

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

2005-2006 Legislative Sessions

September 1 - 2, 2005

The regulation of mercury in products at the state and federal level is increasing rapidly. This listing summarizes the bills introduced in the 2005-2006 legislative sessions, along with their status and links. For previous legislation, 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, as well as in the National Wildlife Federation report, "Getting Serious", found on the Internet at <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. In addition, 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.

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 include legislation to limit the emission of mercury from combustion processes or legislation on fish or shellfish consumption advisories due to mercury.

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

The Arkansas Legislature is adjourned for this year and adopted the following two bills, which were signed into law.

- ✓ 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.
- ✓ 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.

California

The California Assembly had a deadline of June 3, 2005 for the adoption of legislation in its regular session and none of the following bills were adopted by that deadline.

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. On June 2, 2005, put on inactive file.

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 on 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. On June 2, 2005, put on inactive file.

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. Adopted with amendment by the Assembly on a vote of 48-31, and sent to the Senate on June 1, 2005, where it has been sent to the Committee on Rules for assignment to a committee.

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_1415&sess=CUR&house=B&author=pavley

SB 423 This bill would define the terms "mercury relay" and "mercury switch" and would authorize a manufacturer selling a mercury switch or mercury relay, or a person selling a product that contains a mercury switch or a mercury relay, to apply to the Department of Toxic Substances Control for an exemption from the prohibition on the sale or distribution of a mercury switch or mercury relay proposed by AB 1415. Introduced February 17, 2005; passed Senate on a vote of 32-3 on May 9, 2005. Sent to the Assembly, where it was referred to the Committee on Natural Resources and the Committee on Environmental Safety and Toxic Materials. It was amended in committee, went to a second reading, amended, and returned to committee.

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sb_423&sess=CUR&house=B&author=simitian

Connecticut – <http://search.cga.state.ct.us/>

The Connecticut Legislature has adjourned without adopting any of the following bills.

HB 5713 would require insurers that provide dental benefits to cover non-mercury 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://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=HB05713&which_year=2005

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://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=HB06522&which_year=2005

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. On May 10, 2005, it was referred to the Committee on Appropriations.

<http://search.cga.state.ct.us/2005/tob/h/2005HB-06803-R00-HB.htm>

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=HB06803&which_year=2005

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://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=HB06879&which_year=2005

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://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=SB01187&which_year=2005

Delaware

The Delaware Legislature is adjourned until January 2006 and adopted the following bill.

- ✓ HB 108 would prohibit the use of mercury in vaccines. HS 2 was adopted by both houses on July 1, 2005. This act eliminates the use of mercury-containing vaccines for pregnant women and for children under eight years of age. This prohibition is phased in over the next 3 years. Pursuant to Section 1 of this Act, effective January 1, 2006: no vaccine for children under eight years of age or pregnant women containing more than a trace amount of mercury, except the influenza vaccine, may be made available to medical providers in Delaware. Pursuant to Section 2 of this Act, effective January 1, 2007: no vaccine for children under eight years of age or pregnant women containing more than a trace amount of mercury (as defined by the US FDA) may be made available to a medical provider in Delaware. Pursuant to Section 3 of this Act, effective January 1, 2008: no vaccine for children under eight years of age or pregnant women containing any mercury may be made available to or administered by medical providers in Delaware. The FDA presently defines "trace amount" as 1 microgram or less. Signed into law on July 12, 2005.

<http://www.legis.state.de.us/LIS/lis143.nsf/vwLegislation/HB+108?Opendocument>

Florida

The Florida Legislature is now adjourned.

S 0690 would have prohibited the 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. Died in House Committee on Health Care on May 6, 2005.

http://www.flsenate.gov/Session/index.cfm?Mode=Bills&SubMenu=1&BI_Mode=ViewBillInfo&BillNum=0690

Hawaii

The Hawaii Legislature adjourned May 5, 2005 and did not adopt any of the following bills.

