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# State Mercury Product Legislation The Last Three Biennial Sessions

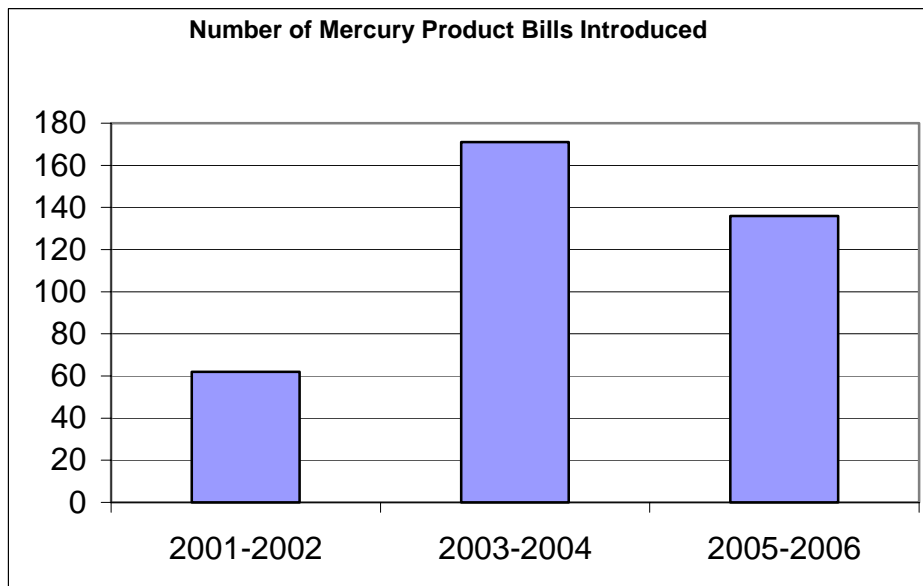
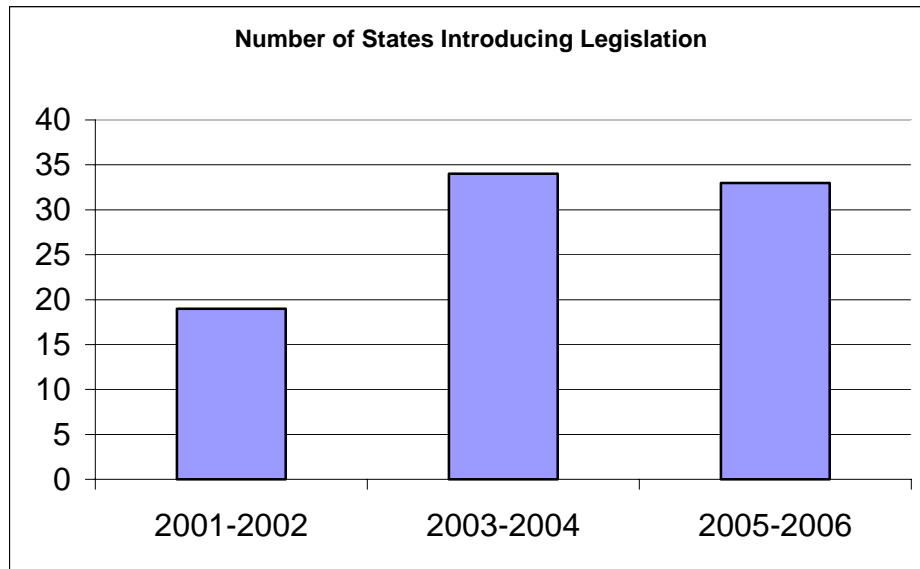
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## Legislation Introduced

With the environmental/health concerns of mercury receiving more and more attention, there has also been a dramatic increase in the introduction and passage of legislation on mercury in products in the last three sessions.

For the last 5 years, our office has regularly searched the web pages of the Legislature of each of the states as well as Congress to find out what legislation has been introduced on mercury-containing products, and the status of that legislation. Our search has been done using (where possible) the search word “mercury”. While we have attempted to be as complete and accurate as possible – including reviews and inputs by others – there are undoubtedly omissions and errors. Rather than the precise numbers provided here, I recommend instead looking at the broad results and trends.

For example, in the 2001-2002 session, 19 states had 62 bills introduced, with the adoption of 21 bills. The following session (2003-2004) saw an increase to 171 bills introduced in 34 states, with 34 bills becoming law. Already, in the first 4 months of the 2005-2006 session, 135 bills have been introduced in 33 states.



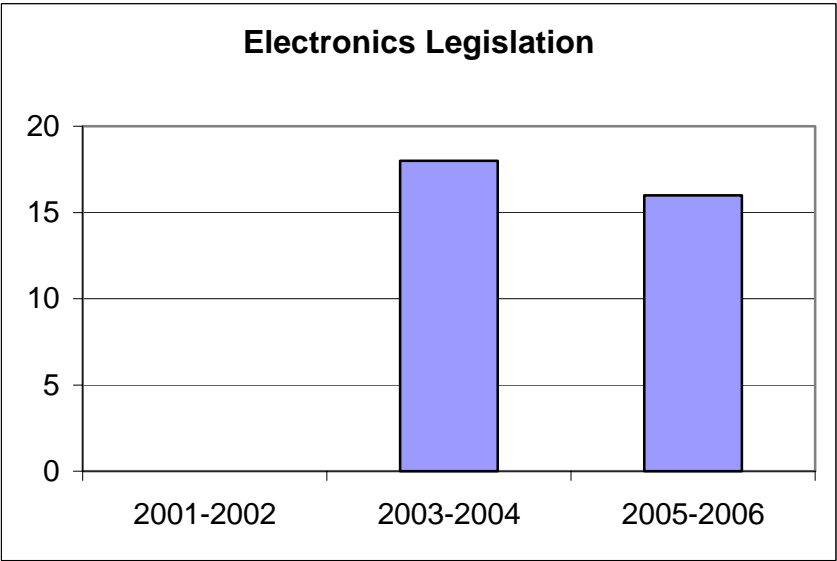
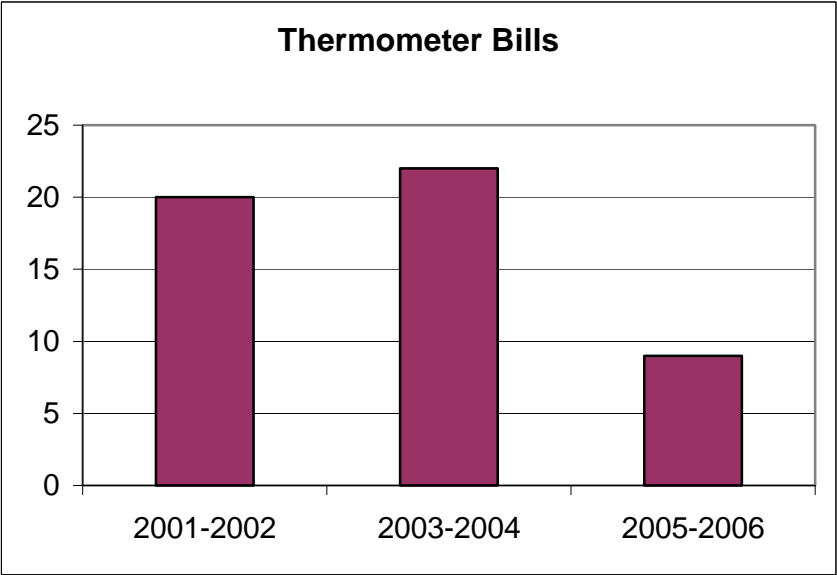
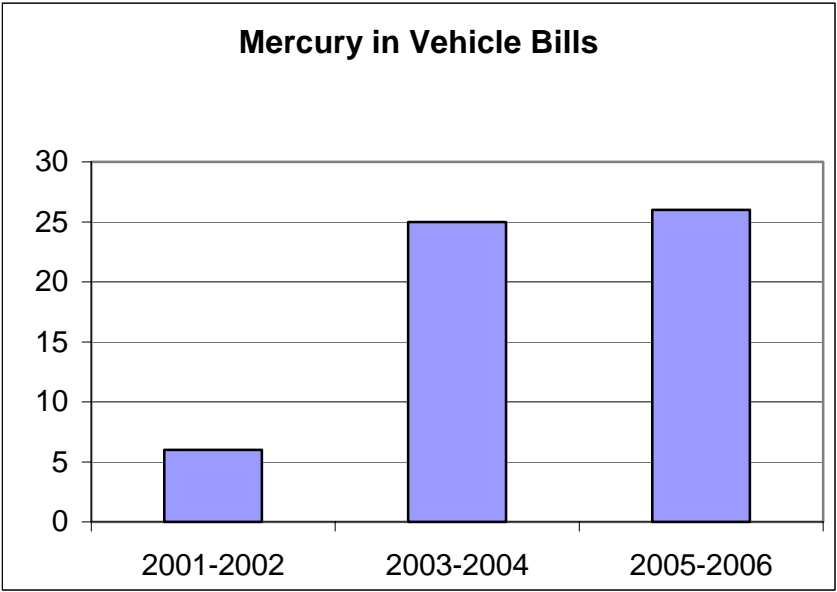
While the numbers are not as dramatic at the federal level, there has been consistent and slightly growing interest at that level as well, with 4 bills introduced in the 2001-2002 session, 5 in the 2003-2004 session and so, far, 4 bills in the current session, with more expected shortly. None have been adopted in any of the three sessions.

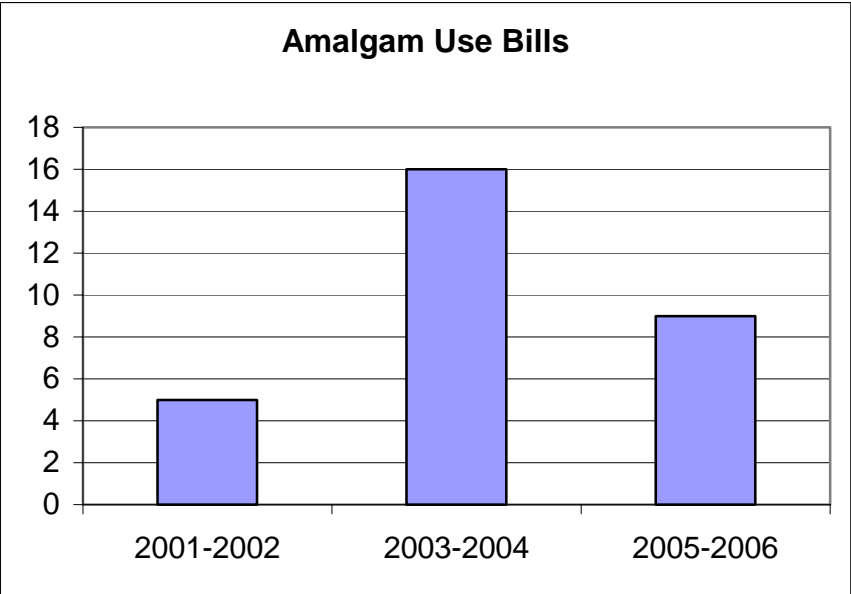
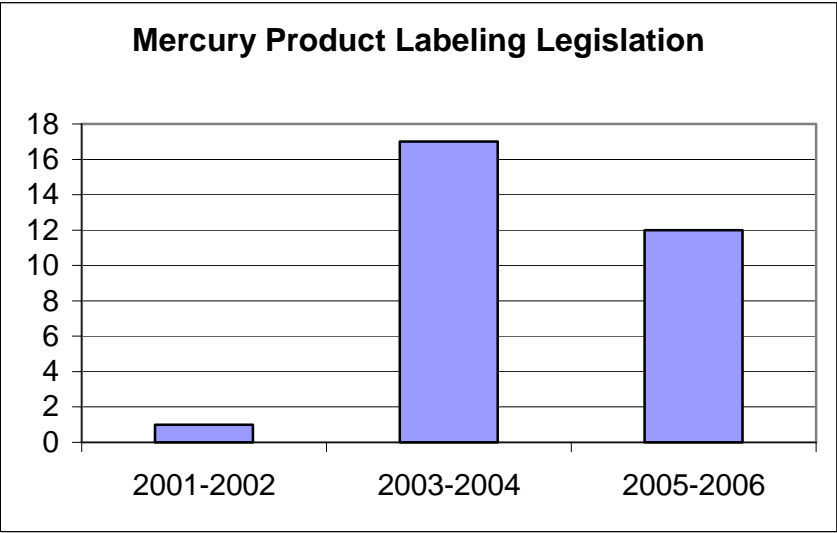
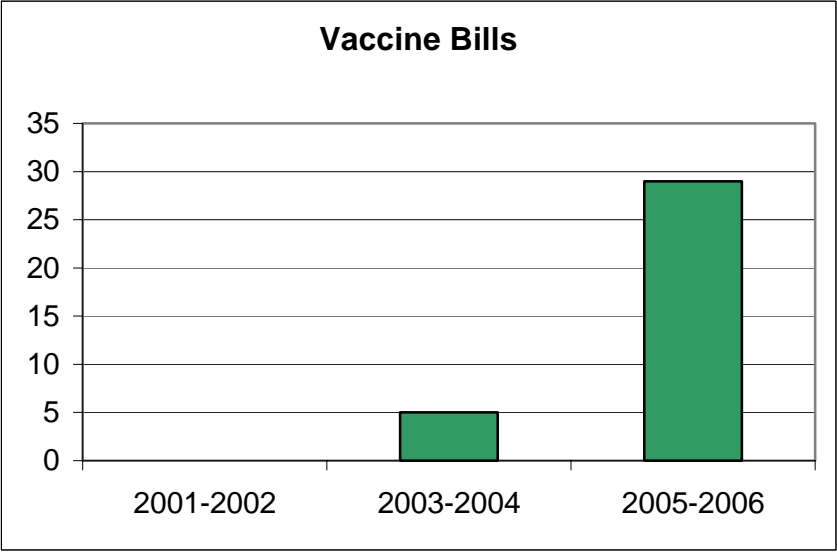
In the last three sessions, 37 states have introduced mercury product legislation, and 22 have adopted one or more bills. Three regions have had the most introductions – the Northeast US has had the largest number of bills introduced, with some 150 bills proposed and 30 adopted, the Midwest has had just under 80 bills drafted and 7 adopted, and the Pacific Coast states have considered 48 bills, with 11 adopted. Two states have seen more than 30 bills (Rhode Island and Michigan), while 4 states have had 20 or more bills on their calendars (California, Illinois, Massachusetts and New York). Maine leads all states in the number of bills adopted, with 11 out of 18 bills becoming laws.

The subjects of the state bills and their frequency have changed dramatically in the last three sessions. While thermometer legislation was one of the most frequent topics in the first two sessions examined, with 20 bills in the 2001-2002 term and 22 bills in the 2003-2004 session, only nine bills have been introduced in the current session. On the other hand, both vaccines and electronics have gone from no bills in the 2001-2002 session in which these issues were the direct topic, to high on the list in the 2005-2006 biennium, with 29 bills introduced on mercury in vaccines, and 16 bills on electronics introduced so far this session after 18 last term. Mercury in vehicles has also grown in attention, with 6 bills in the first of the last three sessions, 25 bills last session and 26 bills so far this session. And, the scope of mercury in vehicles has changed to include more attention to items besides convenience switches, such as headlights, dashboard lighting, ABS systems and load-leveling systems.

#### Top Subjects of State Mercury Product Bills

	2001-2002	2003-2004	2005-2006	Total
Vehicles	6	25	28	59
Thermometers	20	22	12	54
Electronics	0	18	16	34
Vaccines	0	5	29	34
Labeling	1	17	12	30
Amalgam use	5	16	6	27
Disposal restrictions	7	11	9	27
Schools	8	8	4	20
Novelties	6	6	5	17
Thermostats	3	3	10	16
Fluorescents	1	10	4	15
Amalgam separators	3	5	6	14
Comprehensive bills	7	3	3	13
Hospitals	3	5	2	10
Packaging	1	5	2	8
Batteries	1	2	5	8





Besides these main categories, bills on many other topics have been introduced, as shown in the following list:

Other Topics of Mercury Product Legislation  
2001-2002 to 2005-2006 State Legislatures

Advance Recycling Fees  
Appliances  
Cremation  
Discharges to Streams  
Discharges to Wastewater  
Fertilizers  
Manometers  
Non-fluorescent Lamps  
Sequestration  
State Notification  
State Plans  
State Procurement  
Switches and Relays

Legislation Adopted

Of course, not every bill introduced is adopted into law. While the current session is still too new to look at those data, we can look at the numbers for the 2001-2002 and 2003-2004 sessions. Of the 233 bills introduced, 55, or just under 24%, were adopted into law. In my own state, about 20% of all bills are adopted into law. The adopted legislation is in addition to at least 40 mercury product statutes that were on the books prior to 2001. (The list of existing statutes as of the end of 2000 is from a published report that is known to be very incomplete.)

Most Frequent Known State Mercury Product Laws  
as of the end of 2000

Subject	Number
Thermometer sales restrictions	6
Disposal restrictions	6
School use restrictions	5
Novelties restrictions	4
Labeling, MSDS sheets	3
Batteries	3
Toys restrictions	3
State notification	2

In the three legislative sessions that are the main topic of this paper, the most popular subjects are as listed in the next table. For the actual language, it is recommended that the statutes be reviewed.

Most Frequent Subjects of Adopted Mercury Product Legislation  
2001-2002 to 2005-2006 Sessions

Subject	Number
Thermometer sales restrictions	14
School use restrictions	6
Novelty use restrictions	5
Thermostat sales restrictions	5
Labeling	5

Thus, the most commonly covered subjects of the adopted legislation covers several of the same topics as previous laws, with the addition of thermostat use to the list of “most popular” topics, and disposal restrictions dropping off the list. For thermostats, this category includes both bans on sales, as well as requirements that collection centers must be established if sales are to continue.

Besides the above subjects, however, some twenty other topics were the subject of mercury product legislation at the state level in the last three biennial sessions, including the following:

Batteries  
Clearinghouse Participation  
Dental Amalgam Separators  
Dental Amalgam Use  
Disposal Restrictions  
Electronics  
Government Procurement  
Insurance for Alternatives to Dental Amalgam  
Measurement Devices  
NEWMOA-type Comprehensive Bill  
Packaging  
Public Education  
State Notification  
State Study or Report  
Switches and Relays  
Universal Waste Designation  
Vaccines  
Vehicle Switch Sales  
Vehicle Switch Removal and Recycling

Of course, it should be noted that the current session is far from over, and the final tally of subjects covered by new laws could change dramatically. Already, several very significant bills have been adopted, including an auto switch removal program in Arkansas and a comprehensive bill in Vermont.

While it is difficult to make many predictions for the future, it does seem clear that mercury product legislation is very popular. I doubt that we have seen the peak, but that instead, we will see a continued growth in the number of bills for at least the near-term future.

Our office has reports on both the bills introduced and the laws adopted in the last two legislative sessions and is compiling and updating monthly a list of proposals and their status for this session.

Status of Local, State and Federal Mercury Product Legislation and Laws  
2001-2002 Legislative Sessions  
October 22, 2003

The regulation of mercury in products at the state and federal level is increasing rapidly. A good summary of existing state and federal laws on mercury product legislation as of the fall of 2001 is found in Appendix A of a draft report on mercury by the California Department of Toxic Substances Control, and found on the Internet at [http://www.dtsc.ca.gov/HazardousWaste/HWMP\\_REP\\_DraftMercury2.pdf](http://www.dtsc.ca.gov/HazardousWaste/HWMP_REP_DraftMercury2.pdf). Local ordinances and state laws are also available on the web page of Health Care Without Harm, [http://www.noharm.org/index.cfm?page\\_ID=14#local](http://www.noharm.org/index.cfm?page_ID=14#local).

For mercury product legislation currently under consideration, the following is a summary of the bills that this compiler has found, along with their status and web page links. While the goal is to be complete, it is known that there are other measures – especially at local government levels – that have been missed.

California

AB 712 would prohibit the sale of high mercury fluorescent lamps (unless a specific exemption is provided), ban the disposal of all fluorescent lamps with mercury and impose a 3¢ per lamp fee on the retail sale of fluorescent lamps for use by the state to this law. Adopted by the Assembly; recommended for adoption by the Senate Environmental Quality Committee on June 24, 2002 and referred to Appropriations. <http://www.leginfo.ca.gov/bilinfo.html> or [http://www.leginfo.ca.gov/pub/bill/asm/ab\\_0701-0750/ab\\_712\\_bill\\_20020611\\_amended\\_sen.pdf](http://www.leginfo.ca.gov/pub/bill/asm/ab_0701-0750/ab_712_bill_20020611_amended_sen.pdf)

AB 751 would require that mercury containing lamps be managed as universal waste from commercial facilities generating 30 or more a month. The bill has died. [http://www.leginfo.ca.gov/cgi-bin/postquery?bill\\_number=ab\\_751&sess=CUR&house=B&author=jackson](http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_751&sess=CUR&house=B&author=jackson)

AB 2237 would limit the amount of mercury that is permitted in packaging. Recommended for adoption by the Assembly committee on Environmental Safety And Toxic Materials; currently in the Committee on Appropriations. <http://www.leginfo.ca.gov/bilinfo.html> or [http://www.leginfo.ca.gov/pub/bill/asm/ab\\_2201-2250/ab\\_2237\\_bill\\_20020418\\_amended\\_asm.pdf](http://www.leginfo.ca.gov/pub/bill/asm/ab_2201-2250/ab_2237_bill_20020418_amended_asm.pdf)

AB 2253 would modify existing state law on the responsibilities of the state agency for providing assistance and reports for the removal of mercury switches from autos. In Assembly Committee On Environmental Safety And Toxic Materials. <http://www.leginfo.ca.gov/bilinfo.html> or [http://www.leginfo.ca.gov/cgi-bin/postquery?bill\\_number=ab\\_2253&sess=CUR&house=B&author=cohn](http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_2253&sess=CUR&house=B&author=cohn)

AB 2270 would ban the use of mercury amalgam fillings by January 1, 2007; prior to that date, dentists would need to provide patients information if the use of mercury amalgam fillings is proposed. In the Assembly Committee on Health. <http://www.leginfo.ca.gov/bilinfo.html> or [http://www.leginfo.ca.gov/cgi-bin/postquery?bill\\_number=ab\\_2270&sess=CUR&house=B&author=dickerson](http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_2270&sess=CUR&house=B&author=dickerson)

SB 529 would modify the state's definition of novelties or which mercury is prohibited to exclude products with mercuric-oxide batteries. Currently in the office of the Secretary of the Senate. <http://www.leginfo.ca.gov/bilinfo.html> or [http://www.leginfo.ca.gov/pub/bill/sen/sb\\_0501-0550/sb\\_529\\_bill\\_20020107\\_amended\\_sen.pdf](http://www.leginfo.ca.gov/pub/bill/sen/sb_0501-0550/sb_529_bill_20020107_amended_sen.pdf)

- ✓ SB 633 was adopted and prohibits the sale of a number of products with mercury in them, including: fever thermometers except by written prescription, novelties, autos with mercury light switches, specific products in schools, and establishes procedures for the handling of mercury switches when removed from autos. Chaptered as Chapter 656, Statutes of 2001. <http://www.leginfo.ca.gov/statute.html>



SB 1011 would prohibit the collection of items containing mercury, including fluorescent lamps over 4 feet in length, unless the mercury is specifically contained. Recommended for adoption by committee, and referred to Committee on Appropriations. <http://www.leginfo.ca.gov/bilinfo.html> or [http://www.leginfo.ca.gov/pub/bill/sen/sb\\_1001-1050/sb\\_1011\\_bill\\_20020513\\_amended\\_asm.pdf](http://www.leginfo.ca.gov/pub/bill/sen/sb_1001-1050/sb_1011_bill_20020513_amended_asm.pdf)

## Connecticut

The 2002 legislative session is over, but with the passage of major legislation in HB 5539.

- ✓ HB 5539 has as its goal “to restrict the sale and use of products containing mercury to work toward the virtual elimination of the discharge of anthropogenic mercury”, and is a comprehensive bill based on the NEWMOA model. Was signed by the Governor on June 3, 2002.  
[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=HB05539](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=HB05539) or <http://prdbasis.cga.state.ct.us/2002/cbs/h/hb-5539.htm> or <http://www.cga.state.ct.us/default.asp>

HB 5540 has the same goal as HB 5539, “to restrict the sale and use of products containing mercury to work toward the virtual elimination of the discharge of anthropogenic mercury”, and had a hearing in the House Environment Committee, but did not proceed further.  
[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=HB05540](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=HB05540) or <http://prdbasis.cga.state.ct.us/2002/cbs/h/hb-5540.htm> or <http://www.cga.state.ct.us/default.asp>

In the 2001 session of the Connecticut Legislature, five mercury product bills were introduced, but none were adopted, as follows:

HB 5179 would have banned the sale of mercury thermometers. Referred to Joint Committee on Environment, where no action was taken.

HB 5181 would have discouraged the disposal of mercury-containing products. Referred to Joint Committee on Environment, but no action was taken.

HB 6197 would have regulated mercury products and mercury emissions. Referred to the Joint Committee on Environment, where no action was taken.

HB 6687 restricts the sale of products with mercury. Recommended for passage by the Joint Committee on Environment and several other committees, but did not get voted on by the full House.  
<http://www.cga.state.ct.us/2001/cbs/H/HB-6687.htm>

SB701 is known as the Omnibus Mercury Reduction Act. Referred to Joint Committee on Public Health, which held a public hearing.  
<http://www.cga.state.ct.us/2001/cbs/S/SB-0701.htm>

## Illinois

HB 3637 would prohibit the manufacture, sale or give away of mercury fever thermometers, except to a health care facility. Adopted by the House, in the Senate Rules Committee, with the last action on April 16, 2002.  
<http://www.legis.state.il.us/scripts/imstran.exe?LIBSINCWHB3637>

## Indiana

- ✓ HB 1901 was adopted to prohibit the sale and distribution of most mercury-added novelties after July 1, 2003. Limits the circumstances under which a mercury fever thermometer may be sold or supplied to an individual after July 1, 2003. Restricts a public or nonpublic school from using or purchasing a mercury commodity, mercury compounds, or mercury-added instructional equipment and materials after July 1, 2003. Provides that a person may sell or provide a mercury commodity to another person after July 1,

2003, only if the person meets certain conditions. Requires the department of environmental management and solid waste management districts to implement mercury education programs. Permits local units of government to implement such programs. Requires the environmental quality service council to review various issues concerning mercury before January 1, 2004.  
[http://www.state.in.us/serv/lisa\\_billinfo?year=2001&request=getBill&docno=1901](http://www.state.in.us/serv/lisa_billinfo?year=2001&request=getBill&docno=1901)

## Maine

In the second regular session of the 120th Maine Legislature (which adjourned April 17, 2002), two mercury product bills were adopted and signed into law, building upon the two bills adopted in the first regular session.

