

Status of Local, State and Federal Mercury Product Legislation and Laws
2007-2008 Legislative Sessions
June 11 – 21, 2007

The regulation of mercury in products at the state and federal level is increasing rapidly. This listing summarizes the bills introduced in the 2007-2008 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 (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, 2003-2004 and 2005-2006 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, fish or shellfish consumption advisories due to mercury, or measures to limit the export of mercury.

Adopted bills are labeled with a check mark (✓) and grouped at the beginning of each state's listing. Nine bills have been adopted and signed into law so far this session, with approximately half a dozen adopted but not yet signed. Thirty states have introduced 102 bill and 20 states are still in session.

Alabama

The Alabama Legislature is adjourned and did not adopt the following mercury products bill.

SB 414 would require the Department of Environmental Management to adopt rules regulating the disposal, collection, and removal of mercury switches, mercury-added components, and other hazardous and toxic substances from end-of-life vehicles; to require vehicle recyclers to fund, design, and implement a plan to remove and recycle mercury switches, mercury-added components, and other pollutants from end-of-life vehicles. Introduced on April 24, 2007 and referred to the Committee on Governmental Affairs. It is pending action in this committee.
<http://alisdb.legislature.state.al.us/acas/ACASLogin.asp>

Arkansas

Arkansas has adjourned as of May 1, 2007, having adopted two bills into law.

- ✓ HB 2305 requires that the Arkansas Department of Environmental Quality shall promulgate regulations prohibiting any person or entity from knowingly placing or disposing of the bulb or tube portion of an electric lighting device containing hazardous levels of mercury in a landfill after January 1, 2008, if the device contains more than two-tenths milligram per liter (0.2 mg/l) of leachable mercury as measured by the Toxicity Characteristic Leaching Procedure as set out in EPA test Method 1311; and adequate facilities exist for the public to properly dispose of the device. Introduced on March 1, 2007, it has been adopted into law, as Act 452.
<http://www.arkleg.state.ar.us/2007/scripts/ablr/bills/bills.asp?billno=HB2305>
- ✓ SB 229 removes the penalties for the cosmetic use of mercury and its preparations or compounds. Introduced on February 1, 2007, adopted by both houses and sent to the Governor on March 6, 2007. It is now law, know as Act 223.
<http://www.arkleg.state.ar.us/NXT/gateway.dll?f=templates&fn=default.htm&vid=blr:bills>

HB 1514 requires the Arkansas Department of Environmental Quality shall promulgate regulations prohibiting any person or entity from knowingly placing or disposing of the bulb or tube portion of an electric lighting device containing hazardous levels of mercury in a landfill after January 1, 2008, if the device contains more than two-tenths milligram per liter (0.2 mg/l) of leachable mercury as measured by the Toxicity Characteristic Leaching Procedure as set out in EPA test Method 1311. Introduced on February 15, 2007, adopted by the House on February 22nd and sent to the Senate, where it was referred to the Committee on Public Health, Welfare and Labor.

<http://www.arkleg.state.ar.us/2007/scripts/ablr/bills/bills.asp?billno=HB1514>

SB 911 is a bill to Prohibit or reduce the amount of mercury in childhood vaccines. Introduced on March 5, 2007 and referred to the Committee on Public Health, Welfare and Labor. Three amendments have been offered, it has been engrossed and re-referred to the Committee on Public Health, Welfare and Labor.

<http://www.arkleg.state.ar.us/2007/scripts/ablr/bills/bills.asp?billno=SB911>

California

AB 546 expands the state requirements for the recycling of electronics, in part based on the presence of mercury. Introduced February 21, 2007, and referred to the Committee on Natural Resources and the Committee on Environmental Safety and Toxic Materials. It was amended by the author, had a second reading, and re-referred to the second committee on April 10, 2007. It was recommended for adoption and referred to the Committee on Appropriations on April 25, 2007. It was adopted by the Assembly on May 31, 2007 and sent to the Senate, where it was referred to the Rules Committee.