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/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/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/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/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/site1/docs/getstatus2.asp?billno=SB1505>

Illinois

The Illinois Legislature is on recess until October, 2005. Two bills have been adopted and signed into law.

- ✓ 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. Adopted by the Senate with amendments, the amendments were concurred with by the House on May 29, 2005. The bill now provides that (a) commencing January 1, 2006, a person shall not be vaccinated with a mercury-containing vaccine that contains more than 1.25 micrograms of mercury per dose, and (b) commencing January 1, 2008, no person shall be vaccinated with a vaccine or injected with any product that contains, or prior to dilution, had contained as an additive, any mercury based product, whether at preservative or trace amount levels. Signed into law by the Governor as Act 94-0614.

<http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=094-0614>

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

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=0511&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. Amended and adopted by the Senate; the House concurred with the amended version and adopted it May 27, 2005. Signed by Governor August 10, 2005 as Public Act 094-0518.

<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>

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=2346&GAID=8&DocTypeID=HB&LegID=15894&SessionID=50&GA=94>

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

The Indiana Legislature adjourned at the end of April without adopting the following bill.

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 re-consideration on April 5, 2005.

<http://www.in.gov/apps/lssa/session/billwatch/billinfo?year=2005&request=getActions&doctype=SB&docno=0169>

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

The Louisiana Legislature is adjourned. It adopted one measure (HCR 51).

HB 600 is a comprehensive bill that provides for the recycling of mercury switches in end-of-life vehicles, which includes responsibility for manufacturers to develop a recycling plan for mercury switches from end-of-life vehicles, including reimbursement to vehicle recyclers of their costs (with a minimum reimbursement of \$5 a

switch) and reimbursement of the state of a minimum of \$1 a switch for administration and enforcement costs. Introduced April 15, 2004 and assigned to House Environment Committee. Considered on May 17, 2005.

- ✓ HCR 51 (House Concurrent Resolution 51) requests the Department of Environmental Quality to develop a Louisiana mercury action plan. Adopted by both House and Senate and sent to Secretary of State on June 1, 2005.

SCR 6 requests the Senate Committee on Environmental Quality and the House Committee on the Environment to study and make recommendations regarding recycling and disposal options relative to computers and other electronic equipment, in part due to the presence of mercury. Introduced on April 25, 2005, adopted by the Senate and referred to the House Committee on Environment, which reported it out favorably on June 1, 2005.

SCR 53 urges and requests Department of Environmental Quality to develop a strategy for the proper management of electronic discards, in part due to the presence of mercury. Introduced on May 11, 2005, adopted by the Senate and referred to the House Committee on Environment, which reported it out favorably on June 1, 2005.

Maine

The Maine Legislature has adjourned, having adopted two bills on mercury switches in vehicles that the Governor signed into law.

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. Died in Senate on May 31, 2005.

<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. Signed into law by Governor on May 20, 2005 as Chapter 148.

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

- ✓ LD 692 is "An Act to Require That Hazardous Waste Be Removed from Junked Vehicles", and includes a requirement for the removal of mercury switches. Signed into law on May 26, 2005 as Chapter 247.

<http://janus.state.me.us/legis/LawMakerWeb/summary.asp?LD=692>

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>

LD 1664 is “An Act to Limit Mercury Emissions from Crematoria”, and would have required crematoria to either remove dental amalgams prior to cremation or capture mercury emissions. Introduced on May 9, 2005, sent to the Committee on Natural Resources, which rejected it on May 23, 2005, and is considered dead.

<http://janus.state.me.us/legis/LawMakerWeb/summary.asp?ID=280017861>

Maryland

The Maryland Legislature is now adjourned and did not adopt any mercury product legislation.

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. On August 4, 2005, accompanies a new draft; see H 4319.

<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. On August 4, 2005, accompanies a new draft; see H 4319.

<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. On August 4, 2005, accompanies a new draft; see H 4319.