- ✓ LD 1921 “An Act to Prevent Mercury Emissions when Recycling and Disposing of Motor Vehicle” was enacted as PL 2001, c. 656. It prohibits the sale of mercury switches in automobiles as of January 1, 2003 and requires automobile manufacturers to establish a statewide system to collect, consolidate and recycle the switches. A bounty of \$1 is provided for people who remove switches and return them for recycling, with the money to be provided by the auto manufacturers.  
<http://janus.state.me.us/legis/status/gateway.asp?LD=1921>
- ✓ LD 2004 “An Act to Phase Out the Availability of Mercury-added Products” was enacted as PL 2001, c. 620. As introduced, the bill proposed a stepped-down phase out of products containing mercury, with those products having the most mercury phased out first. However, the bill was amended in committee to ban only mercury thermostats (effective January 1, 2006), and to postpone the phase out of other mercury-added products pending DEP analysis of manufacturer data submitted under PL 2001, c. 373. The DEP analysis is due January 1, 2003.  
<http://janus.state.me.us/legis/status/gateway.asp?LD=2004>

In the first regular session of the 120th Maine Legislature (which adjourned June 22, 2001), two mercury product bills were adopted and signed into law:

- ✓ LD 1665 “An Act to Further Reduce Mercury Emissions from Consumer Products” was enacted as PL 2001, c. 373. It bans the sale of mercury fever thermometers; requires manufacturers to provide written notice to the department before offering a mercury-added product for sale in Maine; prohibits the purchase of mercury or mercury compounds for use in schools; and requires manufacturers who sell products to hospitals to provide a certificate of mercury content upon hospital request.  
<http://janus.state.me.us/legis/bills/billtexts/LD166501-1.asp>
- ✓ LD1409 "An Act To Address The Health Effects of Mercury Fillings" was enacted as PL 2001, c. 385. It requires the state Department of Human Services, Bureau of Health to prepare a brochure and a poster on alternative dental restorative materials and procedures and their health and environmental impacts, and for dentists who use mercury to display the poster and provide patients with the brochure.  
[http://janus.state.me.us/legis/ros/lom/LOM120th/8Pub351-400/Pub351-400-72.htm#P11191\\_797452](http://janus.state.me.us/legis/ros/lom/LOM120th/8Pub351-400/Pub351-400-72.htm#P11191_797452)
- ✓ The Town of Freeport, Maine was the first municipality in Maine to ban the sale of mercury fever thermometers in January 2001. Contact the Town of Freeport Town Clerk to obtain a copy of the ordinance at (207)865-4743, or email [johanna@freeportmaine.com](mailto:johanna@freeportmaine.com).

## Maryland

- ✓ HB 75 was signed into law as Chapter 639. It prohibits marketers from selling or providing to consumers, beginning October 1, 2002, fever thermometers containing mercury, except under specified circumstances; prohibits primary and secondary schools from using or purchasing for use in a primary or secondary classroom, beginning October 1, 2003, elemental or chemical mercury; requires the Department of the Environment to provide outreach assistance to schools relating to the proper

management, recycling, and disposal of mercury and mercury-added products; etc.  
<http://mlis.state.md.us/2001rs/billfile/hb0075.htm>

## Massachusetts

Massachusetts has a two year session. Four bills were introduced on mercury products, with two of them combined, and one adopted into law.

H 1555 would ban the use of mercury in public schools. Referred to the Committee on Education, Arts and Humanities, which has held a hearing on it. There has been no action since June 2001.  
<http://www.state.ma.us/legis/bills/house/ht01555.htm> and <http://www.state.ma.us/legis/history/h01555.htm>.

H 2217 contains provisions to phase out use of mercury in certain products, requires such products to be recycled rather than landfilled or incinerated, prohibits the sale of mercury fever thermometers except by prescription, restricts schools from purchasing or using mercury, mercury compounds, commodities, or instructional equipment; bans the sale or distribution of mercury-added novelties; requires manufacturers to disclose the mercury content of products used in hospitals on request, mandates labeling of mercury-added products; requires manufacturers to establish and fund (directly or indirectly) mercury collection/recycling programs; mandates the state Department of Environmental Protection to implement environmental education programs, and authorizes its participation in the establishment and implementation of a multi-state mercury clearinghouse to help achieve regional coordination. Referred to the Joint Committee on Natural Resources and Agriculture, which has held a hearing and recommended its adoption. It was renumbered as H 4717, and the House Committee on Science and Technology, which recommended adoption and changed the number to H 5173 -HJ 1911, sending it to Ways and Means.

<http://www.state.ma.us/legis/history/h05173.htm> and <http://www.state.ma.us/legis/bills/house/ht04717.htm>.

- ✓ H 3772 prohibits the sale of mercury fever thermometers, except by prescription or mercury emergency. It has been signed into law by the Governor.  
<http://www.state.ma.us/legis/bills/house/ht03772.htm> and <http://www.state.ma.us/legis/history/h03772.htm>.

## Michigan

- ✓ HB 4599 prohibits the sale of all types of mercury thermometers with minor exemptions and was signed into law on October 3, 2002 as Public Act 578 of 2002.  
<http://www.michiganlegislature.org/documents/2001-2002/publicact/pdf/2002-PA-0578.pdf>

HB 5861 would do the following:

- provide for mercury disposal capacity in each county
- allow several possible options for funding the program
- require a localized public education component
- incorporate mercury P2 in county solid waste management plans
- ban the disposal of mercury and mercury containing products in solid waste.
- require product labeling for the above

Introduced on April 9, 2002, it is now in the Committee on Land Use and Environment, where no action has been taken.

<http://www.michiganlegislature.org/documents/2001-2002/billintroduced/house/pdf/2002-HIB-5861.pdf>  
and <http://michiganlegislature.org/mileg.asp?page=getObject&objName=2002-HB-5861&userid=>

SB 6 would require that hospitals not use mercury after December 31, 2005 unless no mercury-free alternatives are available. Referred to Committee on Health Policy, where there has been no action since January 2001.

<http://michiganlegislature.org/mileg.asp?page=getObject&objName=2001-SB-0006&userid=>

In the 1999-2000 legislation session, Michigan adopted legislation to phase mercury out of use in school classrooms by 2004. See SB 1262, now known as Act No. 376, Public Acts of 2000 on the web at <http://michiganlegislature.org/>

## Minnesota

- ✓ HF 274 and SF 70 prohibit the sale of almost all types of mercury thermometers. Adopted into law as Chapter 47.  
<http://www.revisor.leg.state.mn.us/cgi-bin/getbill.pl?session=ls82&version=latest&number=H274>
- ✓ Duluth's city council unanimously adopted an ordinance in late September 2002 to ban the sale of mercury basal and fever thermometers, the purchase of bulk elemental mercury or mercury compounds by kindergarten through high schools, the sale, purchase, installation of sphygmomanometers, the sale or installation of mercury thermostats, the sale or purchase of mercury-containing gastrointestinal devices, and the sale or purchase of psychrometers or barometers with mercury unless required by federal regulations. A copy of the ordinance can be found on the Internet at [http://www.noharm.org/library/docs/Duluth\\_Mercury\\_Ordinance.pdf](http://www.noharm.org/library/docs/Duluth_Mercury_Ordinance.pdf).

## Nebraska

Nebraska's legislature is adjourned until 2003 and did not adopt any mercury product legislation. It had one bill under consideration. LB 40 would have banned the sale of fever thermometers with mercury in them. [http://www.unicam.state.ne.us/PDF/INTRO\\_LB40.pdf](http://www.unicam.state.ne.us/PDF/INTRO_LB40.pdf)

## New Hampshire

- ✓ HB 253 establishes limits for mercury emissions from municipal waste incinerators. Signed into law.  
<http://gencourt.state.nh.us/legislation/2002/HB0253.html>
- HB 654 would have required the removal of certain mercury products from the waste stream prior to the incineration of the waste, as well as limiting mercury emissions from waste incineration. Its status is listed as "interim study". <http://gencourt.state.nh.us/>.
- HB 655 would have established an advance disposal fee to fund local mercury presorting and recycling programs. Status is listed as "inexpedient to legislate ". <http://gencourt.state.nh.us/>
- HB 675 covered the reduction of mercury in products in a NEWMOA-style bill and incorporated elements of HB 654 and HB 655. Its status is listed as "interim study", and will probably not be acted upon further. <http://gencourt.state.nh.us/>, <http://www.gencourt.state.nh.us/ie/billstatus/quickbill.html>
- ✓ HB 1251 had prohibited the use of mercury amalgam fillings in certain persons and required dentists to provide information on mercury amalgam fillings prior to use in a patient as well as requiring mercury waste management equipment in dental offices. The prohibitions on the use of mercury amalgam were removed and then the bill was signed into law by the Governor as Chapter 0096.  
<http://gencourt.state.nh.us/>, <http://gencourt.state.nh.us/legislation/2002/HB1251.html>.
- ✓ HB 1413, signed into law, makes several modifications to the information that the state would provide on the use of mercury amalgam fillings and in the rules that the state would develop to allow the use of equipment or methods to trap and dispose of mercury in amalgam waste at dental offices.  
<http://gencourt.state.nh.us/legislation/2002/hb1413.html>,  
<http://www.gencourt.state.nh.us/ie/billstatus/quickbill.html>

## New Jersey

The New Jersey Legislature has a two year session that begins in January of the even numbered years.

S371 in the 2002 session is the same as A3250 and S2315 from the 2000 session, and would ban the sale of mercury thermometers within 180 days of passage. The bill is in the Senate Environment Committee, with no action since January 2002.

[http://www.njleg.state.nj.us/2002/Bills/S0500/371\\_I1.pdf](http://www.njleg.state.nj.us/2002/Bills/S0500/371_I1.pdf), <http://www.njleg.state.nj.us/>

## New York

S 03084 and A 04209 are the same bills in the two houses titled "The Mercury Free Water Resources and Mercury Reduction Management Strategy Act of 2001"; provides for: disclosure of mercury content, phase-out of mercury-added products, disposal prohibition, labeling, source separation, collection, requirements for sewage treatment plants, point source release containment traps, ban on sale or distribution of certain mercury products, replacement of manometers and gas pressure regulators (agriculture department to handle for dairy industry), regulates dental use and bans health insurance discrimination therein, requires lamp recycling; adds all mercury-added products to state universal waste rules; provides for a state advisory committee on mercury pollution; provides for penalties for violations. The Senate version had advanced to the third reading in an amended form, restored to the original form and referred back to the Water Resources Committee while the Assembly version has been ordered to a third reading and was sent to the Environmental Conservation Committee. Neither has seen any action since January 2002. <http://assembly.state.ny.us/leg/?bn=S03084>, <http://assembly.state.ny.us/leg/?bn=A04209>, or <http://assembly.state.ny.us/leg/?by=k&q=mercury>

A10263 bans the sale of mercury fever thermometers without a prescription. In Environmental Conservation Committee, amended in April 2002. <http://assembly.state.ny.us/leg/?bn=A10263> or <http://assembly.state.ny.us/leg/?by=k&q=mercury>

- ✓ A10707 and S06233 require dentists to recycle amalgam. On June 20th, the Assembly agreed with the amended Senate version of the bill, which had adopted the bill on June 19th. Signed into law on September 17, 2002.

<http://assembly.state.ny.us/leg/?bn=A10707>

<http://assembly.state.ny.us/leg/?bn=S06233>

<http://assembly.state.ny.us/leg/?by=k&q=mercury>

S 06986 prohibits the use of mercury containing gauges and manometers. In Environmental Conservation Committee. No action since April 2002.

<http://assembly.state.ny.us/leg/?bn=S06986> or <http://assembly.state.ny.us/leg/?by=k&q=mercury>

## Oregon

The Oregon Legislature is adjourned for this session, as of July 7, 2001, but adopted major legislation on mercury products.

HB 2816 would have prohibited the sale of mercury fever thermometers, mercury-added novelties and motor vehicles containing mercury light switches. Prohibits installation of thermostats containing mercury in commercial or residential building. Provides exception. Prohibits sale of thermostats containing mercury. Provides exception. Prohibits certain actions relating to mercury and mercury products. Directs Oregon Department of Administrative Services to remove mercury light switches from state-owned motor vehicles. Directs Department of Environmental Quality to work with local agencies to provide technical assistance to wrecking businesses concerning removal of mercury light switches from motor vehicles. Adopted by the House on a vote of 55-3, with 2 absent. Sent to the Senate and referred to Business, Labor, and Economic Development. The bill stalled there and was replaced by

HB 3007, which was adopted and signed into law.  
<http://www.leg.state.or.us/01reg/measures/hb2800.dir/hb2816.intro.html>

- ✓ HB 3007. This is a replacement for HB 2816 and passed both the House (47-4, with 9 absent or excused) and the Senate (26-2, with 2 absent or excused) in early July. Signed into law on August 8, 2001. <http://www.leg.state.or.us/01reg/measures/hb3000.dir/hb3007.b.html>

SB 903 creates a task force to conduct or sponsor research to address possession of hazardous substances, including mercury waste. Requires Department of Environmental Quality to allocate money to task force from moneys appropriated to its budget for biennium beginning July 1, 2001. Referred to Natural Resources, Agriculture, Salmon, and Water; then Ways and Means.  
<http://www.leg.state.or.us/01reg/measures/sb0900.dir/sb0903.intro.html>

## Rhode Island

- ✓ HB 6161 and SB 661 prohibit the landfill disposal of mercury and provide for the collection and proper handling of mercury. Sub A, which has many of the elements of the NEWMOA Mercury Model Legislation, was adopted into law on July 13, 2001.  
<http://www.rilin.state.ri.us/PublicLaws/law01/law01234.htm>
- ✓ SB 153 bans the sale of mercury-containing fever thermometers except with a prescription. It was adopted into law, effective July 13, 2001.  
<http://www.rilin.state.ri.us/Billtext/BillText01/SenateText01/S0153A.htm>

SB 649's goal was to achieve significant reductions in environmental mercury by encouraging the establishment of effective waste reduction, recycling, management and education programs. It has died due to lack of action by the end of the session.  
<http://www.rilin.state.ri.us/Billtext/BillText01/SenateText01/S0649.htm>

## Texas

HB 3085 would regulate the sale and use of products containing mercury. Voted out of Public Health Committee to Calendars in May, 2001. <http://www.capitol.state.tx.us/tlo/billnbr.htm>. The Texas Legislature has adjourned, so this bill is dead for this session.

## Vermont

H. 111 proposes to establish a comprehensive approach to reducing the exposure of citizens to mercury in the environment, including bans on the use of mercury in certain products, such as fever thermometers, dairy manometers and novelties, elimination of mercury in schools, labeling requirements for mercury containing products, and related requirements. Currently in the House Natural Resources & Energy Committee. No action since January 2001.  
<http://www.leg.state.vt.us/database/status/status.cfm?Session=2002>

H. 283 establishes an advanced disposal fee for certain mercury-added products at a value of 8% of the wholesale price, and financing municipal presorting of those products when discarded. Currently in the House; no action since February 2001.  
<http://www.leg.state.vt.us/database/status/status.cfm?Session=2002>

S. 91 covers comprehensive management of human exposure to mercury. Bans the sale of thermometers, dairy manometers and novelties with mercury. Bans several uses of mercury in schools and the disposal of mercury in landfills and incinerators. Requires the separation of mercury containing products prior to disposal or recycling. Requires manufacturers to report the amounts of mercury in products. Currently in the Senate Committee on Appropriations, having been reported out of the Committee on Natural Resources & Energy. A third reading was ordered on January 23, 2002.

The bill has been incorporated into H. 14, which had initially passed the House, sent to the Senate, amended to include the provisions of S.91 and then sent back to the House, where no action has been taken since April 2002.

<http://www.leg.state.vt.us/docs/2002/bills/intro/S-091.htm>

<http://www.leg.state.vt.us/docs/2002/bills/senate/H-014.HTM>

<http://www.leg.state.vt.us/database/status/status.cfm?Session=2002> and

## Washington

The state legislature has adjourned until January, without adopting any mercury product legislation. However, in the state budget bill, the Department of Ecology was directed to establish an advisory committee to develop a state mercury action plan.

HB 2686 and companion bill SB 6533 are titled "Reducing the Release of Mercury into the Environment". This bill would required labeling of mercury containing products when sold, the establishment of recycling systems by the sellers of mercury thermometers and thermostats, prohibitions on the knowing disposal of mercury containing products with other solid waste, a prohibition on the sale of mercury containing novelties, a prohibition on the purchase of bulk mercury by schools, require the development of a mercury reduction plan for health care facilities, a prohibition on the use of mercury switches in autos, and related measures.

The Senate bill has gone through two committees and two substitute bills. The second substitute, among other things, would prohibit the knowing disposal of mercury containing products with other waste, require the development of a mercury reduction plan for health care facilities, require state purchasing to give priority and preference to buying products with no added mercury, and require the state to develop a strategy for the elimination of mercury from the environment.

<http://www.leg.wa.gov/wsladm/billinfo/dspBillSummary.cfm?billnumber=2686> and

<http://www.leg.wa.gov/wsladm/billinfo/dspBillSummary.cfm?billnumber=6533>

HB 2786 and companion bill SB 6678 would have set up a task force to evaluate the scientific and clinical studies on dental amalgams with mercury, with a report due by June 30, 2003. Introduced in January 2002, the House bill was referred to the Committee on Health Care, while the Senate bill was referred to the Committee on Health & Long-Term Care.

<http://www.leg.wa.gov/wsladm/billinfo/dspBillSummary.cfm?billnumber=2786> and

<http://www.leg.wa.gov/wsladm/billinfo/dspBillSummary.cfm?billnumber=6678>

On July 1, 2002, the City of Seattle adopted a resolution declaring that pollution prevention for PBTs is a high priority item and sets forth a work plan. <http://clerk.ci.seattle.wa.us/~public/resny.htm>; search for resolution number 30487.

## Wisconsin

NR 446 is an administrative rule that is being modified to limit mercury emissions from coal burning plants and industrial operations that have mercury emissions of more than 10 pounds a year. A 15 year phase-in of a 90% reduction is called for. As proposed, part of the required mercury reductions can be offset by removing mercury-containing products from use, with recovery of the mercury. The rule has gone to public hearings throughout the state, and had been expected to go back to the Natural Resources Board this fall.

- ✓ NR 106.145 (7) is an administrative rule for wastewater treatment plants to allow establishment of community mercury product waste reduction programs as an alternative to removal of mercury from the wastewater stream. Went into effect on November 1, 2002.

[http://www.dnr.state.wi.us/org/water/wm/ww/mercury/order\\_wt-12-02\\_for\\_adopt.pdf](http://www.dnr.state.wi.us/org/water/wm/ww/mercury/order_wt-12-02_for_adopt.pdf)

[http://www.dnr.state.wi.us/org/water/wm/ww/mercury/bkgd\\_memo\\_adopt.pdf](http://www.dnr.state.wi.us/org/water/wm/ww/mercury/bkgd_memo_adopt.pdf)

A bill on reducing mercury in products was prepared but not introduced by Representative DuWayne Johnsrud, who chairs the Assembly Committee on Natural Resources and is vice-chair of the Assembly Committee on Environment, as well as being on both the Committee on Health and the Committee on Public Health.

AB 793 and SB 435 would have banned the sale of mercury thermometers, with exceptions granted for food research or processing, agricultural climate control or industrial measurement, calibration thermometers and electronic thermometers with mercury-containing batteries. This measure was included in the Senate version of the Budget Repair Bill (SA 2 to SSA 1 of AB 1 of the 2002 Special Session), but was not accepted in the list of items agreed to between the Assembly and Senate. The Internet address for Wisconsin legislation as well as state statutes and administrative codes is <http://www.legis.state.wi.us/>.

- ✓ At the local level, one county and 12 villages and cities throughout the state have adopted local ordinances banning the sale of mercury fever thermometers. In May, 2002, Dane County adopted an ordinance to require retailers of mercury thermostats and fluorescent lamps to take them back from consumers for recycling.
- ✓ The City of Superior has banned the landfilling of fluorescent light bulbs from all sources and included them in the city's mandatory recycling program.
- ✓ The City of Ashland adopted an ordinance to ban the sale of all products containing more than 50 milligrams of mercury, with the exception of amalgam fillings. The ordinance became effective in August 2002.

#### Federal

S. 351 would phase out sales of mercury thermometers, except by prescription, within 180 days after enactment and improve management of surplus mercury. The bill authorizes \$20 million in funds for a grant program to states and other appropriate parties for collection of mercury thermometers and a thermometer exchange program. In addition, S.351 creates a Federal interagency task force to make recommendations regarding the proper management of surplus mercury. The bill also authorizes the Environmental Protection Agency to spend \$1 million per year to manage surplus mercury. It has 12 co-sponsors. Unanimously adopted by the Senate on September 6, 2002. Referred to the Subcommittee on Environment and Hazardous Materials of the House Committee on Energy and Commerce.. <http://thomas.loc.gov/cgi-bin/bdquery/z?d107:s.00351:> .

H.R. 2266 would reduce the risk of the accidental release of mercury into the environment by providing for the temporary storage of private sector supplies of mercury at facilities of the Department of Defense currently used for mercury storage, to require the Administrator of the Environmental Protection Agency to appoint a task force to develop a plan for the safe disposal of mercury, and for other purposes. Has one co-sponsor. Last major action August 2001. <http://thomas.loc.gov/cgi-bin/bdquery/z?d107:HR02266:@@P> .

H.R. 2729 would ban manufacturers from selling any mercury-containing product three years after adoption, along with controlling emissions of mercury from fossil fuel fired utilities, incinerators, chlor-alkali plants and cement manufacturers. It has 27 co-sponsors. In the House Energy and Commerce Committee, referred to the Subcommittee on Energy and Air Quality on August 16, 2001 which is the date of its last major action. <http://thomas.loc.gov/cgi-bin/bdquery/z?d107:h.r.02729:> .

H.R. 4163 Rep. Diane Watson (D-Calif) and Rep. Dan Burton (R-Indiana) introduced legislation in April 2002 with the following goals: 1) no mercury amalgam for children under 18, or for pregnant women, or for nursing mothers - effective July 1, 2002; 2) "disclosure before exposure" health warning for all - effective July 1, 2002; and 3) a phase out of all amalgam use, for anyone in the USA, in five



years. Last major action April 2002. Six other co-sponsors. <http://thomas.loc.gov/cgi-bin/bdquery/z?d107:h.r.04163:> .

Source: Internet Web pages of the various legislative bodies along with updates via the email lists Mercury Policy Project, (<http://www.mercurypolicy.org>) and its email list ([mercury\\_policy@lyris.newmoa.org](mailto:mercury_policy@lyris.newmoa.org)) and Hg-WG ([mwg-mercury@igc.topica.com](mailto:mwg-mercury@igc.topica.com)).

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# Status of Local, State and Federal Mercury Product Legislation and Laws

## 2003-2004 Legislative Sessions

### January 7, 2005

The regulation of mercury in products at the state and federal level is increasing rapidly. A good summary of existing state and federal laws as of the fall of 2001 on mercury product legislation is found in Appendix A of a draft report on mercury by the California Department of Toxic Substances Control, and found on the Internet at [http://www.dtsc.ca.gov/HazardousWaste/HWMP\\_REP\\_DraftMercury2.pdf](http://www.dtsc.ca.gov/HazardousWaste/HWMP_REP_DraftMercury2.pdf), as well as in the National Wildlife Federation report, "Getting Serious", found on the Internet at ([www.nwf.org/cleantherain](http://www.nwf.org/cleantherain)). Local ordinances and state laws are also available at [http://www.noharm.org/index.cfm?page\\_ID=14#local](http://www.noharm.org/index.cfm?page_ID=14#local), which is part of the web page of Health Care Without Harm. Also, this author can be contacted for a list of mercury product legislation from the 2001-2002 sessions.

For mercury product legislation currently under consideration, the following is a summary of the bills that this compiler has found, along with their status and web page links. While the goal is to be complete, it is known that there are other measures – especially at local government levels – that have been missed.

This compilation does not include legislation to limit the emission of mercury from combustion processes or legislation on mercury consumption advisories.

#### Alabama

HB 143. This bill would prohibit the use of a device that is a mercury alloy intended for use as a dental amalgam if the device contains approximately 50 percent mercury on children less than 18 years of age, pregnant women, or lactating women. The bill would provide that the device could not be administered to any consumer without a warning that the product contains mercury. Introduced on February 3, 2004, referred to Committee on Health, where it was voted down by a vote of 11-0 on February 25, 2004.  
<http://alisdb.legislature.state.al.us/acas/ACASLogin.asp>

HB 665 would require dentists to provide information to their patients on mercury and mercury amalgam. Referred to the Committee on Health, where the last action was on March 18, 2004.  
<http://alisdb.legislature.state.al.us/acas/ACASLogin.asp>

SB 316 is identical to HB 143. Introduced on February 12, 2004, referred to Committee on Health. There has been no action on this bill.  
<http://alisdb.legislature.state.al.us/acas/ACASLogin.asp>

SB 496 would require a dentist to make certain disclosures of information about mercury or mercury amalgam; and to provide penalties for violations. Referred to the Committee on Children, Youth Affairs, and Human Resources. Introduced on April 6, 2004; no action is listed on the web page.  
<http://alisdb.legislature.state.al.us/acas/ACASLogin.asp>

#### Arizona

In the second session of the 46th Legislature, one bill on mercury in products has been introduced.

