

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Diminish Global Warming

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

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

CHAPTER 28-A

returnable lightbulbs

§ 1881. Definitions

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

- 1. Commissioner.** "Commissioner" means the Commissioner of Environmental Protection.
- 2. Department.** "Department" means the Department of Environmental Protection.
- 3. Returnable lightbulbs.** "Returnable lightbulbs" means used compact fluorescent lamps.

§ 1882. Deposits and refunds

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

- 1. Deposit and refund values.** For returnable lightbulbs, the deposit and refund value is 25¢ per compact fluorescent lamp.
- 2. Labels.** With regard to each compact fluorescent lamp sold or offered to be sold in this State, the refund value and the word "Maine" or the abbreviation "ME" must be clearly indicated on each compact fluorescent lamp by embossing, stamping, labeling or other method.

§ 1883. Local redemption centers

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

§ 1884. Returnable Lightbulb Fund

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

§ 1885. Administrative provisions

1. Administration. The department shall administer this chapter.

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

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

CHAPTER 16-D

incandescent lamps

§ 1691. Definitions

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

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

- A. A medium screw base;
- B. A wattage rating of no less than 25 watts and no greater than 150 watts; and
- C. A bulb finish of frosted, clear or soft-white type.

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

§ 1692. Prohibition on sale of general service incandescent lamps

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

SUMMARY

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

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