<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. On August 4, 2005, accompanies a new draft; see H 4319.

<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>

H 3836 is a petition relative to prohibiting the use of certain vaccines and serums containing mercury. Introduced on April 27, 2005 and referred to the Committee on Public Health.

<http://www.mass.gov/legis/184history/h03836.htm>

H 3898 is a petition that the Department of Environmental Protection be directed to regulate the handling of mercury by dentists. Introduced on January 26, 2005 and referred to the Committee on Environment, Natural Resources and Agriculture. A public hearing was held in July 2005 and it was discharged to the Committee on Public Health on August 1, 2005. The Senate concurred on August 18, 2005.

<http://www.mass.gov/legis/184history/h03898.htm>

H 4319 is listed as a bill relative to comprehensive mercury management. It was reported from the committee on Environment, Natural Resources and Agriculture on August 4, 2005 as a new draft of S554, H1293, H1296, H1362 and H1392, reported favorably by the committee and referred to the committee on House Ways and Means on the same date

<http://www.mass.gov/legis/ltsform.htm>

<http://www.mass.gov/legis/184history/h04319.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. On August 4, 2005, accompanies a new draft; see H 4319.

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

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=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=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=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=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=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=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=getObject&objName=2005-HB-4618>

HB 4754 would require that businesses that are involved in appliance recycling have training to identify and remove mercury containing components, that these components be properly managed, and establish recordkeeping requirements. Introduced on May 10, 2005; referred to the Committee on Natural Resources, Great Lakes, Land Use, and Environment.

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4754>

HB 4948 would require that persons who are in the business of repairing household items handle removed mercury components as hazardous waste, universal waste and returning them to take-back centers established by a manufacturer. Introduced on June 15, 2005 and referred to the Committee on Natural Resources, Great Lakes, Land Use, and Environment.

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4948>

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=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=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=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=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=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=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=getObject&objName=2005-SB-0402>

SB 0421 would require that a person who is in the business of replacing or repairing fluorescent or high-density discharge lamps that are mercury-added products for industrial, commercial, office, or multiunit residential structures shall not place those items or a component of those items into the waste stream, unless handled as universal waste, hazardous waste, or taken to a manufacturer's take-back program. Introduced on April 26, 2005 and referred to the Committee on Natural Resources and Environmental Affairs.

SB 0552 would require that a person who is in the business of replacing or repairing fluorescent or high-density discharge lamps that are mercury-added products for industrial, commercial, office, or multiunit residential structures shall not place those items or a component of those items into the waste stream, unless handled as universal waste, hazardous waste, or taken to a manufacturer's take-back program. Also required would be the establishment of a recordkeeping system. Introduced on May 31, 2005 and referred to the Committee on Natural Resources and Environmental Affairs.

SB 0557 a person who is in the business of replacing or repairing household items shall not place a mercury-added product into the waste stream unless handled as universal waste, hazardous waste, or taken to a manufacturer's take-back program. Introduced on June 2, 2005 and referred to the Committee on Natural Resources and Environmental Affairs.

Minnesota

The 2005-2006 regular session of the Minnesota Legislature is now adjourned and none of the introduced bills were adopted.

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

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

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

Mississippi - <http://billstatus.ls.state.ms.us/2005/html/mainmenu.htm>

SB 2386 is an act to provide for the removal and recycling of certain mercury-added components in motor vehicles; to authorize the motor vehicle commission to devise a system for listing mercury-added components in motor vehicles; to authorize the motor vehicle commission to grant certain exemptions; to require motor vehicle manufacturers to establish a statewide system for collecting and recycling mercury-added components; to require the commission on environmental quality and the department of environmental quality to provide technical assistance and public outreach programs related to the collection and disposal of mercury-added components; and for related purposes. Introduced January 13, 2005; died in committee on February 1, 2005.