HB 2697 would require dentists to provide disclosure on mercury amalgam fillings. Introduced on February 16, 2004 and assigned to three committees. The Human Services Committee voted on February 24, 2004 to recommend passage on a 6-2 vote.

[http://www.azleg.state.az.us/DocumentsForBill.asp?Bill\\_Number=hb2697](http://www.azleg.state.az.us/DocumentsForBill.asp?Bill_Number=hb2697)

<http://www.azleg.state.az.us/legtext/46leg/2r/bills/hb2697o.asp>

In the first session, two bills were introduced, as follows.

HB 2467 would prohibit the use of mercury amalgam fillings in certain situations, including children under 18, nursing mothers or pregnant women. In addition, dentists would need to provide information to their patients on the advantages and disadvantages of mercury fillings. Assigned to Human Services Committee which voted 5-3 to adopt on February 13, 2003, and Rules Committee, which voted on February 13, 2003 that the bill was constitutional and in the proper form. A second reading was held on February 17, 2003. It appears that on February 26, 2003, the Majority Caucus voted to hold the bill, while the Minority Caucus voted to approve the bill.

<http://www.azleg.state.az.us/legtext/46leg/1r/bills/hb2467p.htm>

[http://www.azleg.state.az.us/legtext/46leg/1r/summary/h.hb2467\\_02-12-03\\_hs.doc.htm](http://www.azleg.state.az.us/legtext/46leg/1r/summary/h.hb2467_02-12-03_hs.doc.htm)

<http://www.azleg.state.az.us/legtext/46leg/1r/bills/hb2467o.asp>

SB 1186 would ban the use of outdoor mercury vapor lighting after January 1, 2011. Sent to three committees: Government, Appropriations, and to Rules

<http://www.azleg.state.az.us/legtext/46leg/1r/bills/sb1186p.htm>

<http://www.azleg.state.az.us/legtext/46leg/1r/bills/sb1186o.asp>

## Arkansas

The 2003 regular session has adjourned without final passage of the two bills introduced on mercury in products. No mercury bills have been introduced in the special session.

HB 1282 would have prohibited the sale or installation of outdoor mercury vapor lighting as of January 1, 2004. One House amendment has been adopted. In the House Committee on Public Health, Welfare and Labor.

<http://www.arkleg.state.ar.us/ftpoot/bills/2003/public/hb1282/hb1282-012920031250.rtf>

<http://www.arkleg.state.ar.us/2003/scripts/ablr/bills/bills.asp?billno=HB1282>

HB 1309 is known as the "Mercury Poisoning Reduction Act" would require manufacturers of mercury-containing products to provide information on these products to the state, require these products to be labeled, ban the sale of mercury fever thermometers except by prescription, ban the purchase of elemental mercury or mercury laboratory equipment in schools (with an exception for lab thermometers for which no substitute is available), ban the sale of mercury containing novelties, ban the landfilling of labeled products, require municipal and regional solid waste facilities to develop mercury collection programs, and require the establishment of mercury public education programs. Introduced January 31, 2003. Read the first time, rules suspended, read the second time and referred to the House Committee on Public Health, Welfare and Labor Committee. Two House amendments have been adopted. Hearing was scheduled for April 8, 2003.

<http://www.arkleg.state.ar.us/ftpoot/bills/2003/public/hb1309/hb1309-112620021319.pdf>

<http://www.arkleg.state.ar.us/>

<http://www.arkleg.state.ar.us/2003/scripts/ablr/bills/bills.asp?billno=HB1309>

## California

- ✓ AB 455, the "Toxics in Packaging Prevention Act" prohibits the intentional introduction and limit the incidental use of mercury and three other heavy metals in packaging after January 1, 2006 except as specified. It has been adopted by both houses, enrolled, and sent to the Governor on September 23, 2003, who approved it on October 8, 2003. Now known as Chapter 679, Statutes of 2003.

<http://www.leginfo.ca.gov/statute.html>

AB 611 would require the installation of dental amalgam separators by January 1, 2004, along with training of staff in each office to maintain the equipment. Referred to Committee on Health and to Committee on Environmental Safety & Toxic Materials, where it was amended, to eliminate the requirement for amalgam separators and instead require Best Management Practices (BMP). It had a second reading in the Assembly on May 28, 2003. Died February 2, 2004.

<http://www.leginfo.ca.gov/bilinfo.html>

- ✓ AB 999, as amended, allows the state medical insurance program (Medi-Cal) for those on public assistance and certain other low-income people to pay for alternatives to mercury amalgam restorations. Alternatives provided for are composite resin, glass ionomer cement and resin ionomer cement. The provider of an alternative will be reimbursed at the same rate as for amalgam restorations. Adopted by both houses, enrolled and sent to the Governor on September 17, 2003, who approved it on October 9, 2003. It is now known as Chapter 747, Laws of 2003.  
<http://www.leginfo.ca.gov/statute.html>

AB 1255 would require the Department of Toxic Substances Control to include a list of sources of mercury in products in a report due to the Legislature on January 1, 2004, which currently is limited to information on mercury in automobiles. Adopted by the Assembly and sent to the Senate, where it has been assigned to the Committee on Environmental Quality. No action since June, 2003.

<http://www.leginfo.ca.gov/bilinfo.html>

[http://www.leginfo.ca.gov/cgi-bin/postquery?bill\\_number=ab\\_1255&sess=CUR&house=B&author=levine](http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_1255&sess=CUR&house=B&author=levine)

- ✓ AB 1369 bans the sale of mercury thermostats by January 1, 2006, with exemptions for blind or visually impaired people or in manufacturing or industrial purposes, as well as prohibiting their landfilling. Adopted by the Assembly in May 2003 and sent to the Senate, where it has been amended and adopted. Approved by the Governor on September 21, 2004 and is now Chapter 626, Statutes of 2004.  
<http://www.leginfo.ca.gov/statute.html>

AB 1699, known as the “Mercury Recycling Enhancement Act of 2003” would prohibit any person, after January 1, 2004, from disposing of a fluorescent lamp in a solid waste facility. Developed by the Committee on Environmental Safety and Toxic Materials and is in that committee. Adopted by Assembly in January 2004 and sent to Senate, where it was referred to the Committee on Environmental Quality, where it was recommended with amendment and sent to the Committee on Appropriations, where it placed on the Appropriations suspense file. On August 12, 2004, a first hearing was set and the bill has been held and under submission.

<http://www.leginfo.ca.gov/bilinfo.html>

[http://www.leginfo.ca.gov/cgi-](http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_1699&sess=CUR&house=B&author=committee_on_environmental_safety_and_toxic_mater)

[bin/postquery?bill\\_number=ab\\_1699&sess=CUR&house=B&author=committee\\_on\\_environmental\\_safety\\_and\\_toxic\\_mater](http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_1699&sess=CUR&house=B&author=committee_on_environmental_safety_and_toxic_mater)

- ✓ AB 2901 would require the recycling of cell phones, in part due to the presence of mercury in the phones. Introduced on February 20, 2004, it has been adopted by the Legislature and signed into law on September 29, 2004 as Chapter 891, Laws of 2004.  
<http://www.leginfo.ca.gov/statute.html>
- ✓ AB 2943 is known as the “Mercury Pollution Prevention Act of 2004” and would have prohibited the sale of products with added mercury beginning in 2006 at a level of 1,000 milligrams per product, becoming increasing restrictive to a level of 10 milligrams after January 1, 2008. Exemptions would be provided for fluorescent lamps, those products for which added mercury is essential to comply with federal or state health or safety standards and those products for which a manufacturer applies for and receives an exemption, which would include a system for the collection and proper processing of the product at the end of its useful life. Products with mercury sold after 2006 would also need to be label to indicate the presence of mercury.

It has been substantially amended to only cover mercury-containing vaccines, and requires, that on and after January 1, 2006, a person who is pregnant or who is under three years of age may not be vaccinated with a mercury-containing vaccine or injected with a mercury-containing product that contains more than 0.5 micrograms of mercury per 0.5 milliliter dose, except for influenza shots, which can have 1.0 micrograms of mercury per 0.5 milliliter of dose. It was signed by the Governor on September 28, 2004 and is Chapter 837, Statutes of 2004.

<http://www.leginfo.ca.gov/statute.html>

- ✓ SB 20 sets up an electronics recycling program, in part due to the presence of mercury within electronic products. Adopted by both houses, enrolled and sent to the Governor, who signed it into law on September 24, 2003 as Chapter 526, Statutes of 2003.  
<http://www.leginfo.ca.gov/statute.html>

SB 511 This bill would enact the California Mercury Lamp Recycling Act of 2004 and would require every manufacturer of a mercury-containing fluorescent lamp sold in the state to submit a plan, by June 30, 2004, to the department that ensures, by January 1, 2006, that all mercury-containing lamps sold by that manufacturer will be collected, transported, and recycled in accordance with all applicable state laws. In Committee on Appropriations; hearing was held May 29, 2003. Second reading held in 2003 and returned to the Secretary of the Senate on February 2, 2004 and is considered to be dead. It has been replaced by SB 1180.

<http://www.leginfo.ca.gov/bilinfo.html>

[http://www.leginfo.ca.gov/cgi-bin/postquery?bill\\_number=sb\\_511&sess=CUR&house=B&author=figueroa](http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sb_511&sess=CUR&house=B&author=figueroa)

SB 1180 would enact the California Mercury Lamp Recycling Act of 2004 and would require a retail purchaser who purchases a fluorescent lamp in this state to pay a fluorescent lamp recycling fee to the retail seller. The bill would require the Department of Toxic Substances Control to set the amount of the fluorescent lamp recycling fee at an amount that is sufficient to pay for the cost of recycling the fluorescent lamp. It has been adopted by the Senate and has been recommended for passage by the Assembly Committee on Environmental Safety and Toxic Materials, and referred to the Committee on Appropriations, where it has been placed on suspense file. A second hearing was set on August 12, 2004 and the bill is being held and under submission.

<http://www.leginfo.ca.gov/bilinfo.html>

[http://www.leginfo.ca.gov/cgi-bin/postquery?bill\\_number=sb\\_1180&sess=CUR&house=B&author=figueroa](http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sb_1180&sess=CUR&house=B&author=figueroa)

Senate Joint Resolution 4 requests that the US Congress repeal language Homeland Security Act of 2002 that bars existing lawsuits by parents of children who allege that products manufactured by Eli Lilly and Company and other pharmaceutical companies led to their children's health conditions from Thimerosal.  
[http://www.leginfo.ca.gov/cgi-bin/postquery?bill\\_number=sjr\\_4&sess=CUR&house=B&author=dunn](http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sjr_4&sess=CUR&house=B&author=dunn)

## Connecticut

- ✓ HB 5528 establishes a working group, which includes representatives of other northeastern states, to evaluate (1) the uses of lamps with a mercury content of between 100 milligrams and one gram, and (2) alternatives to those lamps, and make recommendations regarding the regulation of lamps with a mercury content of between 100 milligrams and one gram by January 1, 2005. Signed by the Governor May 24, 2004.

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=HB05528&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=HB05528&which_year=2004)

HB 5529 re-establishes two exemptions for certain packages and packaging components that expired January 1, 2000. The new exemption, which expires on January 1, 2010, is for a package or packaging that: 1. exceeds maximum concentration levels of lead, cadmium, mercury, or hexavalent chromium only because of the addition or use of recycled materials and 2. is reusable and has a controlled distribution and reuse but which exceeds the incidental concentration levels of lead, cadmium, mercury, or hexavalent chromium, if the manufacturer or distributor petitions the commissioner for an exemption and the commissioner grants it. It also reestablishes, but limits to reused packaging, the exemption for a package or packaging that exceeds incidental contaminant levels for lead, cadmium, mercury, or hexavalent chromium, if (1) the product, its transportation, or disposal is regulated by specific state or federal regulations or (2) the commissioner grants an exemption upon the packaging manufacturer shows it is warranted. It exempts, until January 1, 2005, a glass or ceramic package or packaging component that has a vitrified label, that does not exceed one part per million (ppm) for cadmium, five ppm for hexavalent chromium, and five ppm for lead, when tested according to the EPA's Toxicity Characteristic Leaching Procedures Test Method and Publication SW 846, third edition, "Test Methods for Evaluating Solid Waste." By law, packages or packaging components in which lead, cadmium, mercury, or hexavalent chromium have been added in the manufacturing or distribution process are exempt if (1) there is no feasible alternative, (2) the manufacturer

has demonstrated to the commissioner that an exemption is necessary, and (3) the commissioner grants an exemption. The exemption is good for two years and may be extended for another two years. The bill extends this exemption to the forming and printing process, and specifies that by feasible alternative it means in most cases, technical constraints preclude the substitution of other materials, rather than one for which no substitute exists. The bill does not exempt any lead, cadmium, mercury, or hexavalent chromium used for marketing purposes. In House Committee on Planning and Development.

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=HB05529&which\\_year=2004](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=HB05529&which_year=2004)

HB 6401 extends exemptions to the prohibitions of certain toxics in packaging, including mercury. On April 23, 2003, referred to Committee on Finance, Revenue and Bonding Committee.

<http://www.cga.state.ct.us/asp/menu/LegInfo.asp>

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=HB06401&which\\_year=2003](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=HB06401&which_year=2003)

- ✓ HB 6402 covers a wide range of environmental improvement activities. It has had an amendment (LCO No. 6357) which modifies the state's requirement for the labeling of certain products which contain mercury, including fever thermometers, autos, button cell batteries, backlights, and products that have a mercury-containing component. Adopted by both the House and the Senate (June 3, 2003) with Amendment Schedule B, but without the above amendment on the labeling of mercury-containing products (LCO No. 6357). Became law as Public Act 03-218 on June 16, 2003.

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=HB06402&which\\_year=2003](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=HB06402&which_year=2003)

- ✓ HB 6623 makes some technical revisions for the labeling of high intensity lamps which contain mercury to allow labeling of the package. Adopted into law as Public Act 03-123 on June 5, 2003.

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=HB06623&which\\_year=2003](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=HB06623&which_year=2003)

- ✓ SB 1157 requires labeling of high intensity lamps with mercury in them. It also has an amendment with the same provisions that the amendment to HB 6402 provides. Became law as Public Act 03-276 on June 19, 2003.

[http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=sB01157&which\\_year=2003](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=sB01157&which_year=2003)

## Delaware

- ✓ HCR 64 is a resolution which supports the Delaware Nurses Association sponsoring a mercury thermometer exchange week. The resolution further encourages retail establishments within the State to voluntarily stop stocking and selling mercury thermometers. Adopted by House on April 29, 2004 and Senate on May 6, 2004.

<http://www.legis.state.de.us/Legislature.nsf/>

## Florida

- ✓ SB 1534, in section 403.7192, prohibits the sale of alkaline manganese and zinc-carbon batteries which have any intentionally added mercury and any mercury above 0.0004% by weight, a reduction from previous law that placed the limit at 0.025%. Signed into law on March 29, 2004. Same as H1065.

[http://www.flsenate.gov/Session/index.cfm?Mode=Bills&SubMenu=1&BI\\_Mode=ViewBillInfo&BillNum=1534](http://www.flsenate.gov/Session/index.cfm?Mode=Bills&SubMenu=1&BI_Mode=ViewBillInfo&BillNum=1534)

SB 674 would set up a program for electronics disposal, including those products that have mercury-containing lamps. Introduced February 4, 2003, referred to five committees and subcommittees. It was withdrawn from further consideration on April 25, 2003.

[http://www.flsenate.gov/Session/index.cfm?Mode=Bills&SubMenu=1&BI\\_Mode=ViewBillInfo&BillNum=0674](http://www.flsenate.gov/Session/index.cfm?Mode=Bills&SubMenu=1&BI_Mode=ViewBillInfo&BillNum=0674)

## Georgia

HB 442 would prohibit the use of mercury amalgam fillings in women younger than 45 years old and men younger than 18 and require that dentists provide patients information on the use of amalgam fillings. Had a second reading on February 26, 2003. In the Committee on Health and Human Services.

[http://www.legis.state.ga.us/legis/2003\\_04/sum/hb442.htm](http://www.legis.state.ga.us/legis/2003_04/sum/hb442.htm)

## Hawaii

SB 29 directs department of health to adopt rules to establish a cathode ray tube recycling program by July 1, 2008 Adopted unanimously by the Senate on March 4, 2003, and sent to the House, where it was recommended by Energy and Environmental Protection Committee and sent on to the Finance Committee on March 20, 2003. On August 21, 2003, the bill was carried over to the 2004 session.

[http://www.capitol.hawaii.gov/sessioncurrent/bills/sb29\\_.htm](http://www.capitol.hawaii.gov/sessioncurrent/bills/sb29_.htm)

<http://www.capitol.hawaii.gov/site1/docs/getstatus2.asp?billno=SB29>

SB 3163. The purpose of this Act is to mandate the State's participation in the Network campaign (such as NEPSI) through the development of an electronic products stewardship advisory committee within the department of business, economic development, and tourism to review and analyze current practices and develop a plan for the purchase, use, and disposal of electronic products in a manner that reduces the negative impacts of used electronic products on the environment. Introduced on January 28, 2004, referred to three committees (ENE (Energy and Environment), SAT (Science, Arts and Technology), WAM(Ways and Means)), and recommended unanimously for adoption by SAT and ENE on February 12, 2004.

Currently in Ways and Means.

[http://www.capitol.hawaii.gov/sessioncurrent/bills/sb3163\\_.htm](http://www.capitol.hawaii.gov/sessioncurrent/bills/sb3163_.htm)

<http://www.capitol.hawaii.gov/site1/docs/getstatus2.asp?billno=SB3163>

## Illinois

2004 session

HB 5915 sets forth restrictions on the disposal of waste electronics along with an electronics recycling program, in part due to the presence of mercury. It is identical to SB 2570. Introduced February 6, 2004 and referred to the Rules Committee.

<http://www.legis.state.il.us/legislation/93/hb/09300hb5915.htm>

<http://www.legis.state.il.us/legislation/BillStatus.asp?DocNum=5915&GAID=3&DocTypeID=HB&LegId=11018&SessionID=3>

- ✓ SB 2551. The original bill provides that the Environmental Protection Agency may participate in the establishment and implementation of a multi-state clearinghouse to assist in carrying out the purpose of mercury reduction. Provides that beginning July 1, 2005, no mercury-added product may be offered for final sale or use or distributed for promotional purposes in the State without the prior written notification to the Environmental Protection Agency by the manufacturer of the product. Sets forth the requirements for this notification. Set forth restrictions on the purchase or sale of certain mercury-added products. Provides that beginning July 1, 2006, no person may crush, shred, flatten, or otherwise process a motor vehicle for scrap metal without first making a good faith effort to remove any mercury light switches and mercury headlights. Provides that, on or before January 1, 2006, the Pollution Control Board must modify its rules governing universal hazardous waste as appropriate to promote the recycling, recovery, and proper management of elemental mercury and mercury-added products on a statewide basis. Sets forth penalties for violations of this Act. Amends the Environmental Protection Act. Adds "vehicle recycler" to the list of persons who may not knowingly shred, scrap, dismantle, recycle, incinerate, handle, store, or otherwise manage any white good that contains any white components. Provides that no owner, operator, agent, employee of a junkyard or scrap dealership, or vehicle recycler may knowingly shred, scrap, dismantle, recycle, incinerate, handle, store, or otherwise manage any end-of-life motor vehicle that contains any mercury-added component. Defines "vehicle recycler", "end-of-life motor vehicle", and "mercury-added component".

It has been adopted into law – after amendment – and now amends the Environmental Protection Act. Defines "mercury relay" and "mercury switch". Prohibits the following : (i) beginning July 1, 2005, the purchase or acceptance, for use in a primary or secondary school classroom, of bulk elemental mercury, chemicals containing mercury compounds, or instructional equipment or materials containing mercury added during their manufacture; and (ii) beginning July 1, 2007, the sale, offer to sell, distribution, or offer to distribute a mercury switch or mercury relay individually or as a product component. Excludes certain

products from these prohibitions. Requires the manufacturer of a mercury switch or mercury relay or certain other products containing mercury to apply to the Illinois Environmental Protection Agency for a 5-year exemption from these prohibitions by July 1, 2006 and establishes a process for the application and renewal of the exemption. Requires the Agency to report to the Governor and the General Assembly by July 1, 2006 concerning programs to reduce and recycle mercury from mercury thermostats and mercury vehicle components. Designates mercury switches or mercury relays, and scientific instruments and instructional equipment containing mercury added during their manufacture as universal waste subject to the streamlined hazardous waste rules of the Illinois Administrative Code. Provides that, if the United States Environmental Protection Agency adopts streamlined hazardous waste rules pertaining to the management of mercury switches or mercury relays, and scientific instruments and instructional equipment containing mercury added during their manufacture or otherwise exempts those items from regulation as hazardous waste, then the Pollution Control Board shall adopt equivalent rules. Adopted by both houses on May 25, 2004, sent to the Governor for his signature on June 23, 2004, which he signed on August 20, 2004.

<http://www.legis.state.il.us/legislation/93/sb/09300sb2551.htm>

<http://www.legis.state.il.us/legislation/billstatus.asp?DocNum=2551&GAID=3&DocTypeID=SB&LegID=8913&SessionID=3>

SB 2570 sets forth restrictions on the disposal of waste electronics along with an electronics recycling program, in part due to the presence of mercury; it is identical with HB 5915. Introduced February 4, 2004 and referred to the Environment and Energy Committee and re-referred to the Rules Committee on February 27, 2004.

<http://www.legis.state.il.us/legislation/93/sb/09300sb2570lv.htm>

<http://www.legis.state.il.us/legislation/BillStatus.asp?DocNum=2570&GAID=3&DocTypeID=SB&LegID=9026&SessionID=3>

#### 2003 session

HB 0411 and SB 0371 would prohibit the sale, distribution and manufacture of mercury fever thermometers after July 1, 2004, but would exempt thermometers sold or provided to be used in health care facilities. The House Bill was re-referred to Rules Committee on March 13, 2003. The Senate bill has been adopted by both houses as of May 29, 2003, and sent to the Governor, who vetoed it on August 18, 2003.

<http://www.legis.state.il.us/legislation/93/hb/09300hb0411.htm>

<http://www.legis.state.il.us/legislation/billstatus.asp?DocNum=0411&GAID=3&DocTypeID=HB&LegID=834&SessionID=3>

<http://www.legis.state.il.us/legislation/billstatus.asp?DocNum=00371&GAID=3&DocTypeID=SB&LegID=2955&SessionID=3>

- ✓ HB 1530 and SB 0351 prohibit the sale, distribution and manufacture of mercury fever thermometers and mercury-added novelty products after July 1, 2004, exempting thermometers sold or provided to be used in health care facilities. Signed into law on July 10, 2003 as Public Act 93-0165.  
<http://www.legis.state.il.us/legislation/publicacts/fulltext.asp?Name=093-0165>

HB 1165 would set up a Computer Equipment Disposal and Recycling Commission, with the bill noting the presence of mercury in computers. It has been adopted by both houses and was sent to the Governor on June 13, 2003. The Governor vetoed the bill on July 30, 2003 and the bill has been placed on the Legislature's veto calendar for November 4, 2003.

<http://www.legis.state.il.us/legislation/93/hb/09300hb1165.htm>

<http://www.legis.state.il.us/legislation/billstatus.asp?DocNum=1165&GAID=3&DocTypeID=HB&LegID=1736&SessionID=3>

HB7300 is known as the mercury-free vehicle act. Provides that every manufacturer of vehicles sold within the State shall, individually or as part of a group, submit a plan to remove, collect, and recover mercury switches to the Environmental Protection Agency for review and approval. Sets forth procedures for the removal, replacement, collection, and recovery of vehicle mercury switches and for obtaining Agency approval. Provides that the total cost of the removal, replacement, collection, and recovery system for mercury switches shall be borne by the manufacturer. Provides that no mercury-added component shall be included as part of a new vehicle offered for sale in the State. Introduced on May 12, 2004 and referred to the Rules Committee.

<http://www.legis.state.il.us/legislation/BillStatus.asp?DocNum=7300&GAID=3&DocTypeID=HB&LegID=13236&SessionID=3&GA=93>



HJR0083 Recommends the creation of the Joint Task Force on Mercury Vehicle Components to effectively recover and collect mercury components from motor vehicles in the State. Introduced on May 11, 2004, adopted by the House June 28, 2004 and sent to the Senate on June 28, 2004, where it was sent to the Rules Committee.

<http://www.legis.state.il.us/legislation/BillStatus.asp?DocNum=0083&GAID=3&DocTypeID=HJR&LegID=13215&SessionID=3&GA=93>

SB 455 would prohibit the use of mercury amalgams in dental procedures for pregnant women and for children under 8 years in age. Re-referred to the Rules Committee on March 14, 2003.

<http://www.legis.state.il.us/legislation/billstatus.asp?DocNum=0351&GAID=3&DocTypeID=SB&LegID=2107&SessionID=3>

<http://www.legis.state.il.us/legislation/93/sb/09300sb0455.htm>

## Indiana

### 2004 session

HB 1312 would allow solid waste districts to conduct education and collection programs for mercury and mercury-containing products. Introduced on January 15, 2004, referred to Ways and Means Committee.

<http://www.in.gov/apps/lsa/session/billwatch/billinfo?year=2004&session=1&request=getBill&docno=1312>

<http://www.in.gov/legislative/bills/2004/IN/IN1312.1.html>

### 2003 session

HB 1300 would allow solid waste districts to conduct education and collection programs for mercury and mercury-containing products. Introduced January 13, 2003, read first time and referred to Committee on Ways and Means. See SB 208, which was adopted into law.

<http://www.in.gov/legislative/bills/2003/IN/IN1300.1.html>

[http://www.in.gov/serv/lsa\\_billinfo?year=2003&session=1&request=getBill&docno=1300](http://www.in.gov/serv/lsa_billinfo?year=2003&session=1&request=getBill&docno=1300)

HB 1674 would allow solid waste districts to conduct education and collection programs for mercury and mercury-containing products. Introduced on January 21, 2003, read first time and referred to Committee on Environmental Affairs. See SB 208, which was adopted into law.