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_546&sess=CUR&house=B&author=brownley

AB 1109 would enact the California Lighting Efficiency and Toxics Reduction Act and would require the department to prescribe, by regulation, schedules for reducing the maximum levels of mercury and lead, per lumen, in general purpose lights, as defined, sold or offered for sale in this state. Every manufacturer of general purpose lights sold in this state and containing hazardous materials would be required by July 1, 2009, to ensure a system is in place for collection and recycling of end-of-life general purpose lights. Introduced February 23, 2007, it has been amended and adopted by the Assembly on June 6, 2007 and sent to the Senate.

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_1109&sess=CUR&house=B&author=huffman

AB 1193 would enact the Mercury Thermostat Collection Act of 2007 and would require a manufacturer that sold mercury-added thermostats in this state before January 1, 2006, and that sells thermostats in this state on and after January 1, 2008, to establish and maintain a collection and recycling program for out-of-service mercury-added thermostats. The act would prohibit a manufacturer from selling a thermostat in this state on and after July 1, 2008, unless the manufacturer complies with the act and would prohibit a person, on and after July 1, 2008, from selling a thermostat in this state if the manufacturer of that thermostat is subject to, and is not in compliance with, the act. Introduced February 23, 2007, it was referred to the Committee on Environmental Safety and Toxic Materials. It was amended by the author, had a second reading, and re-referred to the second committee on April 9, 2007. It was later re-referred to the Committee on Environmental Safety and Toxic Materials, which recommended adoption and it was sent to the Committee on Appropriations on April 17, 2007. Referred to suspense file on May 2, 2007.

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_1193&sess=CUR&house=B&author=ruskin

AB 1447 modifies the requirements for recyclers of major appliances, including requiring the removal of mercury switches. Introduced on February 23, 2007, it was referred to the Committee on Natural Resources and the Committee on Environmental Safety and Toxic Materials. It was unanimously adopted by the Assembly on May 10, 2007 and sent to the Senate, where it was referred to the Committee on Environmental Quality. Amendments were offered by the author and it was read a second time and re-referred to the Committee on Environmental Quality on June 12, 2007.

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_1447&sess=CUR&house=B&author=charles_calderon

SB 774 modifies state law on toxic materials in packaging, especially those pertaining to glass and ceramic containers, allowing higher levels of toxics, except for mercury. Introduced on February 23, 2007, it was referred to the Committee on Environmental Quality. It was adopted by the Senate on May 17, 2007 and sent to the

Assembly, where it has been assigned to the Committee on Environmental Safety and Toxic Materials. It was amended by the author, read a second time, and re-referred to the Committee on Environmental Safety and Toxic Materials on June 11, 2007.

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sb_774&sess=CUR&house=B&author=ridley-thomas

Connecticut

The Connecticut Legislature is now adjourned. It adopted one mercury product bill, but the Governor has not yet taken any action.

HB 6567 allow written certification from an antique dealer to be sufficient for the exemption for antiques containing mercury. Introduced January 22, 2007, referred to Joint Committee on Environment. Voted to draft on February 16, 2007. A favorable substitute was developed and it was referred to the Office of Legislative Research and Office of Fiscal Analysis, which was adopted by the House on May 23, 2007 and the Senate on June 6, 2007. It has been placed on the consent calendar for concurrence.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=6567&which_year=2007

<http://www.cga.ct.gov/asp/menu/Search.asp>

HB 6895 would require dental plans to provide equivalent or greater coverage for nonmercury or composite dental fillings. Introduced January 22, 2007 and referred to the Joint Committee on Insurance and Real Estate.

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=6895&which_year=2007

<http://www.cga.ct.gov/asp/menu/Search.asp>

Delaware

HB 194 allows the use of mercury-containing vaccines for children less than 8 years of age or to pregnant women when an emergency occurs as declared by the Director of the Division of Public Health, or when there is no mercury-free vaccine manufactured or available for a specific disease. Introduced on June 12, 2007, it was referred to the Health and Human Development Committee, which reported it out favorably. Substitute amendment HS 1 was offered on June 20, 2007 and it was re-referred to this committee.