SB 2569 would prohibit the purchase of most mercury products in schools, prohibit the sale of mercury switches and relays, with certain exemptions, including thermostats, and require the Department of Environmental Quality to evaluate and report on programs to reduce and recycle mercury. Introduced January 17, 2005; died in committee on February 1, 2005.

Missouri

The Missouri Legislature is now adjourned. It adopted one bill, which was signed into law by the Governor.

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 both houses of the Legislature May 11, 2005. Signed by the Governor on June 29, 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

Montana

The Montana Legislature has adjourned and did not adopt the following bill.

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 the deadline for general transmittal on March 1, 2005.

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

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

The Nebraska Legislature is adjourned and did not adopt any mercury product legislation.

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

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/intent/StatementofIntent_LB569.pdf

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.

<http://search.leg.state.nv.us/73rd/billtext/73rdbilltext.html>

New Hampshire

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

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

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>

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>

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

- ✓ 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_11.PDF

- ✓ 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
 - ✓ 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
- 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/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

New York

The New York Legislature went into recess on June 23, 2005. Two companion bills have been signed into law for the restriction of mercury in vaccinations.

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. Amended several times, adopted by Assembly on June 23, 2005 and returned to the Senate. Signed by Governor as Chapter 603 on August 30, 2005.
<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. Amended several times, adopted by the Assembly on June 23, 2005, and returned to the Senate.

<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. Amended and adopted by Senate on June 21, 2005, sent to Assembly, substituted for a5543c, adopted and returned to the Senate on June 23, 2005. Delivered to the Governor on August 18, 2005. Signed by Governor on August 30, 2005 as Chapter 603.

<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. Adopted by Senate on June 21, 2005, sent to the Assembly, substituted for a6850a, adopted on June 23, 2005 and returned to the Senate.

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

North Carolina

HB 413 sets up study commissions. For mercury, the Commission may study measures to reduce the quantity of mercury that is released into the environment, that impacts natural resources, and that harms the public health of the citizens of the State, including prohibitions on the sale of certain mercury-containing products, prohibitions on the use of mercury in primary and secondary education, labeling of certain mercury-containing products, State purchase of products that contain no mercury, and public education on the hazards of mercury release and proper methods of mercury disposal. If the Environmental Review Commission undertakes this study, it may refer to the mercury reduction and education measures set out in the First Edition of House Bill 1531, as introduced to the 2005 General Assembly, and mercury reduction and education measures adopted by other states. Adopted by the Senate on August 24, 2005 and put on the House calendar on the same date. On August 29, 2005, the House re-referred to the Committee on Rules, Calendar, and Operations of the House.

<http://www.ncleg.net/Sessions/2005/Bills/House/HTML/H413v3.html>

<http://www.ncleg.net/gascripts/BillLookUp/BillLookUp.pl?Session=2005&BillID=H413>

HB 1136 is a companion to SB 1014 on the removal of mercury switches from vehicles. It calls for the state to develop and implement a plan to recover at least 90% of mercury switches from recycled automobiles, with reimbursement of \$5 a switch to auto recyclers, with the revenue for this purpose from the certificate of titles for vehicles. Vehicle manufacturers are also required to annually report to the state on all mercury-containing products included in their vehicles. Filed on April 5, 2005 and referred to Committee on Environment and Natural Resources. A substitute was adopted by the Senate and engrossed on August 13, 2005. It was placed on the House Calendar for August 22, 2005, ratified by the House on August 23, 2005 and presented to the Governor.

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

HB 1269 includes provisions of HB 1531 and provides that the Environmental Review Commission may study measures to reduce the quantity of mercury that is released into the environment, that impacts natural resources, and that harms the public health of the citizens of the State, including prohibitions on the sale of certain mercury-containing products, prohibitions on the use of mercury in primary and secondary education, labeling of certain mercury-containing products, State purchase of products that contain no mercury, and public education on the hazards of mercury release and proper methods of mercury disposal. If the Environmental Review Commission undertakes this study, it may refer to the mercury reduction and education measures set out in the First Edition of House Bill 1531, as introduced to the 2005 General Assembly, and mercury reduction and education measures adopted by other states. It passed the 3rd reading in the House on August 30, 2005.