<http://www.in.gov/legislative/bills/2003/IN/IN1674.1.html>

[http://www.in.gov/serv/lsa\\_billinfo?year=2003&session=1&request=getBill&docno=1674](http://www.in.gov/serv/lsa_billinfo?year=2003&session=1&request=getBill&docno=1674)

HB 1839 would prohibit the sales or installation of mercury-vapor lamps and require their removal by January 1, 2006. It would also prohibit the sales or installation of outdoor fluorescent lamps. January 23, 2003, read first time and referred to Committee on Commerce and Economic Development.

<http://www.in.gov/legislative/bills/2003/IN/IN1839.1.html>

[http://www.in.gov/serv/lsa\\_billinfo?year=2003&session=1&request=getBill&docno=1839](http://www.in.gov/serv/lsa_billinfo?year=2003&session=1&request=getBill&docno=1839)

- ✓ SB 208 provides that solid waste management plans can provide for public education on mercury reuse and recycling and implement mercury collection programs. Adopted and signed into law.

<http://www.state.in.us/legislative/bills/2003/ES/ES0208.1.html>

## Iowa

- ✓ SF 2209 prohibits the use of more than a trace amount of mercury in immunizations for children under 8 years of age. Signed by Governor on May 14, 2004.

<http://coolice.legis.state.ia.us/Cool-ICE/default.asp?Category=billinfo&Service=Billbook&frame=1&GA=80&hbill=SF2209>

## Kentucky

SB 141 would prohibit the use of mercury dental restorations (with some exceptions) and the use of thimerosal in vaccinations and require that health plans provide for coverage of non-mercury alternatives. Introduced on February 3, 2004, referred to Committee on Health and Welfare.

<http://www.lrc.state.ky.us/record/04rs/sb141/bill.doc>

## Maine

### 2004 session

- ✓ LD 1661 is an Act to Ban the Sale of Novelties Containing Batteries with Mercury, but was modified to instead require the Department of Environmental Protection to do studies on mercury-containing and other batteries and report back to the Legislature by January 14, 2005. Signed into law as Chapter 125.  
<http://janus.state.me.us/legis/LawMakerWeb/summary.asp?LD=1661>  
<http://janus.state.me.us/legis/LawMakerWeb/externalsiteframe.asp?ID=280011919&LD=1661&Type=1>
- ✓ LD 1901 would have required manufacturers to establish at least 100 collection centers for mercury thermostats, including at solid waste transfer stations if requested by the municipality. The bill as enacted (PL 2003, Chapter 640) requires that thermostat wholesalers serve as a collection points for mercury thermostats. The wholesaler collection requirement builds on an existing Maine law, enacted in 2000, that requires thermostat manufacturers to provide sufficient incentives and information to ensure that the mercury is properly handled when mercury thermostats are removed from service. Manufactures have attempted to satisfy this requirement by placing collection bins at participating wholesale outlets. However, only 11 of the state's 31 wholesale outlets had agree to participate voluntarily as of January 2004.  
<http://janus.state.me.us/legis/LawMakerWeb/summary.asp?LD=1901>  
<http://www.mainelegislature.org/legis/bills/billtexts/ld190101-1.aspedi>

### 2003 session

LD 134 would have required that by January 1, 2004 the Department of Environmental Protection shall establish rules for dental offices and other places where mercury amalgam fillings are prepared, used, removed, replaced or repaired relative to the use of environmentally appropriate disposal equipment for amalgam waste to trap and dispose of mercury. Placed in Legislative Files on March 27, 2003, and labeled as dead.

<http://www.mainelegislature.org/legis/bills/billtexts/ld013401-1.asp>  
<http://janus.state.me.us/legis/LawMakerWeb/summary.asp?LD=134>

- ✓ LD 385 is an act to change the reporting requirements for the mercury switch removal program for motor vehicles; the first report is now due January 1, 2004. Signed into law on March 18, 2003 as Public Laws 2003, Chapter 6.  
<tp://www.mainelegislature.org/legis/bills/billtexts/ld038501-1.asp>  
<http://janus.state.me.us/legis/LawMakerWeb/summary.asp?LD=385>
- ✓ LD 697 requires the installation by December 31, 2004 of dental amalgam separator systems in dental offices that place or remove dental amalgams. If installed prior to March 20, 2003, such separators must achieve a minimum of a 95%, while separators installed on or after that date must have a minimum of a 98% removal efficiency, with efficiencies to be determined by ISO 11143. Signed by Governor May 27, 2003 as Public Laws 2003, Chapter 301.  
<http://www.mainelegislature.org/legis/bills/billtexts/LD069701-1.asp>  
<http://janus.state.me.us/legis/LawMakerWeb/summary.asp?LD=697>
- ✓ LD 743 bans the incineration and landfilling of electronic equipment, in part due to the mercury in these products. The original bill would have required the elimination of mercury in electronics sold in Maine by 2006, and, unless proven otherwise, mercury-contaminated soil near landfills is presumed to be polluted by electronics. Under a substitute amendment, the landfill and incineration bans are adopted but the other provisions are eliminated and, with a stakeholder's group, the Department of Environmental Protection is to prepare a recommended plan for the collection and recycling of CRTs and submit the plan to the Legislature by January 30, 2004. Signed by the Governor May 14, 2003 as Public Laws 2003, Chapter 150.  
<http://www.mainelegislature.org/legis/bills/billtexts/ld074301-4.asp>  
<http://janus.state.me.us/legis/LawMakerWeb/summary.asp?LD=743>

<http://janus.state.me.us/legis/LawMakerWeb/externalsiteframe.asp?ID=280008950&LD=743&Type=4>

- ✓ LD 1159 is known as the “An Act to Reduce Mercury Use in Measuring Devices and Switches”, with some exceptions, bans the sale of mercury switches, relays and measuring devices as of July 1, 2006. Measuring devices include barometers; esophageal dilators, bougie tubes and gastrointestinal tubes; flow meters; hydrometers; hygrometers and psychrometers; manometers; pyrometers; sphygmomanometers; and thermometers. Signed by the Governor on May 19, 2003 and now known as Public Laws 2003, Chapter 221.  
<http://www.mainelegislature.org/legis/bills/ld.asp?LD=1159>
- ✓ LD 1549, as originally introduced, provided revenue from a fee on paints and related materials and pesticides to help fund municipal household hazardous waste collection programs to help implement the state ban on the disposal of mercury containing products, which is effective in January 2005. The fee provisions were removed and DEP instead is directed to conduct a study regarding ongoing sources of funding for HHW collection. The study is due January 4, 2004. Adopted into law as Public Laws 2003, Chapter 30 on June 18, 2003.  
<http://janus.state.me.us/legis/LawMakerWeb/externalsiteframe.asp?ID=280010499&LD=1549&Type=1>

## Maryland

### 2004 session

- ✓ HB 136 prohibits manufacturers and retailers from selling, on or after April 1, 2006, specified products that contain mercury unless a specified label is affixed to the product; exempting specified products that contain mercury from the labeling and disposal requirements; providing for specified information to be included on the label; requiring a person with a specified number of fluorescent lamps to handle them through reclamation facilities, on or after October 1, 2006, unless specified conditions have been met; etc. Introduced on January 19, 2004, amended and adopted by the House by a vote of 136-4 on March 19, 2004 and sent to the Senate, where it was adopted by a vote of 46-0 in early April. Signed by the Governor on May 26, 2004.  
<http://mlis.state.md.us/2004rs/billfile/hb0136.htm>

### 2003 session

HB 62 would require labeling of specific products with mercury after April 1, 2005 and the disposal of specific mercury-containing products after October 1, 2005, unless certain conditions are met. Introduced on January 21, 2003 and referred to Environmental Matters, where it had an unfavorable report on February 24, 2003.  
<http://mlis.state.md.us/2003rs/billfile/hb0062.htm>

HB 348 would require each agency to purchase environmental preferable products, with one goal to reduce mercury in the waste stream Identical with SB 541. Adopted by the House with amendments on March 21, 2003, changing the requirement into a review, evaluation and report on the feasibility of purchasing environmentally preferable products, with a possible pilot project. In the Senate Committee on Education, Health, and Environmental Affairs.  
<http://mlis.state.md.us/2003rs/billfile/hb0348.htm>

SB 541 is the same as HB 348 above. Introduced January 31, 2003 and assigned to Education, Health, and Environmental Affairs. A hearing was held on March 6, 2003.  
<http://mlis.state.md.us/2003rs/billfile/sb0541.htm>

## Massachusetts

H 1165 would require owners of commercial, industrial, institutional, governmental, and multi-residential properties of 6 units or more to establish recycling programs and to notify their tenants and building occupants of programs for the collection of mercury-added waste products, along with other specified

materials. Referred to the Committee on Natural Resources and Agriculture. Hearing scheduled for May 15, 2003. In February 2004, it accompanied a study order for HB 4539. Also see H 3006.

<http://www.state.ma.us/legis/bills/house/ht01165.htm>

<http://www.state.ma.us/legis/history/h01165.htm>

H 1906 is known as the “Mercury-Free Vehicle Act of 2003” and would require manufacturers to establish programs to remove and recover mercury-containing vehicle switches. It was introduced on January 1, 2003 and referred to the Committee on Natural Resources and Agriculture, which held a hearing on May 15, 2003. The Committee reported out a favorable bill on February 2, 2004 under the number of H 3003. In February 2004, accompanied a new draft, HB 4517

<http://www.state.ma.us/legis/bills/house/ht01906.htm>

<http://www.state.ma.us/legis/history/h01906.htm>

H 2482 would prohibit the disposal of mercury-containing waste products as solid waste and promote and ensure the proper collection, transportation and recycling and disposal of all mercury-containing waste products with an emphasis on using existing systems to achieve these ends. It was introduced on January 1, 2003 and referred to the Committee on Natural Resources and Agriculture, which held a hearing on May 15, 2003.

<http://www.state.ma.us/legis/bills/house/ht02482.htm>

<http://www.state.ma.us/legis/history/h02482.htm>

H 3003 is known as the “Mercury-Free Vehicle Act of 2003” and would require manufacturers to establish programs to remove and recover mercury-containing vehicle switches. It was introduced on January 1, 2003 and referred to the Committee on Natural Resources and Agriculture, which held a hearing on May 15, 2003. The Committee reported out a favorable bill on February 2, 2004, but which is not yet available on the Internet. On February 19, 2004, accompanied a new draft, see HB 4517.

<http://www.state.ma.us/legis/bills/house/ht03521.htm>

H 3006 would require owners of commercial, industrial, institutional, governmental, and multi-residential properties of 6 units or more to establish recycling programs and to notify their tenants and building occupants of programs for the collection of mercury-added waste products, along with other specified materials. Hearing held on May 15, 2003 and referred to House Ways and Means. See also H 3006.

<http://www.mass.gov/legis/bills/house/ht03006.htm>

<http://www.mass.gov/legis/history/h03006.htm>

H 3521 would require dentists to install amalgam separators that are demonstrated to remove at least 95% of the waste amalgam containing mercury. Assigned to the Joint Committee on Health Care, which held a hearing on June 11, 2003, reported favorably by that committee on February 10, 2004 and referred to the Committee on Science and Technology.

<http://www.state.ma.us/legis/bills/house/ht03521.htm>

<http://www.state.ma.us/legis/history/h03521.htm>

H 4517 is a new draft of H1906 and H3003, and designed to eliminate mercury emissions from automobiles, but the text was not available on the Internet. It has been recommended for adoption with changes and is now in the House Science and Technology Committee as of June 22, 2004.

<http://www.state.ma.us/legis/history/h04517.htm>

SB 692 and companion H 2482 are comprehensive mercury product reduction bills, requiring manufacturers to report to the state on the sales of mercury-added products, a phase-out of products with mercury, a ban on the landfilling of mercury-added products and participation in a multi-state mercury clearinghouse. Assigned to the Committee on Health Care and then to the Committee on Natural Resources and Agriculture. Hearings were held on May 15, 2003, but there has not been any action since then.

<http://www.state.ma.us/legis/bills/st00692.htm>

<http://www.state.ma.us/legis/history/s00692.htm>

SB 1269 directs each city and town to develop a Clean Sweep facility to be open at least one day a week and collect a wide range of products, including fluorescent lamps, batteries and mercury-containing products such as fluorescent bulbs, thermometers and thermostats. Assigned to the Committee on Natural Resources and Agriculture, which held a hearing on September 18, 2003, but has not taken any further action.

<http://www.state.ma.us/legis/bills/st01269.htm>

<http://www.state.ma.us/legis/history/s01269.htm>

SB 2131 had as its main purpose job creation and maintenance, but would have established a sustainable business task force of the commonwealth development coordinating council, with duties to include establishing a one-stop-shop for Massachusetts businesses and non-profit organizations to help them realize the economic benefits associated with environmentally preferable business activities such as: recycling and waste reduction; mitigating climate change; promoting environmentally preferable products and reducing the use of mercury and toxics. Introduced on November 6, 2003, it was later merged into several house bills, where the task force was removed.

<http://www.state.ma.us/legis/bills/st02131.htm>

<http://www.state.ma.us/legis/billsrch.htm>

## Michigan

HB 5956 would require that auto manufacturers establish programs by January 1, 2005 to recover at least 90% of the mercury-containing ABS and light switches in end-of-life vehicles prior to crushing or as part of dismantling. Costs are to be borne by the manufacturers, with payment of at least \$1 per switch to vehicle recyclers who recover the switches. Detailed plans and reporting requirements are included. After January 1, 2007, no vehicle shall be sold in Michigan which contains added mercury. Vehicles are to be designed to minimize the use of hazardous materials and to economically and environmentally facilitate recycling. Introduced on May 27, 2004 and referred to the Committee on Land Use and Environment.

<http://www.michiganlegislature.org/mileg.asp?page=getObject&objName=2004-HB-5956>

<http://www.michiganlegislature.org/mileg.asp?page=Bills>

HB 6144 provides requirements for appliance recyclers to remove mercury before disposal. Introduced September 9, 2004 and referred to the House Committee on Land Use and Environment.

<http://www.michiganlegislature.org/mileg.asp?page=getObject&objName=2004-HB-6144>

<http://www.michiganlegislature.org/mileg.asp?page=Bills>

HB 6145 provides for source separation of mercury containing products from solid waste, medical waste and municipal wastewater. Introduced September 9, 2004 and referred to the House Committee on Land Use and Environment.

<http://www.michiganlegislature.org/mileg.asp?page=getObject&objName=2004-HB-6145>

<http://www.michiganlegislature.org/mileg.asp?page=Bills>

HB 6146 provides for phasing out the sale of mercury containing products. Introduced September 9, 2004 and referred to the House Committee on Land Use and Environment.

<http://www.michiganlegislature.org/mileg.asp?page=getObject&objName=2004-HB-6146>

<http://www.michiganlegislature.org/mileg.asp?page=Bills>

HB 6147 requires notification to the state by a manufacturer or wholesaler that supplies a mercury containing product to be sold in Michigan. Introduced September 9, 2004 and referred to the House Committee on Land Use and Environment.

<http://www.michiganlegislature.org/mileg.asp?page=getObject&objName=2004-HB-6147>

<http://www.michiganlegislature.org/mileg.asp?page=Bills>

HB 6148 prohibits the landfilling or incineration of mercury containing products. Introduced September 9, 2004 and referred to the House Committee on Land Use and Environment.

<http://www.michiganlegislature.org/mileg.asp?page=getObject&objName=2004-HB-6148>

<http://www.michiganlegislature.org/mileg.asp?page=Bills>

HB 6194 prohibits the sale of mercury light switches. Introduced September 9, 2004 and referred to the House Committee on Land Use and Environment.

<http://www.michiganlegislature.org/mileg.asp?page=getObject&objName=2004-HB-6194>

<http://www.michiganlegislature.org/mileg.asp?page=Bills>

HB 6195 requires dentists to install chair side traps to trap dental amalgam. Introduced September 9, 2004 and referred to the House Committee on Health Policy.

<http://www.michiganlegislature.org/mileg.asp?page=getObject&objName=2004-HB-6195>

<http://www.michiganlegislature.org/mileg.asp?page=Bills>

HB 6196 prohibits the sale of mercury thermostats as of 2010. Starting in 2006, thermostats sold with mercury will need to have labels and instructions for proper disposal. Introduced September 9, 2004 and referred to the House Committee on Land Use and Environment. Recommended for adoption without amendment and adopted by the House on a vote of 69-18 on December 2, 2004. Transferred to the Senate and referred to the Committee on Government Operations on December 7, 2004.

<http://www.michiganlegislature.org/mileg.asp?page=getObject&objName=2004-HB-6196>

<http://www.michiganlegislature.org/mileg.asp?page=Bills>

HB 6197 requires the labeling of products and devices containing mercury. Introduced September 9, 2004 and referred to the House Committee on Land Use and Environment.

<http://www.michiganlegislature.org/mileg.asp?page=getObject&objName=2004-HB-6197>

<http://www.michiganlegislature.org/mileg.asp?page=Bills>

HB 6198 prohibits the sale or use of mercury containing blood pressure measuring devices. Introduced September 9, 2004 and referred to the House Committee on Land Use and Environment. Recommended for adoption and adopted by the House by a vote of 66-20 on December 2, 2004. Transferred to the Senate and referred to the Committee on Government Operations on December 7, 2004.

<http://www.michiganlegislature.org/mileg.asp?page=getObject&objName=2004-HB-6198>

<http://www.michiganlegislature.org/mileg.asp?page=Bills>

HB 6220 requires the labeling of mercury added products sold in Michigan. Introduced September 22, 2004 and referred to the House Committee on Land Use and Environment.

<http://www.michiganlegislature.org/mileg.asp?page=getObject&objName=2004-HB-6220>

<http://www.michiganlegislature.org/mileg.asp?page=Bills>

SB 94 would prohibit the use of mercury in hospitals after December 31, 2005, unless no mercury-free product is available. Introduced January 28, 2003, referred to the Committee on Natural Resources and Environmental Affairs.

<http://www.michiganlegislature.org/mileg.asp?page=getObject&objName=2003-SB-0094>

<http://www.michiganlegislature.org/mileg.asp?page=Bills>

SB 1374 prohibits the disposal of mercury containing items removed from state buildings during renovation or before demolition. Introduced September 9, 2004 and referred to the Senate Natural Resources and Environmental Affairs Committee.

<http://www.michiganlegislature.org/mileg.asp?page=getObject&objName=2004-SB-1374>

<http://www.michiganlegislature.org/mileg.asp?page=Bills>

SB 1375 implements requirements for state agencies to avoid purchasing products containing mercury under certain circumstances. Introduced September 9, 2004 and referred to the Senate Natural Resources and Environmental Affairs Committee.

<http://www.michiganlegislature.org/mileg.asp?page=getObject&objName=2004-SB-1375>

<http://www.michiganlegislature.org/mileg.asp?page=Bills>

SB 1379 prohibits the disposal of lamps containing mercury. Introduced September 9, 2004 and referred to the Senate Natural Resources and Environmental Affairs Committee.

<http://www.michiganlegislature.org/mileg.asp?page=getObject&objName=2004-SB-1379>  
<http://www.michiganlegislature.org/mileg.asp?page=Bills>

SB 1380 requires the separation, collection and recycling of mercury from mercury containing items. Introduced September 9, 2004 and referred to the Senate Natural Resources and Environmental Affairs Committee.

<http://www.michiganlegislature.org/mileg.asp?page=getObject&objName=2004-SB-1380>  
<http://www.michiganlegislature.org/mileg.asp?page=Bills>

## Minnesota

The Legislature is adjourned until 2005 and none of the four bills were adopted.

HF 2123 is a companion to SF 1935 for the removal of mercury switches from automobiles. Introduced February 16, 2004 and sent to Committee on Environment and Natural Resources Policy.  
<http://www.leg.state.mn.us/leg/legis.asp>

HF 2602 is a companion to SF 1934 for the removal of mercury switches from automobiles. Introduced March 1, 2004 and referred to Committee on Environment and Natural Resources Policy. Recommended for adoption in late March and re-refer to Rules and Legislative Administration  
<http://www.leg.state.mn.us/leg/legis.asp>

SF 1934. Requiring motor vehicle manufacturers by a certain date to implement individually or as a group a program to remove, collect and recover mercury switches before crushing or shredding motor vehicles, specifying certain program component requirements; requiring manufacturers to bear the total cost of the collection program; requiring manufacturers to submit a plan for the collection program to the commissioner of the pollution control agency (PCA) for review and approval, requiring subsequent periodic review; requiring manufacturer annual reports to the commissioner relating to the performance of the plan; prohibiting misrepresentation of the removal of mercury switches from motor vehicles; providing for a phase out of mercury added components in motor vehicles, providing for certain exemptions, specifying certain labeling requirements; requiring manufacturers to design motor vehicles to limit hazardous substances; modifying certain other provisions regulating mercury emissions for conformity purposes. Introduced on February 12, 2004 and referred to Environment and Natural Resources Committee. Recommended for adoption in mid-March as amended and re-referred to Finance.  
<http://www.leg.state.mn.us/leg/legis.asp>

SF 1935. Requiring motor vehicle manufacturers by a certain date to implement individually or as a group a program to remove, collect and recover mercury switches before crushing or shredding motor vehicles, specifying certain program component requirements; requiring manufacturers to bear the total cost of the collection program; requiring manufacturers to submit a plan for the collection program to the commissioner of the pollution control agency (PCA) for review and approval, requiring subsequent periodic review; requiring manufacturer annual reports to the commissioner relating to the performance of the plan; prohibiting misrepresentation of the removal of mercury switches from motor vehicles; modifying certain other provisions regulating mercury emissions for conformity purposes. Introduced on February 12, 2004 and referred to Environment and Natural Resources Committee.  
<http://www.leg.state.mn.us/leg/legis.asp>

## Missouri

HB 852 would prohibit the use of mercury in vaccinations and dental restorations after January 1, 2005. It has been adopted by the House and sent to the Senate, where it was referred to the Aging, Families, Mental and Public Health Committee, which has recommended it for adoption. It is on the informal calendar for its third reading as of May 14, 2004.  
<http://www.senate.state.mo.us/senmogov/04info/house/bills/hb852.htm>

## Nebraska

### 2004 session

LB 1158 prohibits the use of mercury in immunizations. Introduced on January 20, 2004. Referred to Health and Human Services Committee. Placed on General File on February 17, 2004; indefinitely postponed on April 15, 2004.

[http://srvwww.unicam.state.ne.us/pdfs/current/INTRO\\_LB1158.pdf](http://srvwww.unicam.state.ne.us/pdfs/current/INTRO_LB1158.pdf)

<http://www.unicam.state.ne.us/scripts/dbBSInfo.asp?Prefix=LB&BillNumber=1158&Suffix=&Session=>

### 2003 session

- ✓ LB 17 incorporates provisions of LB 136 and prohibits the sale and distribution of liquid mercury thermometers. Approved by the Governor May 29, 2003.

[http://srvwww.unicam.state.ne.us/pdfs/XCVIII/slip/SLIP\\_LB17.pdf](http://srvwww.unicam.state.ne.us/pdfs/XCVIII/slip/SLIP_LB17.pdf)

LB 136 would prohibit the sale and distribution of mercury fever thermometers. Advanced to the General File with Amendments to cover liquid mercury thermometers. The Nebraska Nurses Association is registered as supporters; there are no opponents registered.

[http://srvwww.unicam.state.ne.us/pdfs/XCVIII/slip/SLIP\\_LB17.pdf](http://srvwww.unicam.state.ne.us/pdfs/XCVIII/slip/SLIP_LB17.pdf)

<http://www.unicam.state.ne.us/scripts/dbBSInfo.asp?Prefix=LB&BillNumber=136&Suffix=&Session=>

LB 301 creates the Electronic Equipment Recycling Act, in part due to the mercury in this equipment. Advanced to the General File with Amendments. Supporters include 10 listings, while there 3 opponents listed, including the League of Nebraska Municipalities and the Nebraska Chapter of the Solid Waste Association of North America.

[http://srvwww.unicam.state.ne.us/pdfs/XCVIII/intro/INTRO\\_LB301.pdf](http://srvwww.unicam.state.ne.us/pdfs/XCVIII/intro/INTRO_LB301.pdf)

[http://srvwww.unicam.state.ne.us/pdfs/XCVIII/intent/StatementofIntent\\_LB301.pdf](http://srvwww.unicam.state.ne.us/pdfs/XCVIII/intent/StatementofIntent_LB301.pdf)

<http://www.unicam.state.ne.us/scripts/dbBSInfo.asp?Prefix=LB&BillNumber=301&Suffix=&Session=>

## New Hampshire

HB 366 is a comprehensive bill to reduce the use of mercury in products based on the NEWMOA model. Similar legislation was introduced last session, but was not adopted. This bill contains several modifications to last session's bill. Adopted by the House, in the Senate Committee on Interstate Cooperation.

<http://gencourt.state.nh.us/legislation/2003/HB0366.html>

<http://www.gencourt.state.nh.us/index/indexstatus.asp?expbillno=hb0366&txtsessionyear=2004>

SB 185 would require vehicle manufacturers to set up a program to recover mercury switches in automobiles, with an effective date of January 1, 2004. The bill has been labeled as killed.

<http://gencourt.state.nh.us/legislation/2003/SB0185.html>

SB 373 bans the disposal of mercury-containing products into waste going to transfer stations, landfills and incinerators and requires generators to separate out these products and either recycle them or dispose of them as hazardous waste. Introduced on January 7, 2004. In the Senate Committee on Interstate Cooperation.

<http://www.gencourt.state.nh.us/index/indexstatus.asp?expbillno=sb0373&txtsessionyear=2004>

## New Jersey

In the 2004-2005 session, five bills on mercury in products have been introduced. The Legislative session runs until January 10, 2006.