[http://www.legis.state.de.us/LIS/lis144.nsf/vwLegislation/HS+1+for+HB+194/\\$file/legis.html?open](http://www.legis.state.de.us/LIS/lis144.nsf/vwLegislation/HS+1+for+HB+194/$file/legis.html?open)

<http://www.legis.state.de.us/LEGISLATURE.NSF?open>

Florida

The Florida legislature is adjourned and did not adopt the following bill.

SB 222 is an act relating to immunizations; prohibiting vaccinating a woman who is knowingly pregnant or a child who is younger than a specified age with a vaccine that contains any mercury or injecting such a woman or child with a product that contains more than a specified amount of mercury; prohibiting vaccinating a woman who is knowingly pregnant or a child under a specified age with an influenza vaccine that contains more than a specified amount of mercury; providing the effective date of such prohibitions; providing for the State Health Officer to authorize the use of vaccines that contain a greater amount of mercury than is otherwise allowed if the Secretary of Health declares a public health emergency and makes certain findings; providing exceptions to the prohibition following disclosure regarding certain risks and benefits; providing an effective date. Introduced December 14, 2006, referred to the Committee on Health Regulation. Withdrawn on January 23, 2007.

http://www.flsenate.gov/Session/index.cfm?Mode=Bills&SubMenu=1&BI_Mode=ViewBillInfo&BillNum=0222

Hawaii

The Hawaii legislature is now adjourned and did not adopt any of the following legislation.

HB 701 limits the distribution of certain products containing mercury, including novelties, fever thermometers and products in schools. Labeling of products containing mercury is required for a thermostat, thermometer; switch, individually, or as part of another product; a medical or scientific instrument; electric relay or other electrical device; and a lamp or bulb. The bill requires, after January 1, 2008, that no person, retailer, or

manufacturer shall knowingly dispose of a labeled mercury-added product in a landfill, incineration facility, or other solid waste disposal facility. Introduced on January 19, 2007, it has been referred to the Committee on Health, the Committee on Consumer Protection and Commerce, and the Committee on Finance.

http://www.capitol.hawaii.gov/sessioncurrent/Bills/HB701_.htm

<http://www.capitol.hawaii.gov/site1/docs/getstatus2.asp?billno=HB701>

HB 1816. From July 1, 2007, prohibits persons known to be pregnant or under age 5 from being vaccinated with (1) a mercury-containing vaccine containing more than 0.5 micrograms of mercury per 0.5 milliliter dose; and (2) influenza vaccine containing more than 1.0 microgram of mercury per 0.5 milliliter dose. Allows certain exemptions. Introduced on January 24, 2007 and referred to the Committee on Health, and the Committee on Judiciary.

http://www.capitol.hawaii.gov/sessioncurrent/Bills/HB1816_.htm

<http://www.capitol.hawaii.gov/site1/docs/getstatus2.asp?billno=HB1816>

SB 927 directs the Department of Health to adopt rules to establish a cathode ray tube recycling program, in part, due to the presences of mercury. Prohibits placing cathode ray tubes in landfills after 1/1/09. Requires reports to the legislature. Introduced on January 19, 2007, hearings held in the Committee on Energy and Environment, the Committee on Health. Both recommended for adoption with amendment, and it has been referred to the Committee on Ways and Means.

http://www.capitol.hawaii.gov/sessioncurrent/Bills/SB927_.htm

Illinois

The Illinois Legislature is adjourned and adopted four bills (HB 943, HB 2242, SB 133, SB 1241), which are awaiting action by the Governor.

HB 278 sets up an electronic scrap recycling program, in part due to the presence of mercury in these products. Introduced on January 22, 2007, it was re-referred to Rules on March 23, 2007.