<http://www.ncleg.net/gascripts/BillLookUp/BillLookUp.pl?Session=2005&BillID=H1269>

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. A committee substitute was reported favorably on August 9, 2005 and the bill was referred to the Committee on Appropriations.

<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; adopted by the House and sent to the Senate on May 25, 2005, where it was referred to the Committee on Education and Higher 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. It has been added to HB 1269.

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

SB 1014 is a companion to HB 1136 and 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 - <http://lsc.state.oh.us/coderev/sen126.nsf/Senate+Bill+Number/0049?OpenDocument>

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

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

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

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. Referred to budget on May 24, 2005. Assigned to Subcommittee on Natural Resources and then back to full committee. Several work sessions have been held on the measure, with the latest on July 13, 2005.

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

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

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>

- ✓ 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 adopted by House on May 19, 2005. Signed by Governor June 24, 2005.

<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>

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>

H 6598 would extend the implementation dates for several provisions of the Mercury Reduction and Education Act. Introduced on June 15, 2005, it was amended in the House and concurred in by the Senate on June 28, 2005

<http://www.rilin.state.ri.us/billtext/billtext05/housetext05/h6598.htm>

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>

S 0235 would modify existing 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>

- ✓ 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. Substitute Amendment A was signed by the Governor on June 22, 2005.

<http://www.rilin.state.ri.us/Billtext/BillText05/SenateText05/S0611Aaa.pdf>

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>

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>

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>

S 1162 would extend the implementation dates for several provisions of the Mercury Reduction and Education Act. Introduced on June 9, 2005, it was amended in both houses and concurred in by the Senate on June 29, 2005.

<http://www.rilin.state.ri.us/billtext/billtext05/senatetext05/s1162.htm>

South Carolina

The South Carolina Legislature has adjourned until January 2006 and did not adopt any of the following bills.

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

H 4018 is a joint resolution directing the department of health and environmental control to prepare a report to be submitted to the general assembly before January 1, 2007, that, among other things, provides a strategy for minimizing and eliminating mercury use in priority products. Introduced on April 28, 2005 and referred to Committee on Medical, Military, Public and Municipal Affairs.

http://www.scstatehouse.net/sess116_2005-2006/bills/4018.htm

H 4019 would provide that a school may not possess, use, or purchase elemental mercury or a mercury compound; and to provide that the Department of Health and Environmental Control and the Department of Education shall sponsor a series of mercury collection events throughout the state to ensure that existing mercury supplies are collected, removed, and recycled properly. Introduced on April 28, 2005 and referred to Committee on Education and Public Works. Companion to S 805

http://www.scstatehouse.net/sess116_2005-2006/bills/4019.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

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

S 805 would require that a school may not possess, use, or purchase elemental mercury or a mercury compound; and to provide that the Department of Health and Environmental Control and the Department of Education shall sponsor a series of mercury collection events throughout the state to ensure that existing mercury supplies are collected, removed, and recycled properly. Introduced on April 28, 2005 and referred to Committee on Education. Companion to H 4019.

http://www.scstatehouse.net/sess116_2005-2006/bills/805.htm

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

The Tennessee Legislature is adjourned until January 2006 and did not adopt any of the following bills.

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>

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. Taken off notice on April 26, 2005.

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

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. Action deferred on May 17, 2005 for summer study.

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

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>

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>

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. Adopted by Senate and sent to the House on May 11, 2005.

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

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

The Texas Legislature is now adjourned. One bill (HB 2793) was adopted.

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.