A2482 establishes a program for the removal of mercury switches from scrapped vehicles. Introduced on March 11, 2004, it was referred to Assembly Environment and Solid Waste Committee. On September 30,



2004, it was reported out of the committee with amendments, and referred to the Assembly Appropriations Committee. Adopted by the Assembly on October 25, 2004 on a vote of 73-2-3. Sent to the Senate and referred to the Environment Committee. Reported from committee, had a second reading and referred to Senate Budget and Appropriations Committee on November 15, 2004.

[http://www.njleg.state.nj.us/2004/Bills/A2500/2482\\_I1.PDF](http://www.njleg.state.nj.us/2004/Bills/A2500/2482_I1.PDF)

<http://www.njleg.state.nj.us/Default.asp>

A3377 bans the sale of mercury thermometers. Introduced on October 18, 2004 and referred to Assembly Environment and Solid Waste Committee. On November 4, 2004, combined with A3486.

[http://www.njleg.state.nj.us/2004/Bills/A3500/3377\\_I1.PDF](http://www.njleg.state.nj.us/2004/Bills/A3500/3377_I1.PDF)

<http://www.njleg.state.nj.us/Default.asp>

A3486 bans the sale of mercury thermometers. Introduced on November 4, 2004 and referred to Assembly Environment and Solid Waste Committee. On the same day, it was reported as a substitute, 2nd reading.

[http://www.njleg.state.nj.us/2004/Bills/A3500/3486\\_U1.PDF](http://www.njleg.state.nj.us/2004/Bills/A3500/3486_U1.PDF)

<http://www.njleg.state.nj.us/Default.asp>

S1292 is a companion bill to A2482. Introduced on March 1, 2004 and referred to Environment Committee. Reported out of committee with a second reading on November 15, 2005 and referred to Senate Budget and Appropriations Committee.

<http://www.njleg.state.nj.us/Default.asp>

[http://www.njleg.state.nj.us/2004/Bills/S1500/1292\\_I1.PDF](http://www.njleg.state.nj.us/2004/Bills/S1500/1292_I1.PDF)

S1841 bans the sale of mercury thermometers. Introduced on October 4, 2004 and referred to Senate Environment Committee

[http://www.njleg.state.nj.us/2004/Bills/S2000/1841\\_I1.PDF](http://www.njleg.state.nj.us/2004/Bills/S2000/1841_I1.PDF)

<http://www.njleg.state.nj.us/Default.asp>

In the 2002-2003, one bill on mercury in products was introduced, but was not adopted.

S371 would ban the sale of all mercury thermometers. It is the same as S2315 and A3250 from last session. Introduced January 8, 2003 and referred to the Senate Environment Committee.

[http://www.njleg.state.nj.us/2002/Bills/S0500/371\\_I1.HTM](http://www.njleg.state.nj.us/2002/Bills/S0500/371_I1.HTM)

## New York

A05932 Enacts "The Mercury-Free Water Resources and Mercury Reduction Management Strategy Act of 2003" providing for: disclosure of mercury content, phase-out of mercury-added products, disposal prohibition, labeling, source separation, collection, requirements for sewage treatment plants, point source release containment traps, ban on sale or distribution of certain mercury products, replacement of manometers and gas pressure regulators (agriculture dept. to handle for dairy industry), regulates dental use and bans health insurance discrimination therein, requires lamp recycling; adds all mercury-added products to state universal waste rules; provides for a state advisory committee on mercury pollution; provides for penalties for violations. Referred to Environmental Conservation on January 7, 2004.

<http://assembly.state.ny.us/leg/?bn=A05932>

A06219 Prohibits the sale of mercury fever thermometers. Referred to Environmental Conservation on January 7, 2004.

<http://assembly.state.ny.us/leg/?bn=A06219>

A06259 Enacts the "mercury-free vehicle act of 2004" and requires automobile manufacturers to establish and implement plans which provides for the removal, replacement, collection and recovery of mercury-added components from motor vehicles currently on the road or about to be scrapped; such plans shall be subject to the review and approval of the commissioner of environmental conservation; requires mercury-added components to be removed from motor vehicles prior to recycling; requires manufacturers to phase-out the use of mercury-added components in new cars; establishes civil penalties for violations; grants a

preference to mercury-free vehicles in state purchasing. Referred to Environmental Conservation. on January 7, 2004.

<http://assembly.state.ny.us/leg/?bn=A06259>

A06416 prohibits the use, purchase and storage of mercury and mercury instruments in schools; mercury instruments may continued to be used if no reasonably acceptable mercury-free alternative is available, so long as the mercury instrument used has the lowest mercury content available; directs the commissioner of health to compile, produce and distribute material advising schools of the hazards of elemental mercury and how to reduce such hazards. Referred to the Education Committee on January 7, 2004.

<http://assembly.state.ny.us/leg/?bn=A06416>

- ✓ A10051 requires the manufacturer of each mercury-added consumer product to conspicuously label each such product with notice that it must be properly disposed of or recycled; prohibits the sale of any such product which is not so labeled; establishes requirements for the disposal and recycling of mercury-added consumer products; creates the advisory committee on mercury pollution. Amended and adopted by the Assembly and sent to the Senate on June 22, 2004. Substituted by S7399B, which was adopted and sent to the Governor on July 8, 2004, who signed it into law as Chapter 145.

<http://assembly.state.ny.us/leg/?bn=A10051>

S03604 Prohibits the use of mercury-containing gauges and manometers and the sale of mercury-containing fever thermometers; defines terms; provides for civil penalties for violations. Referred to Environmental Conservation Committee on January 7, 2004.

<http://assembly.state.ny.us/leg/?bn=S03604>

S06457 is the same as A06416 and prohibits the use, purchase and storage of mercury and mercury instruments in schools; mercury instruments may continued to be used if no reasonably acceptable mercury-free alternative is available, so long as the mercury instrument used has the lowest mercury content available; directs the commissioner of health to compile, produce and distribute material advising schools of the hazards of elemental mercury and how to reduce such hazards. Referred to the Education Committee on March 12, 2004.

<http://assembly.state.ny.us/leg/?bn=S06457>

- ✓ S07399 is the same as A10051 as amended and requires the manufacturer of each mercury-added consumer product to conspicuously label each such product with notice that it must be properly disposed of or recycled; prohibits the sale of any such product which is not so labeled; prohibits the sale of novelties with added mercury; bans the sale of mercury thermometers except by prescription; prohibits primary and secondary schools from purchasing mercury-added products; bans the disposal of consumer products with mercury, with an exemption for mercury-containing lamps from households and small businesses; creates the advisory committee on mercury pollution; authorizes the state to participate in a multi-state regional mercury information clearinghouse. Signed into law on July 12, 2004.

<http://assembly.state.ny.us/leg/?bn=S07399>

## Ohio

SB 274 would ban the sale and distribution of certain mercury-containing products, require labeling of mercury-containing products, bans the landfilling of mercury-containing products, requires the removal of mercury from buildings being demolished, household items being repaired, and appliances being recycled, and requires manufacturers of products to establish take-back programs. Introduced on October 19, 2004 , but not yet assigned to a committee.

[http://www.legislature.state.oh.us/bills.cfm?ID=125\\_SB\\_274](http://www.legislature.state.oh.us/bills.cfm?ID=125_SB_274)

## Oregon

HB 3395 requires person selling or distributing product containing elemental mercury or mercury compounds to notify Director of Human Services. Prohibits sale of product containing elemental mercury or mercury compounds without label. Specifies contents of label. Requires catalog, telephone and Internet

sellers of products containing elemental mercury or mercury compounds to advise purchaser that product contains mercury. Requires manufacturer of product containing elemental mercury or mercury compounds to develop plan for recycling and collection of product. Defines manufacturer. Specifies contents of plan. Requires report to Department of Environmental Quality on effectiveness of plan. Referred to Environment and Land Use and subsequently referred to Ways & Means. Hearings held on April 3, 2003 and April 8, 2003.

<http://www.leg.state.or.us/03reg/measures/hb3300.dir/hb3395.intro.html>

<http://www.leg.state.or.us/03reg/pubs/hsemh.html>

SB 633 would establish a state policy against the discharge of mercury into the waters or ground of Willamette Basin, prohibiting the discharge of elemental mercury by January 1, 2010. Referred to Water and Land Use Committee and then Revenue Committee.

<http://www.leg.state.or.us/03reg/measures/sb0600.dir/sb0633.intro.html>

<http://www.leg.state.or.us/03reg/pubs/senmh.html>

SB 681 Requires written informed consent prior to procedure or treatment that uses dental materials containing mercury. Prohibits use of dental materials containing mercury in women of child-bearing age or in children. Prohibits use of dental materials containing mercury in people with metal orthodontic devices in their mouths. Prohibits use of dental materials containing mercury after July 1, 2007. Referred to Human Resources Committee.

<http://www.leg.state.or.us/03reg/measures/sb0600.dir/sb0681.intro.html>

<http://www.leg.state.or.us/03reg/pubs/senmh.html>

SB 695 directs the Department of Human Services to conduct a study of mercury amalgam fillings in human teeth and environmental sources of mercury ingestion. Directs Oregon Health and Science University to assist department in conducting study. Referred to Human Resources Committee, then to Way and Means Committee.

<http://www.leg.state.or.us/03reg/measures/sb0600.dir/sb0695.intro.html>

<http://www.leg.state.or.us/03reg/pubs/senmh.html>

SB 701 directs the Department of Environmental Quality to conduct study of methods that may be used to chemically treat solid waste that contains mercury. Referred to Agriculture and Natural Resources Committee, then to Ways and Means Committee.

<http://www.leg.state.or.us/03reg/measures/sb0700.dir/sb0701.intro.html>

<http://www.leg.state.or.us/03reg/pubs/senmh.html>

SB 818 Requires person selling or distributing product containing elemental mercury or mercury compounds to notify Director of Human Services. Prohibits sale of product containing elemental mercury or mercury compound without label. Specifies contents of label. Requires catalog, telephone and Internet sellers of products containing elemental mercury or mercury compounds to advise purchaser that product contains mercury. Requires manufacturer of product containing elemental mercury or mercury compounds to develop plan for recycling and collection of product. Defines manufacturer. Specifies contents of plan. Requires report to Department of Environmental Quality on effectiveness of plan. Directs Environmental Quality Commission to identify persons holding air quality or water quality permit that allows emission of more than 10 pounds of mercury per year. Directs identified persons to submit mercury reduction plan to Department of Environmental Quality. Directs department to require reductions in mercury emissions under certain conditions. Referred to Agriculture and Natural Resources Committee, which held a hearing on March 17, 2003.

<http://www.leg.state.or.us/03reg/measures/sb0800.dir/sb0818.intro.html>

<http://www.leg.state.or.us/03reg/pubs/senmh.html>

## Pennsylvania

- ✓ Senate Resolution 259 designated the week of May 3 through 9, 2004, as "Consumer Electronics Recycling Week" in Pennsylvania, in part due to the presence of mercury in electronics. Introduced and adopted, May 3, 2004

<http://www.legis.state.pa.us/WU01/LI/BI/ALL/2003/0/SR0259.HTM>

SB 1173 would prohibit the sale of mercury thermometers. Introduced on June 22, 2004 and referred to Public Health and Welfare.

<http://www.legis.state.pa.us/2003%5F0/sb1173p1723.htm>

<http://www.legis.state.pa.us/WU01/LI/BI/ALL/2003/0/SB1173.HTM>

## Rhode Island

### 2004 session

H 7179 This act would establish the “Mercury-Free Vehicle Act.” Introduced January 14th, 2004 and referred to House Environment/Conservation/Natural Resources Accountability. Hearing or action scheduled for March 31, 2004, but no further information is posted on the web page.

[http://www.rules.state.ri.us/billtracker/index.php?page=show\\_detail.php&id=721646](http://www.rules.state.ri.us/billtracker/index.php?page=show_detail.php&id=721646)

H 7527 This act would require that producers of electronic waste be financially and environmentally responsible for this waste and its disposal. Transferred to House Finance Committee on February 12, 2004. Scheduled for a hearing or consideration for May 11, 2004, but no further information is posted on the web page on the original bill. H 7527A is a resolution urging the mercury reduction oversight commission to prevent mercury pollution from electronic waste. Introduced February 4, 2004, and transferred to the House Finance Committee, with a hearing or consideration scheduled to be held on May 11, 2004, but no further information has been posted on the Internet.

[http://www.rules.state.ri.us/billtracker/index.php?page=show\\_detail.php&id=722161](http://www.rules.state.ri.us/billtracker/index.php?page=show_detail.php&id=722161)

[http://www.rules.state.ri.us/billtracker/index.php?page=show\\_detail.php&id=724985](http://www.rules.state.ri.us/billtracker/index.php?page=show_detail.php&id=724985)

H 8639 is a resolution urging the mercury reduction oversight commission to prevent mercury pollution from auto parts. Introduced June 10, 2004 and adopted by the House on June 17, 2004.

[http://www.rules.state.ri.us/billtracker/index.php?page=show\\_detail.php&id=724546](http://www.rules.state.ri.us/billtracker/index.php?page=show_detail.php&id=724546)

S 2043 This act would extend exemption dates for certain recycled packaging materials and add language exempting certain glass or ceramic packaging components in existing legislation that calls for the reduction of lead, mercury, cadmium and hexavalent chromium in packaging or packaging materials used or sold within the state. Added language explicitly states that this act would apply to any packaging material produced domestically or in a foreign country. Introduced January 13th, 2004 and referred to Senate Environment and Agriculture Committee.

[http://www.rules.state.ri.us/billtracker/index.php?page=show\\_detail.php&id=721557](http://www.rules.state.ri.us/billtracker/index.php?page=show_detail.php&id=721557)

S 2044 This act would require by definition that a product, commodity, chemical, or a product with a component containing ten (10) milligrams or more of mercury or a mercury compound to qualify as a mercury-added product. Introduced January 13th, 2004 and referred to Senate Environment and Agriculture Committee.

[http://www.rules.state.ri.us/billtracker/index.php?page=show\\_detail.php&id=721558](http://www.rules.state.ri.us/billtracker/index.php?page=show_detail.php&id=721558)

S 2453 This act would establish the “Mercury-Free Vehicle Act.” Introduced February 11th, 2004 and no further action has been taken.

[http://www.rules.state.ri.us/billtracker/index.php?page=show\\_detail.php&id=722651](http://www.rules.state.ri.us/billtracker/index.php?page=show_detail.php&id=722651)

S 3209 is a resolution urging the mercury reduction oversight commission to prevent mercury pollution from auto parts. Adopted by the Senate on June 22, 2004.

[http://www.rules.state.ri.us/billtracker/index.php?page=show\\_detail.php&id=724834](http://www.rules.state.ri.us/billtracker/index.php?page=show_detail.php&id=724834)

The 2003 session adopted two bills to modify the state’s Mercury Reduction and Education Act, H 6610 and S 0578Aaa.

H 5356, the “Mercury-Free Vehicle Act”, would require vehicle manufacturers to develop and implement a plan to remove and recover mercury switches with a minimum 90% capture rate. Introduced January 30, 2003. To Joint Committee on Environment & Energy and House Environment and Natural Resources Committee.

[http://www.rules.state.ri.us/billtracker/index.php?page=show\\_detail.php&id=3571](http://www.rules.state.ri.us/billtracker/index.php?page=show_detail.php&id=3571)

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

H 6040 would modify existing statutes that put a fee on hard to dispose of materials by adding a 50¢ fee to fluorescent bulbs of any size and mandate that the state Resource Recovery Corporation set up a system to accept fluorescent lamps from all sources. Referred to Joint Environment & Energy, but later withdrawn by the request of the sponsor.

<http://www.rilin.state.ri.us/BillText/BillText03/HouseText03/H6040.htm>

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

H 6149 modifies the state’s “Mercury Reduction and Education Act”. Referred to Health Education and Welfare, it is a companion bill to S 0029. Referred to Committee on Health, Education and Welfare, but later withdrawn by the request of the sponsor.

<http://www.rilin.state.ri.us/BillText/BillText03/HouseText03/H6149.htm>

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

H 6196 would add fluorescent lamps to the definition of hard to dispose wastes and require the state Resource Recovery Corporation to set up a recycling program for them. Referred to Health, Education & Welfare Committee.

<http://www.rilin.state.ri.us/BillText/BillText03/HouseText03/H6196.htm>

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

H 6197 would amend the state’s Mercury Reduction and Education Act, establishing requirements for the recycling of fluorescent lamps, with the state Resource Recovery Corporation to provide containers for the collection and recycling of fluorescents for any public building with more than 100 lamps. Referred to Health, Education & Welfare Committee.

<http://www.rilin.state.ri.us/BillText/BillText03/HouseText03/H6197.htm>

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

- ✓ H 6610 amends the state’s Mercury Reduction and Education Act, changing the exemptions provided for novelties containing mercury, providing more time to meet the standards, and setting up a 14 person advisory committee which is to provide the Governor and the Legislature with several reports with recommendations for reducing and eliminating mercury hazards in Rhode Island. Became effective July 17, 2003 without the Governor’s signature as 2003 Public Laws Chapter 328; it is identical with S 0578 Substitute A as amended and 2003 Public Laws Chapter 235.

<http://www.rilin.state.ri.us/PublicLaws/law03/law03328.htm>

<http://www.rilin.state.ri.us/BillText/BillText03/HouseText03/H6610.htm>

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

S 0029 would amend the mercury reduction and education act by amending the definition of a “mercury-added product” to be those products for which mercury was intentionally added in amounts of 10 milligrams or more. Introduced January 14, 2003. To the Senate Environment and Agriculture Committee. On April 21, 2003, the Committee recommended that this measure be held for further study.

[http://www.rules.state.ri.us/billtracker/index.php?page=show\\_detail.php&id=2685](http://www.rules.state.ri.us/billtracker/index.php?page=show_detail.php&id=2685)

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

S 0030 would extend exemption dates for the elimination of mercury and other hazardous materials in packaging. Referred to Senate Committee on Environment and Agriculture. On April 21, 2003, Committee recommended measure be held for further study.

[http://www.rules.state.ri.us/billtracker/index.php?page=show\\_detail.php&id=2686](http://www.rules.state.ri.us/billtracker/index.php?page=show_detail.php&id=2686)

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

S 0275 would establish the “Mercury-Free Vehicle Act”, and is a companion to H 5356. There is no recorded action on this bill. On April 21, 2003, Committee recommended measure be held for further study.

[http://www.rules.state.ri.us/billtracker/index.php?page=show\\_detail.php&id=3771](http://www.rules.state.ri.us/billtracker/index.php?page=show_detail.php&id=3771)

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

S 0578 would delay implementation of the state’s mercury reduction program until the director of the state agency determines that other states in the inter-state clearinghouse have adopted similar rules. Referred to Senate Committee on Environment and Agriculture. On April 21, 2003, Committee recommended measure be held for further study. However, a substitute bill was later introduced and adopted, as listed below.

[http://www.rules.state.ri.us/billtracker/index.php?page=show\\_detail.php&id=4738](http://www.rules.state.ri.us/billtracker/index.php?page=show_detail.php&id=4738)

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

- ✓ S 0578 Substitute A as amended modifies the state’s Mercury Reduction and Education Act, providing more time to meet the standards, and setting up a 14 person advisory committee to provide the Governor and the Legislature with several reports with recommendations for reducing and eliminating mercury hazards in Rhode Island. Extensions are from July 13, 2003 to July 1, 2005 for those products with more than 1,000 milligrams or 250 parts per million (ppm) mercury; from July 13, 2005 to July 1, 2007 for those products with more than 100 milligrams or 50 ppm mercury and from July 13, 2007 to July 1, 2009 for those products with more than 10 milligrams or 10 ppm mercury. Specialized lighting used in the entertainment industry was exempted from these bans. Labeling requirements, disposal bans and the requirement for manufacturers to either set up their own or a cooperative collection system for their products were delayed until July 1, 2005. For novelties with mercury, the ban on their sales (as of January 1, 2003) was amended such that novelties with a mercury-added button cell battery as the novelty's only mercury-added component are now exempt from the ban. Under the old law, the exemption applied only to novelties with replaceable mercury-added button cell batteries. Adopted by the General Assembly and sent to the Governor on July 7, 2003; became effective July 15, 2003 without the Governor’s signature as 2003 Public Laws Chapter 235 and is identical with H 6610 and 2003 Public Laws Chapter 328.

<http://www.rilin.state.ri.us/PublicLaws/law03/law03235.htm>

<http://www.rilin.state.ri.us/Billtext/BillText03/SenateText03/S0578Aaa.pdf>

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

S 0640 is known as the “Mercury-Free Vehicle Act” and is identical with S 0275 and a companion to H 5356. Referred to Senate Environment & Agriculture Committee. On April 21, 2003, Committee recommended that this measure be held for further study.

<http://www.rilin.state.ri.us/BillText/BillText03/SenateText03/S0640.htm>

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

S 0851 is a resolution known as the “Mercury Safe School Program”, in which the Senate of the State of Rhode Island and Providence Plantations encourages schools to participate in the mercury free schools program to eliminate or reduce and manage mercury-containing items within their schools. Referred to Senate Environment and Agriculture Committee. On April 21, 2003, Committee recommended this measure be held for further study.

[http://www.rules.state.ri.us/billtracker/index.php?page=show\\_detail.php&id=5045](http://www.rules.state.ri.us/billtracker/index.php?page=show_detail.php&id=5045)

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

S 0853, is known as the “Mercury-Free Vehicle Act”, and is a companion to H 5356. Referred to Senate Environment and Agriculture. On April 21, 2003, Committee recommended that the measure be held for further study.

[http://www.rules.state.ri.us/billtracker/index.php?page=show\\_detail.php&id=5047](http://www.rules.state.ri.us/billtracker/index.php?page=show_detail.php&id=5047)

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

## South Carolina

The South Carolina legislature is adjourned until 2005 and considered the following bills in this session.

### 2004 session

- ✓ H 5082 is a resolution to proclaim April 3, 2004 as Electronics Recycling Awareness Day, in part due to the presence of mercury in electronics. Adopted by both houses of the legislature.  
[http://www.scstatehouse.net/cgi-bin/web\\_bh10\\_2003.exe](http://www.scstatehouse.net/cgi-bin/web_bh10_2003.exe)

S 0184 is a joint resolution to establish an electronic equipment recycling program within the Department of Commerce, based, in part, on the presence of mercury in this equipment. Introduced on January 8, 2004 and referred to Committee on Agriculture and Natural Resources.  
[http://www.scstatehouse.net/cgi-bin/web\\_bh10\\_2003.exe](http://www.scstatehouse.net/cgi-bin/web_bh10_2003.exe)

S 814 would ban the sale of mercury thermometers, except by prescription. Introduced on January 13, 2004, amended, adopted by Senate and sent to the House, where it was referred to the Committee on Judiciary on April 21, 2004.  
[http://www.scstatehouse.net/cgi-bin/web\\_bh10\\_2003.exe](http://www.scstatehouse.net/cgi-bin/web_bh10_2003.exe)  
[http://www.scstatehouse.net/sess115\\_2003-2004/prever/814\\_20040113.htm](http://www.scstatehouse.net/sess115_2003-2004/prever/814_20040113.htm)

### 2003 session

S 148 would set up an electronics recycling program, in part due to the mercury within the products. Introduced on January 14, 2003 and Referred to Committee on Agriculture and Natural Resources.  
[http://www.scstatehouse.net/cgi-bin/web\\_bh10.exe](http://www.scstatehouse.net/cgi-bin/web_bh10.exe)

## Tennessee

HB 221 and SB 1823 would prohibit the use of any fertilizer which contains heavy metals, including mercury. The House bill was introduced on January 29, 2003 and has not had any action since February 2003.  
<http://www.legislature.state.tn.us/bills/currentga/BILL/HB0221.pdf>  
<http://www.legislature.state.tn.us/bills/currentga/billLookup.asp>

HB 2679 is known as the Tennessee Electronic Waste Recycling Act, in part due to presence of mercury in electronics. Introduced on January 26, 2004 and referred to Government Operations. Withdrawn on March 23, 2004.  
<http://www.legislature.state.tn.us/bills/currentga/Bill/HB2679.PDF>  
<http://www.legislature.state.tn.us/bills/currentga/billLookup.asp>

SB 1823 is a companion to HB 221 and would prohibit the use of any fertilizer that has heavy metals, including mercury. It was introduced on February 24, 2003 and has not had any action since February 26, 2003.  
<http://www.legislature.state.tn.us/bills/currentga/BILL/SB1823.pdf>  
<http://www.legislature.state.tn.us/bills/currentga/billLookup.asp>

SB 2500 is the senate companion to HB 2679. It was introduced on January 21, 2004 and referred to the Environment, Conservation and Tourism Committee, where it has been placed on the calendar for February 18, 2004. Withdrawn on March 22, 2004.  
<http://www.legislature.state.tn.us/bills/currentga/Bill/SB2500.PDF>  
<http://www.legislature.state.tn.us/bills/currentga/billLookup.asp>

## Texas

The Texas Legislature is adjourned. It adopted into law one bill on mercury-contained products.

HB 129 would regulate the sale and distribution of mercury-containing products, including a ban on the sale of mercury fever thermometers unless by prescription. Would also prohibit the purchase of elemental and laboratory mercury-containing products in schools. Would establish a public education program on mercury and require manufacturers to report to the state regarding mercury-containing products. Introduced on February 3, 2003 and referred to Public Health.

<http://www.capitol.state.tx.us/tlo/billsrch/textsrch.htm>

HB 963 Introduced on February 13, 2003 and builds upon HB 129 prohibiting the sale of novelties with mercury and adding an extensive enforcement section. Referred to Public Health Committee. Left pending in committee as of April 30, 2003.

<http://www.capitol.state.tx.us/tlo/billsrch/textsrch.htm>

HB 1891 requires the labeling of ingredients in drugs, including mercury and is a companion to SB 1400. In the Public Health Committee. House bill had been recommended for adoption without dissent.

<http://www.capitol.state.tx.us/tlo/billsrch/textsrch.htm>

HB 2967 would establish a program for the safe handling of electronic refuse, including a prohibition on the sale of equipment with mercury in it. Referred to Environmental Regulation. It is a companion to SB 1239. Both were left pending in committee as of May 6, 2003.