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=0278&GAID=9&DocTypeID=HB&LegID=27022&SessionID=51&GA=95>

HB 433 is a companion to SB 1583 and creates the Electronic Scrap Recycling Act. Requires the creation of a not-for-profit, public-benefit corporation to manage the State collection, transportation, and recycling system for electronic devices that are covered under the Act. Sets forth the composition, duties, and responsibilities of the not-for-profit, public-benefit corporation. Prohibits the sale of those covered electronic devices by a manufacturer who (i) is not in compliance with the Act or (ii) fails to permanently label the device with the manufacturer's brand. Requires certain manufacturers of covered electronic devices to register with the not-for-profit, public-benefit corporation. Requires audits of covered electronic device retailers and the not-for-profit, public-benefit corporation. Imposes a fee on manufacturers of covered electronic devices, and sets forth procedures for calculating the fee. Prohibits the sale of any covered electronic devices containing mercury, cadmium, lead, hexavalent chromium, polybrominated biphenyls, or polybrominated diphenyl ethers. Requires the not-for-profit, public-benefit corporation to develop a minimum level of environmental design for all covered electronic devices sold in the State. Allows certain manufacturers to establish a self-recycling program. Prohibits the disposal of the devices into a landfill or by incineration. Requires retailers of covered electronic devices to post educational material provided by the not-for-profit, public-interest corporation. Requires the recyclers of covered electronic devices to follow federal recycling guidelines. Contains other provisions. Effective immediately except that specified Sections apply and become operative on January 1, 2008. Introduced on January 26, 2007 and referred to the Committee on Environment and Energy, and later re-referred to Rules.

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=0433&GAID=9&DocTypeID=HB&LegID=27371&SessionID=51&GA=95>

HB 943 is a companion to SB 655 and amends existing statutes to provide that on and after July 1, 2008, no person shall sell, offer to sell, or distribute certain mercury-added products in this State. Sets out exceptions to the prohibition. Provides that on and after July 1, 2008, no person may sell, offer for sale, or distribute for promotional purposes a mercury-containing manometer of the type used in milking machines on dairy farms in the State. Provides that the Environmental Protection Agency may participate in the establishment and implementation of a regional, multistate clearinghouse to assist in carrying out the requirements of this Act. Amends the Environmental Protection Act. It was adopted unanimously by both the House and the Senate, with

the Senate action on May 16, 2007. It was sent to the Governor on June 14, 2007.

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=0943&GAID=9&DocTypeID=HB&LegID=28552&SessionID=51&GA=95>

HB 2242 amends the Communicable Disease Prevention Act. Adds, in the public policy Section, invasive pneumococcal disease to the list of communicable diseases that can result in serious physical and mental disabilities. Requires the Department of Public Health to promulgate rules and regulations, and to submit those rules and regulations in accordance with the rulemaking first notice requirements under the listed Section of the Illinois Administrative Procedure Act, within 30 days of the effective date of the amendatory Act of the 95th General Assembly, requiring the age-appropriate series of pneumococcal conjugate vaccine, as recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention, to a child younger than 2 years of age who is enrolled or enrolling in a licensed child care facility, as that term is defined in the Child Care Act of 1969. Requires the Department to also establish protocols for children younger than 2 years of age to catch up on missed doses. Provides that a child care facility must be able to furnish proof of compliance with these provisions for all children at the facility, beginning January 1, 2008. Provides exceptions to the vaccination requirements if (1) the parent or guardian of the child objects thereto on the grounds that the administration of immunizing agents conflicts with his or her religious tenets or practices; or (2) a physician employed by the parent or guardian to provide care and treatment to the child states that the physical condition of the child is such that the administration of the required immunizing agent would be detrimental to the health of the child. Adopted by both houses as of May 17, 2007 and sent to the Governor on June 15, 2007.

