ENVIRONMENT AND NATURAL RESOURCES

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STATE OF MAINE

HOUSE OF REPRESENTATIVES

131ST LEGISLATURE

FIRST SPECIAL SESSION


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

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

Sec. 4. 38 MRSA §1672, sub-§4-A is enacted to read:

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

A. A mercury-added lamp that is designed and marketed exclusively for image capture and projection, including:
   (1) Photocopying;
   (2) Printing, directly or in preprocessing;
   (3) Lithography;
   (4) Film or video projection; or
   (5) Holography;

B. A mercury-added lamp that has a high proportion of ultraviolet light emission and that:
   (1) Has ultraviolet power greater than 2 milliwatts per kilolumen;
   (2) Is designed for germicidal use, including the destruction of deoxyribonucleic acid, or DNA, that emits a peak radiation of approximately 253.7 nanometers;
   (3) Is designed and marketed exclusively for disinfection or fly trapping and from which:
      (a) The radiation power emitted between 250 and 315 nanometers represents at least 5% of the total radiation power emitted between 250 and 800 nanometers; or
      (b) The radiation power emitted between 315 and 400 nanometers represents at least 20% of the total radiation power emitted between 250 and 800 nanometers;
   (4) Is designed and marketed exclusively for the generation of ozone and that has the primary purpose of emitting radiation at approximately 185.1 nanometers;
   (5) Is designed and marketed exclusively for coral zooxanthellae symbiosis and from which the radiation power emitted between 400 and 480 nanometers represents at least 40% of the total radiation power emitted between 250 and 800 nanometers; or
(6) Is designed and marketed exclusively for use in a sunlamp product, as defined in 21 Code of Federal Regulations, Section 1040.20(b)(9) as in effect on January 1, 2024;

C. A mercury-added lamp designed and marketed exclusively for use in medical or veterinary diagnosis or treatment or in a medical device;

D. A mercury-added lamp designed and marketed exclusively for use in the manufacturing or quality control of pharmaceutical products;

E. A mercury-added lamp designed and marketed exclusively for spectroscopy and photometric applications, including, but not limited to, ultraviolet-visible spectroscopy, molecular spectroscopy, atomic absorption spectroscopy, nondispersive infrared spectroscopy, Fourier transform infrared spectroscopy, medical analysis, ellipsometry, layer thickness measurement, process monitoring or environmental monitoring;

F. A mercury-added lamp designed and marketed exclusively for use by academic and research institutions for conducting research projects and experiments; or

G. A compact fluorescent mercury-added lamp that is used to replace a lamp in a motor vehicle that was manufactured on or before January 1, 2020.

The department shall enforce this subsection in accordance with sections 347-A and 349.

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF Administration - Environmental Protection 0251

Initiative: Provides funding for technology management costs associated with one Environmental Specialist III position.

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Maine Environmental Protection Fund 0421

Initiative: Provides funding for one Environmental Specialist III position and associated All Other costs.

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ENVIRONMENTAL PROTECTION, DEPARTMENT OF DEPARTMENT TOTALS

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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)