<http://www.capitol.state.tx.us/tlo/billsrch/textsrch.htm>

- ✓ SB 1400 requires the labeling of ingredients in drugs, including mercury and has become law, enrolled May 20, 2003 effective September 1, 2003.

<http://www.capitol.state.tx.us/tlo/legislation/legislation.htm>

<http://www.capitol.state.tx.us/tlo/78R/billtext/SB01400F.HTM>

## Vermont

S 0111 has the title of "Comprehensive Management of Human Exposure to Mercury " and does the following: 1) after Jan. 1, 2005, bans the sale of mercury fever thermometers, mercury food thermometers or a mercury-containing thermostats for heating systems, 2) novelty items containing mercury are also banned from sale by July 1, 2005, with the exception of those items containing button batteries and lamps 3) dairy manometers using mercury are banned for sale after July 1, 2004, 4) source separation requirements and the ban on landfilling mercury are expanded beyond those products with labels and the products requiring labeling is expanded to include all mercury added products, except, of course those exempted. White goods are also required to be labeled, but not the packaging. Manufacturers are required to submit labeling plans for approval by DEC and can also apply for alternative to the requirements, 5) a landfill disposal monitoring program is required to detect the presence of mercury-containing products. Also required is a public education about landfill bans for mercury containing products, 6) Vermont dentists are required to follow Best Management Practices , 7) by Jan.1, 2005, the Vermont Department of Health is required to submit a report to the legislature, in consultation with the Vermont dental society, concerning dental mercury use, 8) mercury uses are banned in schools and no person is allowed to bring mercury into schools, 9) the Department of Environmental Conservation is required to develop a plan to identify resources needed to provide the necessary data to address several questions concerning mercury contaminated fish and submit such plan to the legislature in January 2005. Introduced February 20, 2003, adopted by Senate on February 12, 2004 and sent to the House, where it has been assigned to the Natural Resources and Energy Committee and has not had any action.

<http://www.leg.state.vt.us/database/status/summary.cfm?Bill=S%2E0111&Session=2004>



## Virginia

In the 2004 session, one bill has been introduced.

SB 187 requires the state Board of Dentistry to promulgate regulations for the appropriate and safe use of dental amalgams containing mercury. Such regulations shall include, but need not be limited to, information on mercury and its environmental and health hazards; the safe handling of dental amalgams containing mercury to avoid human and animal exposure to mercury; appropriate disposal of mercury amalgams and waste products to prevent mercury pollution of the environment; conditions under which amalgams containing mercury are contraindicated and are not to be used in certain patients; a requirement that each patient be given informed consent about the health and safety concerns relating to amalgams containing mercury; and a requirement that any dentist who is continuing to use dental amalgams containing mercury shall provide each of his patients with the option of receiving a dental filling other than dental amalgams containing mercury. Offered on January 14, 2004 and referred to Committee on Education and Health. Continued to 2005 on a 14-0 vote in late January.

<http://leg1.state.va.us/cgi-bin/legp504.exe?041+ful+SB187>

<http://leg1.state.va.us/cgi-bin/legp504.exe?ses=041&typ=bil&val=sb187>

In the 2003 session, there was one bill on mercury in products, as follows:

S 1106 would ban the sale of liquid fever thermometers. Adopted by Senate 38-0. Referred to House Committee on Health, Welfare and Institutions, which passed by indefinitely on February 11, 2003.

<http://leg1.state.va.us/cgi-bin/legp504.exe?031+ful+SB1106>

<http://leg1.state.va.us/cgi-bin/legp504.exe?ses=031&typ=bil&val=sb1106>

## Washington

The Washington Legislature is adjourned for the year, and adopted two bills related to mercury, with both signed into law by the Governor.

- ✓ HB 1002 was signed into law by its Governor, who vetoed only the section that says that it is safe to eat the fish in the region. Known as Chapter 260, Laws of 2003, it became effective July 27, 2003 and does the following:

- Requires the labeling of fluorescent lamps by January 1, 2004.
- Requires the Department of Health to develop a educational plan on mercury for schools, local governments, businesses and the public on the proper disposal method for mercury and mercury-containing products.
- Prohibits schools from purchasing mercury compounds and requires them to remove mercury by January 2006.
- Requires state government to purchase low and non-mercury-added products where feasible.
- Requires the Department of Ecology to petition the U.S. Environmental Protection Agency to create a permanent national repository for mercury.
- Bans the sale of mercury thermometers and blood pressure devices by January 2006, with some exceptions.
- Bans the sale of mercury-containing novelty items by January 2006.
- Bans the sale of automobiles with mercury auto switches by January 2006.
- Bans the installation or reinstallation of mercury thermostats by January 2006 unless the manufacturer of the thermostat participates in a thermostat recycling program.
- Authorizes the Department of Ecology to participate in a regional or multi-state clearinghouse to help implement the requirements of this law.
- Exempts crematoria from any requirements of this law.

<http://www.leg.wa.gov/wsladm/billinfo/dspBillSummary.cfm?billnumber=1002>

- ✓ HB 1235, SB 5403 and substitute SB 5403 provide for state supplemental operating appropriations and include a provision for the Department of Ecology to develop plans for the reduction in the use of mercury and its discharge to the environment. Signed by the Governor; effective April 9, 2003.  
<http://www.leg.wa.gov/wsladm/billinfo/dspBillSummary.cfm?billnumber=5403>  
[http://www.leg.wa.gov/pub/billinfo/2003-04/Senate/5400-5424/5403-s\\_pl.pdf](http://www.leg.wa.gov/pub/billinfo/2003-04/Senate/5400-5424/5403-s_pl.pdf)

HB 1273 would require informed consent prior to using mercury amalgam dental restorative material. Introduced on January 22, 2003, in Health Care. Also see SB 5066.  
<http://www.leg.wa.gov/wsladm/billinfo/dspBillSummary.cfm?billnumber=1273>

HB 1942 is for the recovery of electronic waste, and includes provisions for the removal and recovery of mercury-containing devices as well as requiring that mercury not be used in electronic products as of January 1, 2007. Introduced February 17, 2003 and referred to Fisheries, Ecology & Parks.  
<http://www.leg.wa.gov/wsladm/billinfo/dspBillSummary.cfm?billnumber=1942>

SB 5066 is similar to HB 1273 and would require informed consent prior to using mercury amalgam dental restorative material. Introduced on January 14, 2003; referred to Health & Long-Term Care.  
<http://www.leg.wa.gov/wsladm/billinfo/dspBillSummary.cfm?billnumber=5066>

SB 5124 is a companion to HB 1002. Introduced on January 15, 2003. Referred to Committee on Natural Resources, Energy & Water.  
<http://www.leg.wa.gov/wsladm/billinfo/dspBillSummary.cfm?billnumber=5124>

## Wisconsin

The regular session had its last floor period on March 11, 2004 and no further action is expected on any of the following state bills.

AB 23 would ban the sale of most mercury thermometers, similar to legislation adopted in Minnesota and Michigan. Introduced February 5, 2003 with 18 sponsors and referred to the committee on Natural Resources <http://www.legis.state.wi.us/2003/data/AB23hst.html>

SB 10 is identical to AB 23 and the same 18 sponsors. Introduced on January 23, 2003 and referred to the committee on Environment and Natural Resources  
<http://www.legis.state.wi.us/2003/data/SB10hst.html>

AB 277 would prohibit a manufacturer, wholesaler, or retailer from selling, offering for sale, or giving away a mercury fever thermometer beginning on the first day of the seventh month after the bill is enacted. It has 17 sponsors and was referred to the Committee on Natural Resources.  
<http://www.legis.state.wi.us/2003/data/AB277hst.html>

AB 877 would ban the landfilling of specified electronics, require the manufacturers to set up recycling programs and ban the use of a variety of toxic materials, including mercury. Introduced on February 23, 2004, it was assigned to the Assembly Natural Resources Committee, which held a hearing on the bill before it was assigned a bill number.  
<http://www.legis.state.wi.us/2003/data/AB877hst.html>

- ✓ The City of Marinette has adopted ordinances to both ban placing fluorescent lamps in with other solid waste as well as a requirement to remove and recycle all mercury-containing products prior to the demolition of buildings.
- ✓ The City of Madison adopted an ordinance to require that retailers of fluorescent lamps and mercury thermostats offer to take back for recycling these products from their customers, similar to legislation previously adopted by Dane County.  
<http://www.ci.madison.wi.us/council/ccattach/att010604/33537sub.pdf>

## Federal

H. R. 1680 would prohibit after 2008 the introduction into interstate commerce of mercury intended for use in a dental filling, and for other purposes. Also designates mercury amalgam as misbranded unless it has an extensive label describing the mercury content and recommended limitations for its use. Six co-sponsors. Introduced on April 8, 2003; referred to Committee on Energy and Commerce, and to the Subcommittee on Health.

<http://thomas.loc.gov/cgi-bin/bdquery/z?d108:h.r.01680>:

H. R. 4169 would ban the use of thimerosal and mercury in specified vaccinations. Introduced April 2, 2004 by Representative Dave Weldon, it has 53 co-sponsors and has been referred to the Subcommittee on Health of the Energy and Commerce Committee.

<http://thomas.loc.gov/cgi-bin/bdquery/z?d108:h.r.04169>:

H.R. 4260 is known as the Safe Communities and Safe Schools Mercury Reduction Act of 2004, and would ban the sale of mercury thermometers (except by prescription), require contractors who replace thermostats to participate in thermostat recycling programs, require manufacturers of thermostats to establish or participate in recycling programs for replaced mercury thermostats, provide guidance for the elimination of free-flowing mercury and mercury instruments in schools, require the installation of advanced separators in dental offices and provide \$75 million annually in grants for mercury education, reduction, collection, and recycling programs. Introduced on May 4, 2004 by Representative Tammy Baldwin, it has 17 co-sponsors, and has been referred to the House Committee on Energy and Commerce, the Subcommittee on Environment and Hazardous Materials.

<http://thomas.loc.gov/cgi-bin/bdquery/z?d108:h.r.04260>:

S. 616 would ban the sale of mercury fever thermometers, except by prescription; provide federal monies for state and local thermometer exchange programs; and establish a federal task for setting up plans for the long-term management of mercury, including options for long-term storage and sequestration, and minimizing the use of mercury in products. Has 10 co-sponsors; referred to Committee on Environment and Public Works. Ordered to be reported without amendment favorably on April 9, 2003. Placed on Senate Legislative Calendar on November 18, 2003.

<http://thomas.loc.gov/cgi-bin/bdquery/z?d108:s.00616>:

S. 1939 would require the Secretary of Health and Human Services to ensure that the public is provided adequate notice and education on the effects of exposure to mercury through the development of health advisories and by requiring that such appropriate advisories be posted, or made readily available, at all businesses that sell fresh, frozen, and canned fish and seafood where the potential for mercury exposure exists. Introduced on November 24, 2003 and referred to the Committee on Health, Education, Labor, and Pensions. One co-sponsor.

<http://thomas.loc.gov/cgi-bin/bdquery/z?d108:s.01939>:

Status of Local, State and Federal Mercury Product Legislation and Laws  
2005-2006 Legislative Sessions  
April 21 – May 5, 2005

The regulation of mercury in products at the state and federal level is increasing rapidly. A good summary of existing state and federal laws as of the fall of 2001 on mercury product legislation is found in Appendix A of a draft report on mercury by the California Department of Toxic Substances Control, and found on the Internet at [http://www.dtsc.ca.gov/HazardousWaste/HWMP\\_REP\\_DraftMercury2.pdf](http://www.dtsc.ca.gov/HazardousWaste/HWMP_REP_DraftMercury2.pdf), as well as in the National Wildlife Federation report, “Getting Serious”, found on the Internet at ([www.nwf.org/cleantherain](http://www.nwf.org/cleantherain)). Local ordinances and state laws are also available at <http://www.noharm.org/mercury/ordinances>, which is part of the web page of Health Care Without Harm. Also, this author can be contacted for a list of mercury product legislation – both all proposed and a separate list of just those adopted – from the 2001-2002 and 2003-2004 sessions.

For mercury product legislation currently under consideration, the following is a summary of the bills that this compiler has found, along with their status and web page links. While the goal is to be as complete as possible, it is known that there are other measures – especially at local government levels – that have been missed. This document will be updated at regular interval and people are welcome to contact me for the latest updates.

This compilation does not includes legislation to limit the emission of mercury from combustion processes or legislation on mercury consumption advisories.

#### Arizona

HB 2684 would require written notification to patients for the use of mercury amalgam restorations. Introduced February 9, 2005. Referred to three committees – Health, Commerce, and Rules  
<http://www.azleg.state.az.us/legtext/47leg/1r/bills/hb2684p.htm>  
<http://www.azleg.state.az.us/legtext/47leg/1r/bills/hb2684o.asp>

#### Arkansas

- ✓ HB 2665 is known as the “The Shielded Outdoor Lighting Act” and would, among other things, require the Department of Environmental Quality to promulgate regulations to prohibit the knowing disposal of mercury containing lamps in landfills. Adopted as Act 1963.  
<http://www.arkleg.state.ar.us/>
- ✓ SB 323 is known as the “Mercury Switch Removal Act of 2005”, in which manufacturers would have to both develop, implement and finance a mercury switch removal program for vehicles, including both convenience lighting and anti-lock braking systems. Introduced in the Senate on February 9, 2005, approved by the Senate on a vote of 28-6-1 on February 15, 2005. Sent to the House and adopted by a vote of 94-1 on February 24, 2005. Sent to the Governor on February 28, 2005, who signed it into law as Act 649 on March 7, 2005.  
<http://www.arkleg.state.ar.us/>

#### California

AB 966 would require the Department of Health Services to adopt regulations establishing standards regulating the discharge of mercury and other byproducts related to the use of amalgam in the process of providing dental and related services, and related to supplying those who provide the services and would require that the best available technology be used to ensure that the highest possible percentage of mercury is removed from wastewater prior to discharge. The bill would preclude health insurance coverage or health care service plans entered into or amended on or after January 1, 2006, from denying insurance coverage for amalgam alternatives based upon the cosmetic aspects of the alternatives. Referred to Committee on Health. Hearing set, but then cancelled at the request of the author.  
[http://www.leginfo.ca.gov/cgi-bin/postquery?bill\\_number=ab\\_966&sess=CUR&house=B&author=saldana](http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_966&sess=CUR&house=B&author=saldana)

AB 1240 delays a report due from the Department of Toxic Substances Control to the Legislature on the management of mercury-containing vehicle switches and expands the requirements for the report. Referred to the Committee Environmental Safety and Toxic Materials. Amended by author, with hearing set for April 26, 2005. Recommended for adoption on a 5-2 vote on April 26, 2005 and sent to Appropriations.  
[http://www.leginfo.ca.gov/cgi-bin/postquery?bill\\_number=ab\\_1240&sess=CUR&house=B&author=levine](http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_1240&sess=CUR&house=B&author=levine)

AB 1415 would prohibit a person from selling, offering to sell, or distributing for promotional purposes in this state, a mercury switch or mercury relay, as defined. The bill would exclude from this prohibition a switch or relay, as specified, that was in use prior to January 1, 2007, and a mercury switch or mercury relay if use of the switch or relay is required under federal law or federal contract specification. Referred to the Committee Environmental Safety and Toxic Materials, with hearing set for April 26, 2005.  
[http://www.leginfo.ca.gov/cgi-bin/postquery?bill\\_number=ab\\_1415&sess=CUR&house=B&author=pavley](http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_1415&sess=CUR&house=B&author=pavley)

## Connecticut

HB 5713 would require insurers that provides dental benefits to cover nonmercury fillings to the same extent as mercury fillings. On January 20, 2005, referred to Joint Committee on Insurance and Real Estate. Listed as having no action as of March 24, 2005.  
<http://search.cga.state.ct.us/2005/tob/h/2005HB-05713-R00-HB.htm>  
<http://search.cga.state.ct.us/>

HB 6522 would amend the general statutes to require labeling of fluorescent light bulbs containing mercury. Introduced January 27, 2005, referred in the House to Health Committee and in the Senate to the Public Health Committee.  
<http://search.cga.state.ct.us/2005/tob/h/2005HB-06522-R00-HB.htm>  
<http://search.cga.state.ct.us/>

HB 6803 expands the restriction on mercury in packages to including packaging. Referred to Joint Committee on Environment. Introduced on February 14, 2005 with a hearing held on March 7, 2005. Referred to both the House and the Senate Judiciary Committees on April 6, 2005 and favorable notice given on April 15, 2005. Filed with Legislative Commissioners' Office on April 15, 2005.  
<http://search.cga.state.ct.us/2005/tob/h/2005HB-06803-R00-HB.htm>  
<http://search.cga.state.ct.us/>

HB 6879 revises the state statutes on restrictions of mercury-containing products expand the exception for the restriction on the sale or distribution of mercury-added products to include additional high intensity discharge lamps; to exempt button cell batteries and products containing such batteries from the labeling requirements of the mercury reduction provisions; to revise the labeling requirements for luminaries; and to exempt button cell batteries containing mercury and products containing such batteries from the collection requirements of the mercury reduction provisions. Referred to Joint Committee on Environment, with a hearing scheduled for March 21, 2005. Favorable report issued; put on House calendar April 13, 2005.  
<http://search.cga.state.ct.us/2005/tob/h/2005HB-06879-R00-HB.htm>  
<http://search.cga.state.ct.us/>

SB 1187 would prohibit the sale of motor vehicles containing mercury switches and headlamps and to establish a program to recover such switches and headlamps when motor vehicles are recycled. Introduced February 24, 2005 and referred to Joint Committee on Transportation. Hearing scheduled for March 4, 2005.  
<http://www.cga.ct.gov/2005/tob/s/2005SB-01187-R00-SB.htm>  
<http://search.cga.state.ct.us/>

## Delaware

HB 108 would prohibit the use of mercury in vaccines. Introduced on April 13, 2005 and referred to the Health and Human Development Committee.  
<http://www.legis.state.de.us/LIS/lis143.nsf/vwLegislation/HB+108?Opendocument>

## Florida

S 0690 would prohibits use of vaccines that contain thimerosal or mercury in immunizing a minor against communicable diseases. Introduced on January 13, 2005 and referred to Committee on Health Care. Adopted unanimously on April 7, 2005 and referred to the House on April 13, 2005.

[http://www.flsenate.gov/Session/index.cfm?Mode=Bills&SubMenu=1&BI\\_Mode=ViewBillInfo&BillNum=0690](http://www.flsenate.gov/Session/index.cfm?Mode=Bills&SubMenu=1&BI_Mode=ViewBillInfo&BillNum=0690)

## Hawaii

HB 475 establishes a task force to prepare a statewide policy and plan for the management of electronic waste, in part due to the presence of mercury. Referred to two committees, and, as of February 15, 2005, at least one has recommended that the measure be deferred.

[http://www.capitol.hawaii.gov/sessioncurrent/bills/hb475\\_.htm](http://www.capitol.hawaii.gov/sessioncurrent/bills/hb475_.htm)

<http://www.capitol.hawaii.gov/site1/docs/getstatus2.asp?billno=hb0475>

SB 455 establishes a task force to prepare a statewide policy and plan for the management of electronic waste, in part due to the presence of mercury. On February 4, 2005, referred to Energy, Environment, and International Affairs Committee, the Media, Arts, Science, and Technology Committee, and the Committee on Ways and Means.

[http://www.capitol.hawaii.gov/sessioncurrent/bills/sb455\\_.htm](http://www.capitol.hawaii.gov/sessioncurrent/bills/sb455_.htm)

<http://www.capitol.hawaii.gov/site1/docs/getstatus2.asp?billno=SB0455>

SB 1004 establishes a task force to prepare a statewide policy and plan for the management of electronic waste, in part due to the presence of mercury. Referred to the Energy, Environment, and International Affairs Committee, the Media, Arts, Science, and Technology Committee, and the Committee on Ways and Means. Has had second reading, now in Committee on Ways and Means.

[http://www.capitol.hawaii.gov/sessioncurrent/bills/sb1004\\_.htm](http://www.capitol.hawaii.gov/sessioncurrent/bills/sb1004_.htm)

<http://www.capitol.hawaii.gov/site1/docs/getstatus2.asp?billno=SB1004>

SB 1077 directs the department of health to adopt rules to establish a cathode ray tube recycling program, in part due to the presence of mercury in CRTs. Prohibits placing cathode ray tubes in landfills after July 1, 2008. On February 4, 2007, re-referred to the Energy, Environment, and International Affairs Committee, the Health Committee, and the Committee on Ways and Means.

[http://www.capitol.hawaii.gov/sessioncurrent/bills/sb1077\\_.htm](http://www.capitol.hawaii.gov/sessioncurrent/bills/sb1077_.htm)

<http://www.capitol.hawaii.gov/site1/docs/getstatus2.asp?billno=SB1077>

SB 1505 appropriates funds for the establishment of a 2-year pilot computer recycling and disposal program in at least two public schools in the State, in part due to the presence of mercury in computers. Initially referred to the Education and Military Affairs Committee, Media, Arts, Science, and Technology Committee, and the Committee on Ways and Means.. Has had its second reading and on February 18, 2005, re-referred to Committee on Ways and Means.

[http://www.capitol.hawaii.gov/sessioncurrent/bills/sb1505\\_.htm](http://www.capitol.hawaii.gov/sessioncurrent/bills/sb1505_.htm)

<http://www.capitol.hawaii.gov/site1/docs/getstatus2.asp?billno=SB1505>

## Illinois

HB 0511 provides that a person who is knowingly pregnant or who is under 3 years of age shall not be vaccinated with a mercury-containing vaccine or injected with a mercury-containing product that contains more than 0.5 micrograms of mercury per 0.5 milliliter dose. Provides that a person who is knowingly pregnant or who is under 3 years of age shall not be vaccinated with a mercury-containing influenza vaccine that contains more than 1.0 microgram of mercury per 0.5 milliliter dose. Passed the House unanimously on February 16, 2005. Sent to the Senate, where it was assigned to the Health and Human Services Committee, where it was postponed on April 20, 2005.

<http://www.ilga.gov/legislation/94/hb/09400hb0511.htm>

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=05111&GAID=8&DocTypeID=HB&LegID=14879&SessionID=50&GA=94>

HB 1149 creates the Computer Equipment Disposal and Recycling Commission. Requires that the Commission (i) issue a report of its findings and recommendations related to the disposal and recycling of computer equipment on or before May 31, 2006, (ii) beginning on May 31, 2007, evaluate the implementation of programs by the State relating to computer equipment disposal and recycling, and (iii) issue a report of its finding and recommendations on or before December 31, 2008. One of the issues of concern is the presence of mercury.

Adopted by the House and recommended for adoption by the Senate Environment and Energy Committee.

Scheduled for a second reading on April 21, 2005.

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=1149&GAID=8&DocTypeID=HB&LegID=15894&SessionID=50&GA=94>

HB 1628 is known as the “Mercury-Free Vehicle Act”. Introduced on February 14, 2005, it has gone to both the Rules Committee and the Executive Committee and has been recommended for adoption. Two amendments were offered on March 16, 2005, and referred to the Rules Committee. One amendment concerns the removal of mercury switches, while the other would prohibit the use of mercury-containing products in new vehicles. Had a second reading April 8, 2005 and re-referred to the Rules Committee on April 15, 2005.

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=1628&GAID=8&DocTypeID=HB&LegID=16423&SessionID=50&GA=94>

HB 2346 amends the Environmental Protection Act and sets forth restrictions on the disposal of covered electronic devices. Creates the Electronics Recovery and Recycling Fund as a special fund in the State Treasury. Introduced February 16, 2005; assigned to Environment and . Re-referred to the Rules Committee on March 10, 2005.

<http://www.ilga.gov/legislation/94/hb/09400hb2346lv.htm>

HB 3607 Amends the Mercury Fever Thermometer Prohibition Act. Makes a technical change in a Section concerning the manufacture of mercury fever thermometers. Re-referred to Rules Committee on March 10, 2005.

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=3607&GAID=8&DocTypeID=HB&LegID=20013&SessionID=50&GA=94>

HB 4021 is known as the “Mercury Free Vehicles Act” ; no details were available as of April 21, 2005.

Introduced on February 28, 2005, assigned to Rules Committee, then to Executive Committee and re-referred to Rules on March 10, 2005.

<http://www.ilga.gov/legislation/billstatus.asp?DocNum=4021&GAID=8&GA=94&DocTypeID=HB&LegID=20843&SessionID=50>

SB 1025 amends the Mercury Fever Thermometer Prohibition Act by making a technical change in a section concerning the manufacture of mercury fever thermometers. Placed on the calendar for a third reading on April 15, 2005, the deadline for a third reading was extend to December 31, 2005.

<http://www.ilga.gov/legislation/billstatus.asp?DocNum=1025&GAID=8&GA=94&DocTypeID=SB&LegID=18079&SessionID=50>

SB 1679 creates the Mercury-Free Vaccine Act. Provides that a person who is knowingly pregnant or who is under 3 years of age shall not be vaccinated with a mercury-containing vaccine or injected with a mercury-containing product that contains more than 0.5 micrograms of mercury per 0.5 milliliter dose. Provides that a person who is knowingly pregnant or who is under 3 years of age shall not be vaccinated with a mercury-containing influenza vaccine that contains more than 1.0 micrograms of mercury per 0.5 milliliter dose. On March 18, 2005, it was re-referred to the Rules Committee.

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=1679&GAID=8&DocTypeID=SB&LegID=19866&SessionID=50&GA=94>

SB 1875 creates the Mercury-Free Vaccine Act. Provides that a person shall not be vaccinated with a mercury-containing vaccine or injected with a mercury-containing product. Provides that the Department of Public Health may exempt the use of a vaccine containing mercury from the provisions of the Act, provided certain conditions are met, if the Department finds that an actual or potential bio-terrorist incident or other actual or potential public health emergency makes necessary the administration of a vaccine containing mercury. On March 18, 2005, it was re-referred to the Rules Committee.