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=2242&GAID=9&DocTypeID=HB&LegID=31094&SessionID=51&GA=95>

SB 133 amends the state's mercury free vaccine act and provides that the Department of Public Health shall implement a policy to distribute, preferentially, influenza vaccines that are thimerosal-free or contain only trace amounts of thimerosal for the immunization of children under the age of 3 who are participating in the Vaccines for Children program, provided that the supply of influenza vaccines to health care providers is not impeded by the exercise of this preference. Provides that the Department shall annually communicate this policy to the General Assembly and health care providers. Provides that upon issuing an exemption from the Act, the Department shall remind health care providers to distribute, preferentially, influenza vaccines that are thimerosal-free or contain only trace amounts of thimerosal for the immunization of children under the age of 3, provided that the supply of influenza vaccines to health care providers is not impeded by the exercise of this preference. Provides that the Department shall annually notify health care providers about the requirements of the Act and encourage health care providers to increase immunization rates among persons who are recommended to receive influenza immunization, using all licensed vaccines, with preference given to influenza vaccines that are thimerosal-free or contain only trace amounts of thimerosal. Provides that the Department shall include this annual notification on its Internet web site. Provides that the Department shall annually report to the General Assembly, on or before December 31, on its efforts to inform health care providers about thimerosal-free vaccines. Provides that the Department of Public Health shall notify health care providers about the availability of influenza vaccines and the most effective time for persons to be vaccinated. Adopted by both houses, as of May 30, 2007.

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=0133&GAID=9&DocTypeID=SB&LegID=27356&SessionID=51&GA=95>

SB 655 is a companion to HB 943 and amends existing statutes to provide that on and after July 1, 2008, no person shall sell, offer to sell, or distribute certain mercury-added products in this State. Sets out exceptions to the prohibition. Provides that on and after July 1, 2008, no person may sell, offer for sale, or distribute for promotional purposes a mercury-containing manometer of the type used in milking machines on dairy farms in the State. Provides that the Environmental Protection Agency may participate in the establishment and implementation of a regional, multistate clearinghouse to assist in carrying out the requirements of this Act. Amends the Environmental Protection Act. . Introduced on February 8, 2007, it was referred to the Committee on Environment and Energy and then to Rules on March 16, 2007.

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=0655&GAID=9&DocTypeID=SB&LegID=28516&SessionID=51&GA=95>

SB 1241 Prohibits the installation of thermostats containing mercury in new construction beginning July 1, 2008. Prohibits the installation or sale of thermostats that contain mercury beginning July 1, 2010. Provides that, beginning July 1, 2008, thermostats that contain mercury must not be disposed of in a landfill or incinerated. Introduced on February 9, 2007, an amended version has been adopted unanimously by both houses as of May 30, 2007.

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=1241&GAID=9&DocTypeID=SB&LegID=29326&SessionID=51&GA=95>

SB 1583 is a companion HB 433 and creates the Electronic Scrap Recycling Act. Requires the creation of a not-for-profit, public-benefit corporation to manage the State collection, transportation, and recycling system for electronic devices that are covered under the Act. Sets forth the composition, duties, and responsibilities of the not-for-profit, public-benefit corporation. Prohibits the sale of those covered electronic devices by a manufacturer who (i) is not in compliance with the Act or (ii) fails to permanently label the device with the manufacturer's brand. Requires certain manufacturers of covered electronic devices to register with the not-for-profit, public-benefit corporation. Requires audits of covered electronic device retailers and the not-for-profit, public-benefit corporation. Imposes a fee on manufacturers of covered electronic devices, and sets forth procedures for calculating the fee. Prohibits the sale of any covered electronic devices containing mercury, cadmium, lead, hexavalent chromium, polybrominated biphenyls, or polybrominated diphenyl ethers. Requires the not-for-profit, public-benefit corporation to develop a minimum level of environmental design for all covered electronic devices sold in the State. Allows certain manufacturers to establish a self-recycling program. Prohibits the disposal of the devices into a landfill or by incineration. Requires retailers of covered electronic devices to post educational material provided by the not-for-profit, public-interest corporation. Requires the recyclers of covered electronic devices to follow federal recycling guidelines. Contains other provisions. Effective immediately except that specified Sections apply and become operative on January 1, 2008. Introduced on February 9, 2007 and assigned to the Environment and Energy Committee. It has been placed on the calendar for a third reading.
<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=1583&GAID=9&DocTypeID=SB&LegID=29642&SessionID=51&GA=95>

Indiana

HB 1361 requires that before a person administers a vaccine that contains more than a trace amount of mercury, the person must inform the person who will be vaccinated that there are alternatives to mercury preserved vaccines. Allows the state department of health to suspend this requirement during a public health emergency or an epidemic. Provides that a health care practitioner may be subject to disciplinary sanctions for failing to comply with these requirements. Introduced on January 16, 2007, and referred to Committee on Public Health.

