International Commission on Illumination (CIE) Uniform Color Space (CAM02-UCS)

Sec. 2. 38 MRSA §1672, sub-§1, ¶A-3 is enacted to read

A-3 "Linear fluorescent mercury-added lamp" means a low-pressure, mercury-containing, electric-discharge light source, regardless of the tube diameter and the shape of the lamp, in which a fluorescent coating transforms a portion of the ultraviolet energy generated by the mercury discharge into visible light and that

(1) Has 2 bases or end caps of any type, including, but not limited to, a one-pin or 2-pin base type and a recessed double contact base type,

(2) Provides a light emission between a correlated color temperature of 1,700K and 24,000K and a Duv of +0.024 and -0.024 in the International Commission on Illumination (CIE) Uniform Color Space (CAM02-UCS), and

(3) Has a tube length of 0.5 feet to 8 feet

1 **Sec. 3. 38 MRS §1672, sub-§1, ¶B**, as enacted by PL 2009, c 272, §1, is
2 amended to read

3 B "Mercury-added lamp" means an electric lamp to which mercury is intentionally
4 added during the manufacturing process, including, but not limited to, a linear
5 fluorescent mercury-added lamp, a compact fluorescent, mercury-added lamp and a
6 black light, high-intensity discharge, ultraviolet and or neon lamps mercury-added
7 lamp

8 **Sec. 4. 38 MRS §1672, sub-§4-A** is enacted to read

9 **4-A. Sales prohibition and exceptions.** Beginning January 1, 2026, a person may
10 not offer for sale, sell or distribute as a new manufactured product a compact fluorescent
11 mercury-added lamp or a linear fluorescent mercury-added lamp The prohibition in this
12 subsection does not apply to the following

13 A A mercury-added lamp that is designed and marketed exclusively for image capture
14 and projection, including

- 15 (1) Photocopying,
- 16 (2) Printing, directly or in preprocessing,
- 17 (3) Lithography,
- 18 (4) Film or video projection, or
- 19 (5) Holography,

20 B A mercury-added lamp that has a high proportion of ultraviolet light emission and
21 that

- 22 (1) Has ultraviolet power greater than 2 milliwatts per kilolumen;
- 23 (2) Is designed for germicidal use, including the destruction of deoxyribonucleic
24 acid, or DNA, that emits a peak radiation of approximately 253.7 nanometers,
- 25 (3) Is designed and marketed exclusively for disinfection or fly trapping and from
26 which
 - 27 (a) The radiation power emitted between 250 and 315 nanometers represents
28 at least 5% of the total radiation power emitted between 250 and 800
29 nanometers, or
 - 30 (b) The radiation power emitted between 315 and 400 nanometers represents
31 at least 20% of the total radiation power emitted between 250 and 800
32 nanometers,
- 33 (4) Is designed and marketed exclusively for the generation of ozone and that has
34 the primary purpose of emitting radiation at approximately 185.1 nanometers,
- 35 (5) Is designed and marketed exclusively for coral zooxanthellae symbiosis and
36 from which the radiation power emitted between 400 and 480 nanometers
37 represents at least 40% of the total radiation power emitted between 250 and 800
38 nanometers, or

- 1 (6) Is designed and marketed exclusively for use in a sunlamp product, as defined
- 2 in 21 Code of Federal Regulations, Section 1040 20(b)(9) as in effect on January
- 3 1, 2024.
- 4 C. A mercury-added lamp designed and marketed exclusively for use in medical or
- 5 veterinary diagnosis or treatment or in a medical device.
- 6 D A mercury-added lamp designed and marketed exclusively for use in the
- 7 manufacturing or quality control of pharmaceutical products.
- 8 E A mercury-added lamp designed and marketed exclusively for spectroscopy and
- 9 photometric applications, including, but not limited to, ultraviolet-visible
- 10 spectroscopy, molecular spectroscopy, atomic absorption spectroscopy, nondispersive
- 11 infrared spectroscopy, Fourier transform infrared spectroscopy, medical analysis,
- 12 ellipsometry, layer thickness measurement, process monitoring or environmental
- 13 monitoring.
- 14 F A mercury-added lamp designed and marketed exclusively for use by academic and
- 15 research institutions for conducting research projects and experiments, or
- 16 G A compact fluorescent mercury-added lamp that is used to replace a lamp in a motor
- 17 vehicle that was manufactured on or before January 1, 2020.
- 18 The department shall enforce this subsection in accordance with sections 347-A and 349.

19 **Sec. 5. Appropriations and allocations.** The following appropriations and
 20 allocations are made

21 **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**
 22 **Administration - Environmental Protection 0251**

23 Initiative Provides funding for technology management costs associated with one
 24 Environmental Specialist III position

25 GENERAL FUND	2023-24	2024-25
26 All Other	\$2,825	\$2,825
27		
28 GENERAL FUND TOTAL	\$2,825	\$2,825

29 **Maine Environmental Protection Fund 0421**

30 Initiative Provides funding for one Environmental Specialist III position and associated
 31 All Other costs

32 GENERAL FUND	2023-24	2024-25
33 POSITIONS - LEGISLATIVE COUNT	1 000	1 000
34 Personal Services	\$66,525	\$92,646
35 All Other	\$1,363	\$1,363
36		
37 GENERAL FUND TOTAL	\$67,888	\$94,009

38		
39 ENVIRONMENTAL PROTECTION,		
40 DEPARTMENT OF		
41 DEPARTMENT TOTALS	2023-24	2024-25

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GENERAL FUND	\$70,713	\$96,834
DEPARTMENT TOTAL - ALL FUNDS	\$70,713	\$96,834

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

SUMMARY

This amendment, which is the majority report of the committee, replaces the bill. The amendment adds definitions for "compact fluorescent mercury-added lamp" and "linear fluorescent mercury-added lamp" and makes other technical or clarifying changes to the bill and to the law regulating mercury-added lamps. The amendment also delays by one year the sales prohibition date provided in the bill for these types of mercury-added lamps.

FISCAL NOTE REQUIRED

(See attached)



131st MAINE LEGISLATURE

LD 1814

LR 986(02)

An Act to Reduce Mercury in the Environment by Phasing Out Certain Fluorescent Light Bulbs

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-532)
 Committee: Environment and Natural Resources

Fiscal Note Required: Yes

Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
Net Cost (Savings)				
General Fund	\$70,713	\$96,834	\$101,974	\$106,305
Appropriations/Allocations				
General Fund	\$70,713	\$96,834	\$101,974	\$106,305

Correctional and Judicial Impact Statements

Establishes new civil violations May increase the number of civil suits filed in the court system
 The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time The collection of additional filing fees and fines will increase General Fund or other dedicated revenue by minor amounts

Fiscal Detail and Notes

This bill prohibits the sale or distribution of certain mercury-added lamps and provides for administrative and civil penalties for violating the prohibition The Department of Environmental Protection (DEP) would need to hire additional staff to implement this new program, including education/outreach, enforcement, tracking and reporting The bill includes General Fund appropriations of \$70,713 to DEP beginning in fiscal year 2023-24 for one Environmental Specialist III position and associated costs