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=1875&GAID=8&DocTypeID=SB&LegID=20271&SessionID=50&GA=94>

## Indiana

SB 0169 requires the environmental quality service council to study issues concerning the establishment and operation of mercury recovery and recycling programs in Indiana during the 2005 interim. Adopted

unanimously by the Senate, passed the House with amendments and returned to the Senate for reconsideration on April 5, 2005.

<http://www.in.gov/apps/lisa/session/billwatch/billinfo?year=2005&session=1&request=getBill&docno=169>

## Louisiana

HB 600 provides for the recycling of mercury switches in end-of-life vehicles. Introduced April 15, 2004 and assigned to House Environment Committee.

<http://www.legis.state.la.us/>

## Maine

LD 148 would require the Director of the Bureau of Health within the Department of Health and Human Services shall develop a brochure that explains the use of thimerosal and other preservatives in vaccines. The brochure must describe what alternatives are available and what potential advantages and disadvantages are posed by the use of thimerosal and those alternatives. Physicians would need to display a state-produced poster to let their patients know of the availability of the brochure. Introduced in January 2005 and sent to both the House and the Senate Committee on Health and Human Services.

<http://janus.state.me.us/legis/LawMakerWeb/summary.asp?LD=148>

LD 185 is "An Act to Amend the Law on Mercury-added Products" would require labeling of mercury-containing lamps, as of January 1, 2006 and would increase the amount that automakers must pay in compensation for the costs of removing mercury switches from junked vehicles. Approved by the Committee on Natural Resources pending review of amendment language.

<http://janus.state.me.us/legis/LawMakerWeb/summary.asp?LD=185>

LD 854 is "An Act to Ban the Distribution of Children's Products that Contain Mercury Batteries". On February 16, 2005, it was referred to the House Committee on Natural Resources while on February 22, 2005, it was also sent to the Senate Committee on Natural Resources. On April 6, 2005, placed in legislative files and listed as dead.

<http://janus.state.me.us/legis/LawMakerWeb/summary.asp?LD=854>

LD 1058 is an act to regulate the use of batteries containing mercury. It bans the sale and disposal in household trash of novelties that contain mercury-added button cell batteries, and requires retailers to accept used batteries back from consumers. Sent to both the House and the Senate Committee on Natural Resources.

<http://janus.state.me.us/legis/LawMakerWeb/summary.asp?LD=1058>

LD 1327 is titled "An Act to Prohibit the Use of Mercury Fillings". It requires the elimination of mercury in dental offices over a 3-year period. The bill also requires dental schools to include in their curricula by January 2006 the risks of exposure to mercury. The bill also requires a dental office to post in the office the disclosure statement published by the Department of Health and Human Services, Bureau of Health on the risks of having mercury fillings. Sent to both the House and the Senate Committee on Natural Resources.

<http://janus.state.me.us/legis/LawMakerWeb/summary.asp?LD=1327>

LD 1338 is for the "transition to mercury-free dentistry". As of January 1, 2007, it prohibits the placement of mercury amalgam fillings in children under 6 and pregnant women, and as of January 1, 2008, prohibits all mercury amalgam fillings. Requires that, beginning in January 2006, schools that offer training in dentistry, including dental hygiene and dental assisting, shall teach the risks of exposure to mercury in dental offices and dental laboratories. By July 1, 2006, all state and local government dental plans, Medicaid and private-sector dental plans must provide consumer choice in filling materials. If the costs of different kinds of fillings are different, the 3rd-party payer may limit coverage to the cost of the lowest-priced filling. The patient is allowed to have a higher-priced filling and pay the difference. Sent to both the House and the Senate Committee on Natural Resources.

<http://janus.state.me.us/legis/LawMakerWeb/summary.asp?LD=1338>



## Maryland

HB 86 prohibits children of a certain age and certain pregnant women from being vaccinated with certain vaccines that contain, or injected with a product that contains, mercury or other heavy metals. Introduced and read first time on January 13, 2005 and assigned to Health and Government Operations Committee. There was a hearing on February 10, 2005 and an unfavorable report on March 14, 2005.  
<http://mlis.state.md.us/2005rs/billfile/hb0086.htm>

## Massachusetts

H 1293 is know as the “Mercury Free Vehicle Act of 2005 and would require manufacturers to set up a mercury switch recovery program with a goal to recovering 90% of the mercury switches. Referred to the Joint Committee on Environment, Natural Resources and Agriculture  
<http://www.mass.gov/legis/bills/house/ht01/ht01293.htm>

H 1296 is an act to eliminate the emission of mercury from vehicles and would require the removal of all mercury containing components from vehicles before they are crushed. Manufacturers would need to implement plans for the recovery of mercury components from discarded vehicles, including reimbursement for the cost of removal of these components. Referred to the Joint Committee on Environment, Natural Resources and Agriculture  
<http://www.mass.gov/legis/bills/house/ht01/ht01296.htm>

H 1362. is a comprehensive bill for the removal of mercury switches from vehicles, with responsibility for the development and implementation of a plan by manufacturers. Referred to the Joint Committee on Environment, Natural Resources and Agriculture  
<http://www.mass.gov/legis/bills/house/ht01/ht01362.htm>

H 1392. is an “Act Relative to Safer Alternatives for Mercury Containing Products”, which includes bans on the sales of mercury switches and relays, including thermostats. Referred to the Joint Committee on Environment, Natural Resources and Agriculture  
<http://www.mass.gov/legis/bills/house/ht01/ht01392.htm>

H 2668 would require amalgam separators in dental offices and notification of patients about risks of mercury amalgam. Referred to the Committee on Public Health on January 26, 2005.  
<http://www.mass.gov/legis/184history/h02668.htm>  
<http://www.mass.gov/legis/bills/house/ht02/ht02668.htm>

H 2694 would require amalgam separators in dental offices and notification of patients about risks of mercury amalgam. Referred to the Committee on Public Health on January 26, 2005.  
<http://www.mass.gov/legis/184history/h02694.htm>  
<http://www.mass.gov/legis/bills/house/ht02/ht02694.htm>

S 554 is a comprehensive mercury product bill, banning the sale of over a dozen products, requiring labeling of mercury-containing products, banning the landfilling or incineration of mercury products and related requirements. Last modified on March 16, 2005. Sent to the Committee on Environment, Natural Resources and Agriculture. The status of the bill could not be found on the Internet.  
<http://www.mass.gov/legis/bills/senate/st00/st00554.htm>

S 1215 would prohibit the use of mercury in vaccinations. Sent to the Committee on Public Health. Last modified on March 21, 2005. The status of the bill could not be found on the Internet.  
<http://www.mass.gov/legis/bills/senate/st01/st01215.htm>

## Michigan

HB 4035. Thermostats manufactured with mercury shall be labeled including spill instructions by 2006; and banned for sale as of Jan. 1, 2010. Introduced on January 27, 2005. Referred to Committee on Natural Resources, Great Lakes, Land Use, and Environment. See also SB 0124.

<http://www.legislature.mi.gov/mileg.asp?page=Bills>  
<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4035>

HB 4036. Manufacturers of any mercury-added products for sale in state shall be labeled and provide instructions for proper disposal and proper cleanup, beginning January 1, 2005. Introduced on January 27, 2005. Referred to Committee on Natural Resources, Great Lakes, Land Use, and Environment.

<http://www.legislature.mi.gov/mileg.asp?page=Bills>  
<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4036>

HB 4058. Adds definitions to part 172; adds authority to promulgate rules for the Director; and as of Jan 1, 2006, manufacturer or wholesaler must first notify the Director of a mercury-added product for sale, use, or distribution with specific information and the Director shall make each notice available to public on department website. Introduced on January 27, 2005. Referred to Committee on Natural Resources, Great Lakes, Land Use, and Environment.

<http://www.legislature.mi.gov/mileg.asp?page=Bills>  
<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4058>

HB 4461 directs state agencies to avoid the purchase of products which contain mercury whenever possible. Introduced on March 8, 2005. Referred to Committee on Government Operations.

<http://www.legislature.mi.gov/mileg.asp?page=Bills>  
<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4461>

HB 4583 prohibits the disposal of mercury or a mercury compound in a wastewater disposal system, including, but not limited to, an individual home septic system, unless the disposal is authorized by a permit under part 31. Introduced on March 24, 2005; referred to Committee on Natural Resources, Great Lakes, Land Use, and Environment.

<http://www.legislature.mi.gov/mileg.asp?page=Bills>  
<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4583>

HB 4586 requires manufacturers to label products containing mercury, including information on how to dispose of the produce and how to handle spills or leaks. Introduced on March 24, 2005; referred to Committee on Natural Resources, Great Lakes, Land Use, and Environment.

<http://www.legislature.mi.gov/mileg.asp?page=Bills>  
<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4586>

HB 4618 would ban the landfilling or incineration of mercury, with some exemptions. Introduced on April 14, 2005; referred to Committee on Natural Resources, Great Lakes, Land Use, and Environment.

<http://www.legislature.mi.gov/mileg.asp?page=Bills>  
<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4618>

SB 0123. This bill bans sale of blood pressure cuffs as of January 1, 2006 and bans their use as of Jan 1, 2010. Introduced on February 1, 2005 and referred to the Committee on Natural Resources and Environmental Affairs.

<http://www.legislature.mi.gov/mileg.asp?page=Bills>  
<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-SB-0123>

SB 0124 would require labeling of thermostats as of January 1, 2006 and bans their sale as of January 1, 2010. Referred to the Committee on Natural Resources and Environmental Affairs. See also HB 4035.

<http://www.legislature.mi.gov/mileg.asp?page=Bills>  
<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-SB-0124>

SB 0158 would ban the landfilling or incineration of a variety of mercury containing products, including thermometers, thermostats, switches, novelties, fluorescent lamps and mercuric oxide batteries. Introduced February 3, 2005 and referred to the Committee on Natural Resources and Environmental Affairs.

<http://www.legislature.mi.gov/mileg.asp?page=Bills>  
<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-SB-0158>

SB 0186 is the same as HB 4058 and adds definitions to part 172; adds authority to promulgate rules for the Director; and as of Jan 1, 2006, manufacturer or wholesaler must first notify the Director of a mercury-added product for sale, use, or distribution with specific information and the Director shall make each notice available to public on department website. Introduced on February 10, 2005 and referred to the Committee on Natural Resources and Environmental Affairs.

<http://www.legislature.mi.gov/mileg.asp?page=Bills>

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-SB-0186>

SB 0187. Beginning January 1, 2005, a manufacturer of any mercury-added products intended for sale in this state or for use in this state shall affix to each product a label indicating that the product contains mercury and shall provide instructions with the mercury-added product on the proper disposal of the mercury-added product and proper cleanup of the mercury or mercury compound if a spill, leak, or discharge occurs. Introduced on February 10, 2005 and referred to the Committee on Natural Resources and Environmental Affairs.

<http://www.legislature.mi.gov/mileg.asp?page=Bills>

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-SB-0187>

SB 0201 would prohibit the landfilling or incineration of mercury containing products. Introduced on February 15, 2005 and referred to the Committee on Natural Resources and Environmental Affairs.

<http://www.legislature.mi.gov/mileg.asp?page=Bills>

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-SB-0201>

SB 0361 would impose requirement for state agencies to avoid purchasing products containing mercury under certain circumstances. Introduced on April 12, 2005 and referred to the Committee on Natural Resources and Environmental Affairs.

<http://www.legislature.mi.gov/mileg.asp?page=Bills>

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-SB-0361>

SB 0402 would prohibit the sale of a light switch with mercury. Introduced on April 20, 2005 and referred to the Committee on Natural Resources and Environmental Affairs.

<http://www.legislature.mi.gov/mileg.asp?page=Bills>

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-SB-0402>

## Minnesota

HF 0661 would require the removal of mercury amalgam restorations prior to cremation of human corpses and the installation of amalgam separators in dental offices. Introduced on February 3, 2005 and referred to Health Policy and Finance. Companion to SF 0641.

<http://www.revisor.leg.state.mn.us/bin/bldbill.php?bill=H0661.0&session=ls84>

HF 1505 would require, effective July 1, 2005, that vaccines administered in the state shall not contain any mercury or mercury compounds, including but not limited to thimerosal, unless: (1) a vaccine containing no mercury is not manufactured; or (2) the provider finds that the mercury-free vaccine is not obtainable by utilizing best efforts, because the vaccine is not on the market for sale. If a mercury-free vaccine is not available, then a vaccine containing a trace amount of mercury as defined by the United States Food and Drug Administration may be administered. If neither a mercury-free vaccine nor a vaccine containing a trace amount of mercury is available, then the vaccine containing the least amount of mercury may be administered. Introduced on March 3, 2005 and referred to Health Policy and Finance Committee.

[http://www.revisor.leg.state.mn.us/revisor/pages/search\\_status/status\\_detail.php?b=House&f=HF1505&ssn=0&y=2005](http://www.revisor.leg.state.mn.us/revisor/pages/search_status/status_detail.php?b=House&f=HF1505&ssn=0&y=2005)

SF 0639 is a companion to HF 1505 and is known as the "Minnesota Elimination of Mercury in Vaccines Act of 2005" Introduced on January 31, 2005 and referred to Health and Family Security.

[http://www.revisor.leg.state.mn.us/revisor/pages/search\\_status/status\\_detail.php?b=Senate&f=SF0639&ssn=0&y=2005](http://www.revisor.leg.state.mn.us/revisor/pages/search_status/status_detail.php?b=Senate&f=SF0639&ssn=0&y=2005)

SF 0641 would require the removal of mercury amalgam restorations prior to cremation of human corpses and the installation of amalgam separators in dental offices. Companion to HF 0661. Introduced on January 31, 2005 and referred to Health and Family Security.

<http://www.revisor.leg.state.mn.us/bin/bldbill.php?bill=S0641.0&session=ls84>  
[http://www.revisor.leg.state.mn.us/revisor/pages/search\\_status/status\\_detail.php?b=Senate&f=SF0641&ssn=0&y=2005](http://www.revisor.leg.state.mn.us/revisor/pages/search_status/status_detail.php?b=Senate&f=SF0641&ssn=0&y=2005)

## Missouri

HB 131 prohibits immunizations administered to children less than eight years old from containing mercury after January 1, 2007. Referred to Health Care Policy Committee, which held a hearing on February 16, 2005. Recommended for passage on March 17, 2005.

<http://www.house.state.mo.us/bills051/bills/hb131.htm>

SB 49 prohibits immunizations containing mercury preservatives after April 1, 2007. Hearing held by Aging, Families, Mental & Public Health Committee on February 16, 2005. Combined with SB 74.

<http://www.house.state.mo.us/bills051/bills/sb049.htm>

SB 74 prohibits immunizations containing mercury preservatives after April 1, 2007. Hearing held by Aging, Families, Mental & Public Health Committee on February 16, 2005. Amended and adopted by the Senate, referred to the House and assigned to the Health Care Policy Committee on April 14, 2005.

<http://www.house.state.mo.us/bills051/bills/sb074.htm>

[http://www.senate.mo.gov/05info/BTS\\_Web/Bill.aspx?SessionType=R&BillID=100](http://www.senate.mo.gov/05info/BTS_Web/Bill.aspx?SessionType=R&BillID=100)

## Montana

HB 665 is a comprehensive mercury product bill, requiring notification prior to sale within the state, labeling requirements, bans on disposal, requirements for amalgam separators in dental offices, bans on the sales of thermometers and thermostats with mercury, etc. Introduced on February 11, 2005, it has been referred to the Human Services Committee, which has scheduled a hearing for February 18, 2005. Tabled in committee on February 19, 2005 and missed deadline for general transmittal on March 1, 2005; web page lists as "probably dead".

<http://data.opi.state.mt.us/bills/2005/Billhtml/HB0665.htm>

## Nebraska

LB 190 would establish the Electronic Equipment Recycling Act, in part due to the presence of mercury. Referred to Natural Resources Committee, which scheduled a hearing on February 9, 2005.

[http://srvwww.unicam.state.ne.us/current/intro/INTRO\\_LB190.pdf](http://srvwww.unicam.state.ne.us/current/intro/INTRO_LB190.pdf)

<http://www.unicam.state.ne.us/documents/bills.htm>

LB 569 says that no early childhood immunization administered in the State of Nebraska shall contain mercury or any other preservatives containing heavy metals, including, but not limited to, thimerosal. Referred to Health and Human Services Committee, which scheduled a hearing for February 10, 2005. Indefinitely postponed on March 9, 2005.

[http://srvwww.unicam.state.ne.us/current/intro/INTRO\\_LB569.pdf](http://srvwww.unicam.state.ne.us/current/intro/INTRO_LB569.pdf)

[http://srvwww.unicam.state.ne.us/current/intent/StatementofIntent\\_LB569.pdf](http://srvwww.unicam.state.ne.us/current/intent/StatementofIntent_LB569.pdf)

<http://www.unicam.state.ne.us/documents/bills.htm>

## Nevada

The Nevada Legislature is adjourned and did not act on the following bill

AB 224 prohibits a person from administering or providing an immunization to another person, whether by vaccine or otherwise, if the immunization contains more than a specified amount of mercury (0.5 or 1.0 micrograms per 0.5 ml), unless the person obtains a signed affirmation that the person receiving the immunization is not pregnant or under the age of 3 years. This bill authorizes a person to request an exemption from this prohibition which the Director of the Department of Human Resources, with the concurrence of the Governor, may grant upon finding that the exemption is necessary due to an actual or potential bioterrorism incident or a public health emergency. Referred to Committee on Health and Human Services.

## New Hampshire

HB 371 Bans the disposal of mercury-added products in solid waste landfills or transfer stations and solid waste management facilities or any business in New Hampshire that accepts appliances or motor vehicles for salvage, recycling, or disposal shall be responsible for removing mercury-added components, except lamps used for backlighting or displays, prior to crushing, shredding, or other scrap metal processing. The collected mercury-added components shall be recycled or disposed of as hazardous waste. Adopted by the House on April 6, 2005 with amendment. In the Senate, it has been assigned to the Committee on Energy and Economic Development.

<http://www.gencourt.state.nh.us/legislation/2005/hb0371.html>

<http://www.gencourt.state.nh.us/index/>

<http://www.gencourt.state.nh.us/ie/billstatus/billstatuspwr.asp>

HB 562 Beginning January 1, 2007 no person shall offer for sale or distribute for any purpose a mercury-added product if the mercury content of the product exceeds one gram in the case of fabricated mercury-added products or two hundred fifty parts per million in the case of formulated mercury-added products. Beginning January 1, 2009 no person shall offer for sale or distribute for any purpose a mercury-added product if the mercury content of the product exceeds one hundred milligrams in the case of fabricated mercury-added products or fifty parts per million in the case of formulated mercury-added products. House adopted on March 30, 2005. In the Senate, it was assigned to the Committee on Environment and Wildlife.

<http://www.gencourt.state.nh.us/legislation/2005/HB0562.html>

<http://www.gencourt.state.nh.us/index/>

<http://www.gencourt.state.nh.us/ie/billstatus/billstatuspwr.asp>

## New Jersey

- ✓ A2482 establishes a program for the removal of mercury switches from scrapped vehicles. Introduced on March 11, 2004, it was referred to Assembly Environment and Solid Waste Committee. On September 30, 2004, it was reported out of the committee with amendments, and referred to the Assembly Appropriations Committee. Adopted by the Assembly on October 25, 2004 on a vote of 73-2-3, and the Senate by 36-0 on February 14, 2005. Signed into law as Chapter 54, Public Laws of 2005 on March 24, 2005.

[http://www.njleg.state.nj.us/2004/Bills/A2500/2482\\_I1.PDF](http://www.njleg.state.nj.us/2004/Bills/A2500/2482_I1.PDF)

<http://www.njleg.state.nj.us/Default.asp>

- ✓ A3377 bans the sale of mercury thermometers. Introduced on October 18, 2004 and referred to Assembly Environment and Solid Waste Committee. On November 4, 2004, combined with A3486.

[http://www.njleg.state.nj.us/2004/Bills/A3500/3377\\_I1.PDF](http://www.njleg.state.nj.us/2004/Bills/A3500/3377_I1.PDF)

<http://www.njleg.state.nj.us/Default.asp>

- ✓ A3486 bans the sale of mercury thermometers. Introduced on November 4, 2004 and referred to Assembly Environment and Solid Waste Committee. Passed Assembly (76-1-1) on January 24, 2005. Adopted by Senate with amendment by a vote of 39-0 and then by the Assembly by a vote of 77-0 on March 14, 2005.

[http://www.njleg.state.nj.us/2004/Bills/A3500/3486\\_U1.PDF](http://www.njleg.state.nj.us/2004/Bills/A3500/3486_U1.PDF)

<http://www.njleg.state.nj.us/Default.asp>

S1292 is a companion bill to A2482. Introduced on March 1, 2004 and referred to Environment Committee. Reported out of committee with a second reading on November 15, 2005 and referred to Senate Budget and Appropriations Committee. Substituted by A2482 on February 14, 2005.

<http://www.njleg.state.nj.us/Default.asp>

[http://www.njleg.state.nj.us/2004/Bills/S1500/1292\\_I1.PDF](http://www.njleg.state.nj.us/2004/Bills/S1500/1292_I1.PDF)

- ✓ S1841 bans the sale of mercury thermometers. Introduced on October 4, 2004 and referred to Senate Environment Committee, which reported it with amendments to the full Senate for a second reading on February 7, 2005. On March 14, 2005, substituted by A3486/3377.

[http://www.njleg.state.nj.us/2004/Bills/S2000/1841\\_I1.PDF](http://www.njleg.state.nj.us/2004/Bills/S2000/1841_I1.PDF)

New York

A 01560. Enacts "The Mercury Free Water Resources and Mercury Reduction Management Strategy Act of 2005"; provides for: disclosure of mercury content, phase-out of mercury-added products, disposal prohibition, labeling, source separation, collection, requirements for sewage treatment plants, point source release containment traps, ban on sale or distribution of certain mercury products, replacement of manometers and gas pressure regulators, regulates dental use and bans health insurance discrimination therein, requires lamp recycling; adds all mercury-added products to state universal waste rules; provides for a state advisory committee on mercury pollution. Introduced on January 20, 2005 and Referred to the Environmental Conservation Committee.  
<http://assembly.state.ny.us/leg/?bn=A01560>

A 02307 would ban the sale of mercury fever thermometers without a prescription. Introduced on January 25, 2005 and Referred to the Environmental Conservation Committee.  
<http://assembly.state.ny.us/leg/?bn=A02307>

A 03336. Enacts the "mercury-free vehicle act of 2005"; requires automobile manufacturers to establish and implement plans which provide for the removal, replacement, collection and recovery of mercury-added components from motor vehicles currently on the road or about to be scrapped. Introduced on January 25, 2005 and Referred to the Environmental Conservation Committee.  
<http://assembly.state.ny.us/leg/?bn=A03336>

A 05275 prohibits the use, purchase and storage of mercury and mercury instruments in schools; mercury instruments may continued to be used if no reasonably acceptable mercury-free alternative is available, so long as the mercury instrument used has the lowest mercury content available; directs the commissioner of health to compile, produce and distribute material advising schools of the hazards of elemental mercury and how to reduce such hazards. Companion to S 01070 On February 18, 2005, referred to the Education Committee.  
<http://assembly.state.ny.us/leg/?bn=A05275>

A 05543 prohibits the administration of any vaccine or immunization that contains mercury. Companion to S 2707. On February 24, 2005, referred to the Committee on Health.  
<http://assembly.state.ny.us/leg/?bn=A05543>

A 06850 is the same as S 04469 and prohibits the sale and distribution of certain additional mercury-added products including thermostats, barometers, esophageal dilators, bougie tubes, gastrointestinal tubes, flow meters, hydrometers, hygrometers, psychrometers, manometers, pyrometers, sphygmomanometers, thermometers, switches and relays; requires manufactures and trade associations dealing in mercury-added products to report certain information to the Department of Environmental Conservation. Introduced March 29, 2005, adopted by the Assembly and sent to the Senate on April 19, 2005, where it was referred to the Committee on Environmental Conservation.  
<http://assembly.state.ny.us/leg/?bn=A06850>

S 01070. Prohibits the use, purchase and storage of mercury and mercury instruments in schools; mercury instruments may continued to be used if no reasonably acceptable mercury-free alternative is available, so long as the mercury instrument used has the lowest mercury content available; directs the commissioner of health to compile, produce and distribute material advising schools of the hazards of elemental mercury and how to reduce such hazards. Introduced on January 24, 2005 and referred to the Education Committee.  
<http://assembly.state.ny.us/leg/?bn=S01070>

S 01582. Prohibits the use of mercury-containing gauges and manometers and the sale of mercury-containing fever thermometers. Introduced on January 31, 2005 and referred to the Environmental Conservation Committee.  
<http://assembly.state.ny.us/leg/?bn=S01582>

S 02707 prohibits the administration of any vaccine or immunization that contains mercury. Companion to H 5543. On February 24, 2005, referred to the Committee on Health.

<http://assembly.state.ny.us/leg/?bn=S02707>

S 04256 is the same as A 0336 on mercury switches in vehicles. It was introduced on April 12, 2005 and assigned to the Committee on Environmental Conservation.

<http://assembly.state.ny.us/leg/?bn=S04256>

S 04309 makes provisions relating to mercury-added novelty products and includes motor vehicles under the definition of mercury-added consumer product. It was introduced on April 13, 2005 and assigned to the Committee on Environmental Conservation.

<http://assembly.state.ny.us/leg/?bn=S04309>

S 04469 is the same as A 06850 and prohibits the sale and distribution of certain additional mercury-added products including thermostats, barometers, esophageal dilators, bougie tubes, gastrointestinal tubes, flow meters, hydrometers, hygrometers, psychrometers, manometers, pyrometers, sphygmomanometers, thermometers, switches and relays; requires manufactures and trade associations dealing in mercury-added products to report certain information to the Department of Environmental Conservation. It was introduced on April 15, 2005 and assigned to the Committee on Environmental Conservation.