- ✓ HB 2793 requires vehicle manufactures to develop an informational program for the location and methods of removal of mercury convenience switches from end-of-life vehicles, and pay the costs of packaging and shipping of the manufacturer's convenience switches to recycling, storage, or disposal facilities; and recycling, storing, or disposing of the manufacturer's removed convenience switches. A vehicle recycler or scrap metal recycling facility that removes convenience switches from eligible vehicles in accordance with educational materials received under this chapter shall be provided regulatory incentives by the Commission on Environmental Quality under programs implemented pursuant to Section 5.755, Water Code, including on-site technical assistance and compliance history classification adjustments. Signed by Governor June 17, 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.

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.

Vermont

The Vermont Legislature is adjourned until January 2006 and adopted two bills related to mercury-containing products.

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>

- ✓ Joint Resolution H 041 calls for Congress to appropriate funds to the Environmental Protection Agency, the U.S. Department of Agriculture, or any other appropriate federal agency or department, to enable the Vermont agency of agriculture, food and markets to restart the mercury dairy manometer removal and replacement program. Introduced May 3, 2005; adopted by both houses.
<http://www.leg.state.vt.us/database/status/summary.cfm?Bill=JRH041&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

The Virginia Legislature is adjourned and did not adopt any mercury product legislation.

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>

<http://leg1.state.va.us/cgi-bin/legp504.exe?ses=051&typ=bil&val=sb187>

Washington

The Washington Legislature is now adjourned until January 2006. Funding for several mercury programs was provided in the state's budget bill.

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>

- ✓ Senate Bill 6090 is a budget bill and provides \$168,000 of the health services account appropriation is provided solely for a two-year pilot project under which parents have the option to choose vaccines which do not contain mercury; \$100,000 of the state toxics control account – state appropriation is provided solely to implement Engrossed Substitute House Bill No. 1002 (mercury), chapter 260, Laws of 2003; \$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. Adopted into law as Chapter 518, Laws of 2005.

<http://search.leg.wa.gov/pub/textsearch/ViewRoot.asp?Action=Html&Item=5&X=606064034&p=1>

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.

<http://www.madison.com/archives/read.php?ref=tct:2005:02:12:403572:FRONT>

Federal – <http://thomas.loc.gov/>

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 sixty-four 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:>

HR 2391 is known as the "Safe Communities and Safe Schools Mercury Reduction Act of 2005". With 17 co-sponsors, the act includes: (1) \$75 million annually for grants to local governments and NGOs for mercury education and mercury reduction, (2) encouragement of states to develop programs for the removal of mercury products from vehicles, (3) a ban on the sale of fever thermometers except by prescription, (4) requirements for the recycling of mercury thermostats and the establishment of industry recycling programs, (5) preparation of guidance for the removal of mercury from schools, and (6) guidelines for the capture of mercury amalgam at dental offices. Introduced on May 17, 2005, it has been referred to the House Committee on Energy and Commerce.

<http://thomas.loc.gov/cgi-bin/bdquery/z?d109:h.r.02391:>

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 ten sponsors and co-sponsors.

<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:>

S 975 is known as Project BioShield Act II of 2005 and requires the publication of a list of biological and chemical agents, toxins, and nuclear and radiological materials that may be used as weapons of mass destruction or that are infectious diseases with respect to which the Secretary finds that research to develop new and improved countermeasures is in the national interest of the United States. Mercury is included as a possible material for this list. It was introduced in April 2005 and has 2 co-sponsors. It has been referred to the Committee on Health, Education, Labor, and Pensions, which has held a roundtable discussion of the bill.

<http://thomas.loc.gov/cgi-bin/bdquery/z?d109:s.00975:>

S 1422 is a companion to H 881, and would ban – with exemptions – vaccinations with more than 1 microgram of mercury in them. Introduced on July 19, 2005, and has no co-sponsors. Referred to Committee on Health, Education, Labor, and Pensions.

<http://thomas.loc.gov/cgi-bin/bdquery/z?d109:s.01422:>