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Date: (Filing No. H-)

ENVIRONMENT AND NATURAL RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1160, L.D. 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.

COMMITTEE AMENDMENT

1 **Sec. 3. 38 MRSA §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 MRSA §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

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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)