<http://assembly.state.ny.us/leg/?bn=S04469>

## North Carolina

HB 1136 is a companion to SB 1014 on the removal of mercury switches from vehicles. Filed on April 5, 2005 and referred to Committee on Environment and Natural Resources. Favorably reported on April 20, 2005 and re-referred to the Committee on Finance.

<http://www.ncleg.net/gascripts/BillLookUp/BillLookUp.pl?Session=2005&BillID=H1136>

HB 1364 would restrict the use of thimerosal in vaccines for pregnant women and children under the age of eight and require public education on thimerosal. Introduced on April 20, 2005 and referred to the Committee on Health.

<http://www.ncleg.net/gascripts/BillLookUp/BillLookUp.pl?Session=2005&BillID=H1364>

HB 1502 would ban bulk elemental mercury or chemical mercury compounds for use in a primary or secondary classroom and require local boards, by January 1, 2006, to remove from all primary and secondary schools and properly dispose of all bulk elemental mercury, chemical mercury, and bulk mercury compounds used as teaching aids in science classrooms, not including barometers. Introduced on April 20, 2005 and assigned to the Committee on Education.

<http://www.ncleg.net/gascripts/BillLookUp/BillLookUp.pl?Session=2005&BillID=H1502>

HB 1531 is a comprehensive bill to reduce mercury emissions from products, and bans the sale of specific products, including novelties, thermometers, vehicle switches, and blood pressure manometers, restricts the sales of thermostats, requires labeling of fluorescent lamps, and bans the purchase of bulk mercury or mercury compounds for schools. Introduced on April 20, 2005 and assigned to the Committee on Environment and Natural Resources.

<http://www.ncleg.net/gascripts/BillLookUp/BillLookUp.pl?Session=2005&BillID=H1531>

SB 1014 would set up a manufacturer requirement for the removal of mercury switches from vehicles, with a minimum payment of \$5 for the removal of switches by vehicle recyclers and scrap metal facilities. Referred to the Committee on Agriculture, Environment and Natural Resources on March 24, 2005.

<http://www.ncleg.net/gascripts/BillLookUp/BillLookUp.pl?Session=2005&BillID=S1014>

## Ohio

SB 49 would limit the use of vaccines containing mercury. Introduced February 8, 2005 and referred to Health, Human Services, and Aging.

[http://www.legislature.state.oh.us/bills.cfm?ID=126\\_SB\\_49](http://www.legislature.state.oh.us/bills.cfm?ID=126_SB_49)

SB 70 provides that starting June 1, 2005, no person may offer any mercury-added product for sale or distribute any such product for promotional purposes unless the manufacturer provides prior notification in writing to the Director of Environmental Protection. As of June 1, 2007, no person may offer any mercury-added product for sale or distribute any such product for promotional purposes unless the manufacturer has applied for and received an exemption from the prohibition for that product from the Director. Introduced on February 17, 2005 and referred to Health, Human Services, and Aging.

[http://www.legislature.state.oh.us/bills.cfm?ID=126\\_SB\\_70](http://www.legislature.state.oh.us/bills.cfm?ID=126_SB_70)

## Oregon

SB 740 requires manufactures to set up electronics recycling programs and to report to the state the amount of mercury contained in certain electronic equipment sold in the state. Referred to Environment and Land Use, then Ways and Means. Public hearing held March 29, 2005.

<http://landru.leg.state.or.us/05reg/measures/sb0700.dir/sb0740.intro.html>

<http://www.leg.state.or.us/searchmeas.html>

SB 823 restricts use of vaccines containing mercury by pregnant women and children under three years of age. Referred to Health Policy; public hearing held on March 21, 2005.

<http://landru.leg.state.or.us/05reg/measures/sb0800.dir/sb0823.intro.html>

<http://www.leg.state.or.us/searchmeas.html>

## Pennsylvania

HB 1162 would, with some exemptions, prohibit on or after January 1, 2006, the vaccination with a mercury-containing vaccine of a person who is knowingly pregnant or who is under three years of age. Would also required that all health insurance policies delivered, issued for delivery, renewed, extended or modified in this Commonwealth by any health care insurer shall provide that the health insurance benefits applicable under the policy include coverage for mercury-free vaccines and injections for pregnant women and children under three years of age. Assigned to Health and Human Services Committee March 29, 2005.

<http://www.legis.state.pa.us/WU01/LI/BI/ALL/2005/0/HB1162.HTM>

SB 391 would, with some exemptions, prohibit on or after January 1, 2006, the vaccination with a mercury-containing vaccine of a person who is knowingly pregnant or who is under three years of age. Would also required that all health insurance policies delivered, issued for delivery, renewed, extended or modified in this Commonwealth by any health care insurer shall provide that the health insurance benefits applicable under the policy include coverage for mercury-free vaccines and injections for pregnant women and children under three years of age. Referred to Public Health and Welfare Committee, March 16, 2005.

<http://www.legis.state.pa.us/2005%5F0/sb0391p0426.htm>

SB 524 is known as the "Mercury-Free Motor Vehicle Act" and requires manufacturers to develop and implement a plan for the removal of mercury switches from end-of-life vehicles. Assigned to Committee on Environmental Resources and Energy on March 29, 2005.

<http://www.legis.state.pa.us/WU01/LI/BI/ALL/2005/0/SB0524.HTM>

SB 527 prohibits the sale of mercury thermometers. Referred to Public Health and Welfare on March 29, 2005.

<http://www.legis.state.pa.us/WU01/LI/BI/ALL/2005/0/SB0527.HTM>

## Rhode Island

H 5910 This act would eliminate the exemption from the ban of novelty items containing mercury batteries, the sale, use or distribution of a novelty that incorporates one or more mercury added button cell batteries as its only mercury added component or components. Introduced on March 1, 2005 and referred to the Committee on Environment and Natural Resources. Scheduled for hearing on April 6, 2005.

<http://www.rilin.state.ri.us/billtext/billtext05/housetext05/h5910.htm>

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>



H 5911 This act would require manufacturers of motor vehicles sold in Rhode Island to establish and implement a collection program for mercury switches, with a goal to recycle 43 pounds of mercury a year. Introduced on March 1, 2005 and referred to the Committee on Environment and Natural Resources. Substitute A recommended for passage on April 13, 2005 and placed on House calendar.

<http://www.rilin.state.ri.us/billtext/billtext05/housetext05/h5911.htm>

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

H 6115 is known as the "Electronic Waste Producer Responsibility Act" and requires manufacturers to develop electronics recycling systems, based, in part, on the presence of mercury in electronics. Introduced on March 2, 2005 and referred to the Committee on Environment and Natural Resources. Scheduled for hearing on April 6, 2005.

<http://www.rilin.state.ri.us/billtext/billtext05/housetext05/h6115.htm>

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

H 6116 is known as the "Mercury Switch Removal Act" and requires manufacturers to develop and implement plans for the removal of mercury switches from vehicles, with the goal to recover at least 90% of the mercury switches in vehicles, including a minimum payment of \$3 per switch removed by vehicle recyclers and scrap metal recyclers. Introduced on March 2, 2005 and referred to the Committee on Environment and Natural Resources. Scheduled for hearing on April 6, 2005.

<http://www.rilin.state.ri.us/billtext/billtext05/housetext05/h6116.htm>

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

S 0137 is known as the "Mercury Reduction and Education Act" and would modify existing law for the definition of a mercury-added product to be one in which ten (10) milligrams or more of mercury is added. Introduced on January 27, 2005 and referred to Senate Environment & Agriculture Committee

<http://www.rilin.state.ri.us/billtext/billtext05/senatetext05/s0137.htm>

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

S 0235 would modify exiting law that limits the use of toxics – including mercury – in packaging. Introduced on February 3, 2005 and referred to Senate Environment & Agriculture Committee.

<http://www.rilin.state.ri.us/billtext/billtext05/senatetext05/s0235.htm>

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

S 0611 is known as the "Mercury Reduction and Education Act" and would modify existing law, requiring the establishment of a mercury switch removal and recovery program for motor vehicles by the vehicle manufacturers. Introduced on February 10, 2005 and referred to Senate Environment & Agriculture Committee.

<http://www.rilin.state.ri.us/billtext/billtext05/senatetext05/s0611.htm>

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

S 0821 is titled "The Mercury Switch Removal Act of 2005" and requires manufacturers to develop and implement plans for the removal of mercury switches from vehicles, including a minimum payment of \$3 per switch removed by vehicle recyclers and scrap metal recyclers. Introduced on February 17, 2005 and referred to the Committee on Environment & Agriculture.

<http://www.rilin.state.ri.us/billtext/billtext05/senatetext05/s0821.htm>

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

S 0826 is the "Electronic Waste Producer Act" and calls for the development of a recycling systems, based, in part, on the presence of mercury in electronics. Introduced on February 17, 2005 and referred to the Committee on Environment & Agriculture. Committee recommended hearing on April 6, 2005.

<http://www.rilin.state.ri.us/billtext/billtext05/senatetext05/s0826.htm>

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

S 0865 is known as the "Mercury Switch Removal Act" and requires vehicle manufacturers to develop and implement plans with the goal to recover at least 90% of the mercury switches in vehicles, including a minimum

payment of \$3 per switch removed by vehicle recyclers and scrap metal recyclers.. Introduced on March 2, 2005 and referred to the Committee on Environment & Agriculture.

<http://www.rilin.state.ri.us/billtext/billtext05/senatetext05/s0865.htm>

<http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=Index&WCE=callBillStatus&WCU&>

## South Carolina

H 3922 is known as the mercury switch removal act and is the same as s 709. It provides that every manufacturer of motor vehicles sold in this state to which this chapter applies shall develop a mercury minimization plan to be filed with the department of health and environmental control; to provide for certain costs with regard to the collection and recovery of mercury switches to be paid by the vehicle manufacturer; to provide for other related provisions pertaining to the recycling, storage, and disposal of mercury switches, including designating mercury switches as universal waste and requiring the department to promulgate regulations for the management of these switches; and to provide penalties for violations. Introduced on April 13, 2005

currently residing in the House Committee on Agriculture, Natural Resources and Environmental Affairs

[http://www.scstatehouse.net/sess116\\_2005-2006/bills/3922.htm](http://www.scstatehouse.net/sess116_2005-2006/bills/3922.htm)

S 178 would set up an electronics recycling program, in part due to the presence of mercury in the equipment. On January 11, 2005, referred to Committee on Agriculture and Natural Resources

[http://www.scstatehouse.net/sess116\\_2005-2006/bills/178.htm](http://www.scstatehouse.net/sess116_2005-2006/bills/178.htm)

S 709 is the same as H 3922 and is known as the Mercury Switch Removal Act. Introduced April 6, 2005 and Referred to Committee on Medical Affairs

[http://www.scstatehouse.net/sess116\\_2005-2006/bills/709.htm](http://www.scstatehouse.net/sess116_2005-2006/bills/709.htm)

## Tennessee

HB 0467 is known as the "Electronic Recycling Act of 2005", and would set up an electronics recycling program by manufacturers. The manufacturers would need to report on the quantity of mercury used in their products that are exempted from the European Restriction on Hazardous Substances (RoHS) requirements, and sold within the state. Also see SB 0673. On February 7, 2005, referred to Government Operations Committee and Conservation and Environment Committee.

<http://www.legislature.state.tn.us/bills/currentga/Bill/HB0467.PDF>

<http://www.legislature.state.tn.us/>

HB 0902 would prohibit immunizations from containing mercury. See also SB 0824. On February 9, 2005, referred to the Committee on Commerce. Placed on s/c cal April 20, 2005; impact for COM for April 26, 2005.

<http://www.legislature.state.tn.us/bills/currentga/Bill/HB0902.PDF>

<http://www.legislature.state.tn.us/>

HB 0956 Beginning January 1, 2007, immunizations administered to children less than eight (8) years of age shall not contain any mercury preservatives, including but not limited to thimerosal. The federal Food and Drug Administration designation as thimerosal free or "trace only" shall comply with this section. All other persons receiving immunizations that are not designated as thimerosal free or "trace only" shall be informed in advance that it contains a mercury-based preservative. Exemptions would be allowed in case of emergency. Also see SB 1616. On February 9, 2005, referred to Commerce Committee. Placed on s/c cal April 20, 2005; impact for COM for April 26, 2005.

<http://www.legislature.state.tn.us/bills/currentga/Bill/HB0956.PDF>

<http://www.legislature.state.tn.us/>

SB 0673 is a companion bill to HB 0467, requiring manufacturers to set up an electronics recycling program and to report to the state on the quantity of mercury used in their products that are exempted from the European Restriction on Hazardous Substances (RoHS) requirements, and sold within the state. On February 7, 2005, referred to Environment, Conservation & Tourism Committee.

<http://www.legislature.state.tn.us/bills/currentga/Bill/SB0673.PDF>

<http://www.legislature.state.tn.us/>

SB 0824 would prohibit immunizations from containing mercury and is a companion to HB 0902. On February 9, 2005, referred to Commerce, Labor & Agriculture Committee.

<http://www.legislature.state.tn.us/bills/currentga/Bill/SB0824.PDF>

<http://www.legislature.state.tn.us/>

SB 1616 is a companion to HB 0956. Beginning January 1, 2007, immunizations administered to children less than eight (8) years of age shall not contain any mercury preservatives, including but not limited to thimerosal. The federal Food and Drug Administration designation as thimerosal free or “trace only” shall comply with this section. All other persons receiving immunizations that are not designated as thimerosal free or “trace only” shall be informed in advance that it contains a mercury-based preservative. Exemptions would be allowed in case of emergency. On February 9, 2005, referred to Commerce, Labor and Agriculture Committee. Recommended for passage April 13, 2005. Placed on Senate consent calendar for April 25, 2005.

<http://www.legislature.state.tn.us/bills/currentga/Bill/SB1616.PDF>

<http://www.legislature.state.tn.us/>

## Texas

HB 1359 relates to the establishment of a program for the disposition of electronic equipment in a manner that protects the water and other natural resources of the state and prohibits the use of mercury in electronics. Referred to Environmental Regulation Committee on February 22, 2005.

<http://www.capitol.state.tx.us/tlo/legislation/legislation.htm>

HB 2887 requires vehicle manufactures to develop and implement a plan to remove and recycle mercury convenience switches with a minimum reimbursement of \$5 per switch to vehicle and scrap metal recyclers. Introduced on March 10, 2005, in Committee on Environmental Regulation.

<http://www.capitol.state.tx.us/tlo/legislation/legislation.htm>

SB 564 relates to the establishment of a program for the disposition of electronic equipment in a manner that protects the water and other natural resources of the state, including a prohibition of the use of mercury in electronics. Introduced February 16, 2005; referred to Natural Resources Committee, which held a public hearing in early April, but has taken no other action as of April 12, 2005.

<http://www.capitol.state.tx.us/tlo/legislation/legislation.htm>

## Vermont

H. 0497. This bill proposes to establish a comprehensive approach to reducing the exposure of citizens to mercury released in the environment through mercury-added product use and disposal. This bill proposes to authorize the agency of natural resources to participate in regional efforts to coordinate mercury product regulation with other states and entities in the Northeast. It proposes to require that manufacturers of mercury-added products provide certain notice to the agency and report on total mercury contained in certain products. It proposes to ban the distribution or offering for sale of mercury-added novelties, fever thermometers, thermostats, and dairy manometers after a certain date and to restrict the use of elemental mercury. It proposes to restrict the distribution and sale of other mercury-added measuring devices and mercury switches and relays after a certain date unless an exemption is granted by the agency under specified criteria, including lack of technically feasible alternatives at a reasonable cost. It proposes to modify the existing labeling requirements for mercury-added products and packaging by expanding the types of products subject to labeling, including formulated mercury-added chemical products. It proposes to allow alternative product labeling methods and specifies labeling methods that are approved for appliances, motor vehicles, and products containing mercury-added lamps as backlighting. It proposes to require manufacturers of mercury-added products to submit certified labeling plans to the agency for approval. It proposes that mercury-added button cell batteries and photographic film are not subject to labeling requirements. It proposes to ban disposal of mercury-added products in landfills and incinerators, to require source separation of discarded mercury-added products, and to require solid waste management facilities to inform customers of disposal bans and collection programs for mercury-added products. It proposes to require the

agency of natural resources to conduct a study of methods to remove effectively and feasibly mercury-added components from automobiles, appliances, and other equipment at solid waste management facilities and metal salvaging businesses. It proposes to prohibit the purchase and use of mercury-added products and elemental mercury in primary and secondary schools. It proposes that dental offices be required to follow mercury waste management practices as established by the agency and to install dental amalgam separators on the wastewater discharge by a certain date if mercury-added dental amalgam is used in or removed from patients. It proposes to require hospitals to submit a mercury reduction plan to the agency every three years and to exempt hospitals that achieve 95 percent reduction in mercury-added product use. It proposes to continue a mercury public education and outreach program in the agency of natural resources and the department of health. It proposes to continue an advisory committee on mercury pollution to report annually to the legislature with recommendations on reducing mercury contamination and risk. It proposes that the agency and the department of health develop a research plan to understand better current trends of mercury contaminant levels in fish and water bodies and report to the legislature on matters, including the cost to implement the plan. Introduced March 9, 2005 and referred to Fish, Wildlife & Water Resources Committee.

<http://www.leg.state.vt.us/database/status/summary.cfm?Bill=H%2E0497&Session=2006>

- ✓ S. 0084 is known as “Comprehensive Management of Exposure to Mercury” and, among other items, proposes to establish a comprehensive approach to reducing the exposure of citizens to mercury released in the environment through mercury-added product use and disposal, including requirements that manufacturers of mercury-added products provide certain notice to the agency and report on total mercury contained in certain products, a ban on the distribution or offering for sale of mercury-added novelties, fever thermometers, thermostats, and dairy manometers, and other devices, and to modify the existing labeling requirements for mercury-added products and packaging by expanding the types of products subject to labeling. It also proposes to ban the disposal of mercury-added products in landfills and incinerators, to require source separation of discarded mercury-added products, and to require solid waste management facilities to inform customers of disposal bans and collection programs for mercury-added products. It proposes to require the agency of natural resources to conduct a study of methods to remove effectively and feasibly mercury-added components from automobiles, appliances, and other equipment at solid waste management facilities and metal salvaging businesses. It proposes to prohibit the purchase and use of mercury-added products and elemental mercury in primary and secondary schools. It proposes that dental offices be required to follow mercury waste management practices as established by the agency and to install dental amalgam separators on the wastewater discharge by a certain date if mercury-added dental amalgam is used in or removed from patients. It proposes to require hospitals to submit a mercury reduction plan to the agency every three years and to exempt hospitals that achieve 95 percent reduction in mercury-added product use. It proposes to continue a mercury public education and outreach program in the agency of natural resources and the department of health. It proposes to continue an advisory committee on mercury pollution to report annually to the legislature with recommendations on reducing mercury contamination and risk. First reading was February 8, 2005; it was referred to Natural Resources & Energy. Adopted unanimously by the Senate on March 17, 2005. The House adopted it on April 15, 2005 with amendments. Signed into law on May 3, 2005.  
<http://www.leg.state.vt.us/database/status/summary.cfm?Bill=S%2E0084&Session=2006>  
<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2006/bills/passed/S-084.HTM>

S 0143. This bill proposes to require the labeling of health care products that contain mercury and that are offered for sale, sold at final sale, or distributed within the state. The bill proposes that this labeling take place by no later than July 1, 2007, and that it be in accordance with a manufacturer’s plan that shall be submitted by October 1, 2006. In addition, this bill proposes to prohibit in certain circumstances mercury-containing vaccines and to require insurers to cover mercury-free vaccines. It also requires the commissioner of health to develop a poster and brochure related to dental procedures involving mercury or a mercury amalgam and further requires that dentists make such information available to their patients. Finally, it directs the commissioner of health to reevaluate the existing Vermont fish consumption advisory. Introduced on March 11, 2005 and referred to Senate Health and Welfare Committee.

<http://www.leg.state.vt.us/database/status/summary.cfm?Bill=S%2E0143&Session=2006>

## Virginia

SB 187 requires the Board of Dentistry to promulgate regulations for the appropriate and safe use of dental amalgams containing mercury. The regulations must include, but need not be limited to, information on mercury

and its environmental and health hazards; the safe handling of dental amalgams containing mercury to avoid human and animal exposure to mercury; appropriate disposal of mercury amalgams and waste products to prevent mercury pollution of the environment; conditions under which amalgams containing mercury are contraindicated and are not to be used in certain patients; a requirement that each patient be given informed consent about the health and safety concerns relating to amalgams containing mercury; and a requirement that any dentist who is continuing to use dental amalgams containing mercury must provide each of his patients with the option of receiving a dental filling other than dental amalgams containing mercury. Introduced January 14, 2004. Referred to Committee on Education and Health. Continued to 2005.  
<http://leg1.state.va.us/cgi-bin/legp504.exe?051+sum+SB187>

## Washington

House Bill 1037 is a budget bill and would, among other things, provide that \$159,000 of the state toxics control account appropriation is provided solely to implement the mercury chemical action plan. Of this amount: (i) \$84,000 is provided for development of a memorandum of understanding with the Washington state hospital association and the auto recyclers of Washington to ensure the safe removal and disposal of products containing mercury; and (ii) \$75,000 is provided for ongoing fluorescent lamp recycling. First reading on January 11, 2005 and referred to Appropriations. Substitute bill passed to Rules Committee on March 29, 2005 for 2nd reading.  
<http://www.leg.wa.gov/wsladm/billinfo1/dspBillSummary.cfm?billnumber=1037&year=2005>

House Bill 1731 vehicle manufacturers to develop and implement a system to remove, collect, and recover mercury-added components from end-of-life vehicles. Read first time February 3, 2005. Referred to Committee on Natural Resources, Ecology & Parks, which recommended a substitute for adoption. Now in Appropriations Committee with a hearing on March 5, 2005.  
<http://www.leg.wa.gov/wsladm/billinfo1/dspBillSummary.cfm?billnumber=1731&year=2005>

House Bill 2201 provides that, beginning July 1, 2006, a person who is known to be pregnant or who is under three years of age shall not be vaccinated with a mercury-containing vaccine or injected with a mercury-containing product that contains more than 0.5 micrograms of mercury per 0.5 milliliter dose. Declares that, notwithstanding this provision, an influenza vaccine may contain up to 1.0 micrograms of mercury per 0.5 milliliter dose. Referred to Committee on Health Care on February 23, 2005.  
<http://www.leg.wa.gov/wsladm/billinfo1/dspBillSummary.cfm?billnumber=2201&year=2005>

Senate Bill 5074 is a state budget bill and for mercury has the identical provisions of HB 1037. First read on January 12, 2005 and referred to Ways & Means.  
<http://www.leg.wa.gov/wsladm/billinfo1/dspBillSummary.cfm?billnumber=5074&year=2005>

Senate Bill 5305 is an act relating to the use of mercury-containing vaccines; and adding a new section to chapter 70.95M RCW. Read first time 01/19/2005. Beginning July 1, 2006, a person who is known to be pregnant or who is under three years of age shall not be vaccinated with a mercury-containing vaccine or injected with a mercury-containing product that contains more than 0.5 micrograms of mercury per 0.5 milliliter dose. Notwithstanding the above, an influenza vaccine may contain up to 1.0 micrograms of mercury per 0.5 milliliter dose. Substitute bill adopted with amendments; sent to the House, where it was referred to the Health Care Committee, with a hearing scheduled for March 31, 2005.  
<http://www.leg.wa.gov/wsladm/billinfo1/dspBillSummary.cfm?billnumber=5305&year=2005>

Senate Bill 5710 would require vehicle manufacturers to develop and implement a system to remove, collect, and recover mercury-added components from end-of-life vehicles. Read first time February 3, 2005. Adopted with amendment and sent to the House, where it was referred to the Committee on Natural Resources, Ecology & Parks, which held a hearing on March 24, 2005. On April 15, 2003, referred to Rules Committee for third hearing.  
<http://www.leg.wa.gov/wsladm/billinfo1/dspBillSummary.cfm?billnumber=5710&year=2005>

## Wisconsin

Twenty-one legislators wrote to the state Department of Commerce in early February 2005, asking that Uniform Dwelling Code be modified to prohibit the use of mercury thermostats in residential construction. The agency has decided to include this provision in their next code revision. If it is approved, this provision would become effective in 2007.

## Federal

HR 881 would ban – with exemptions – vaccinations with more than 1 microgram of mercury in them. The bill was introduced on February 17, 2005, has thirty five sponsors and co-sponsors, and was referred to the Committee on Energy and Commerce, Subcommittee on Health.

[http://thomas.loc.gov/cgi-bin/bdquery/z?d109:h.r.00881:](http://thomas.loc.gov/cgi-bin/bdquery/z?d109:h.r.00881)

<http://thomas.loc.gov/>

Senate Resolution 64 would express the sense of the Senate that the United States should prepare a comprehensive strategy for advancing and entering into international negotiations on a binding agreement that would swiftly reduce global mercury use and pollution to levels sufficient to protect public health and the environment. Introduced on February 17, 2005 and referred to the Committee on Foreign Relations. Has nine sponsors and co-sponsors.

[http://thomas.loc.gov/cgi-bin/bdquery/z?d109:s.res.00064:](http://thomas.loc.gov/cgi-bin/bdquery/z?d109:s.res.00064)

S 510 would encourage the recycling of computers and other electronic equipment, in part due to the presence of mercury in this equipment. Two sponsors and co-sponsors. Referred to Committee on Finance.

<http://thomas.loc.gov/cgi-bin/query/D?c109:8:./temp/~c109pUd3Kl:>

S 730 is primarily concerned with air emissions from combustion sources, but includes in section 5 both the separation of mercury-containing products from materials going to a solid waste management facility and the phase-out of mercury in consumer products within three years, allowing for the possibility of exceptions for essential uses. Introduced on April 6, 2005, and has two sponsors and co-sponsors. Referred to the Committee on Environment and Public Works.

[http://thomas.loc.gov/cgi-bin/bdquery/z?d109:s.00730:](http://thomas.loc.gov/cgi-bin/bdquery/z?d109:s.00730)

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