<http://www.in.gov/legislative/bills/2007/IN/IN1361.1.html>

<http://www.in.gov/apps/lisa/session/billwatch/billinfo?year=2007&session=1&request=getBill&docno=1361>

Iowa

The Iowa Legislature is now adjourned and did not adopt either of the two mercury product bills that were introduced.

HF 515 would require testing of vaccines to determine the amount of mercury that they contain, and that beginning July 1, 2008, a drug or vaccine administered in this state shall not contain more than trace amounts of mercury, and beginning July 1, 2010, a drug or vaccine administered in this state shall not contain any amount of mercury. Introduced on February 23, 2007, and referred to Human Resources Committee.

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

HF 751 Each thermostat manufacturer that has offered for final sale, sold at final sale, or distributed thermostats in the state shall submit and implement a plan to the department for approval describing a collection program for thermostats, with a goal to recover 70% of them. Introduced March 12, 2007 and referred to the Environmental Protection Committee.

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

Kansas

SB 1 says that no person who is eight years of age or younger or who is knowingly pregnant shall be vaccinated in this state with a vaccine containing more than 0.5 micrograms of mercury per 0.5 milliliter dose. Introduced January 8, 2007, it is now in the Public Health and Welfare Committee; a hearing was scheduled for March 22, 2007. However, according to the schedule for legislation, this bill is now dead.

<http://www.kslegislature.org/bills/2008/1.pdf>

<http://www.kslegislature.org/legsrv-billtrack/index.do>

Maine

The Maine Legislature has adjourned and adopted three mercury product bills into law.

- ✓ LD 916 exempts an antique barometer that is at least 100 years old from the ban on the sale of certain mercury-added products. It has been adopted into law as Chapter 98.
<http://janus.state.me.us/legis/LawMakerWeb/summary.asp?LD=916>
- ✓ LD 1234 is an act to require clear warnings on light bulbs containing mercury. Introduced on March 8, 2007 and referred to the Committee on Natural Resources by both houses. It was amended in the House, directing the Department of Environmental Protection and the Public Utilities Commission to develop a program that supports the recycling of fluorescent lamps. It was adopted into law as Chapter 25.
<http://janus.state.me.us/legis/LawMakerWeb/summary.asp?LD=1234>
- ✓ LD 1830 is a resolution of an emergency rule to provide for legislative review of portions of Chapter 872: Exemptions from the Ban on Sale of Mercury-added Switches, Relays and Measuring Devices, a major substantive rule of the Department of Environmental Protection. It was introduced on April 5, 2007 and has been adopted by both houses. Signed by the Governor as Chapter 64.
<http://www.mainelegislature.org/legis/bills/billtexts/ld183001.asp>

LD 637 requires the elimination of mercury in dental offices over a 3-year period, and requires dental schools to include in their curricula by January 2008 the risks of exposure to mercury. Dental offices are 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. Introduced on February 28, 2007, it is listed as being dead.

<http://janus.state.me.us/legis/LawMakerWeb/summary.asp?LD=637>

LD 1446. Beginning January 1, 2008, this bill prohibits the use of more than trace amounts of mercury or thimerosal in any immunizing agent for administration to children under 8 years of age and to pregnant women. It imposes requirements for labeling and written information packaged with the immunizing agent. It provides for an exemption if the Commissioner of Health and Human Services determines that an immunizing agent containing more than a trace amount is necessary due to an actual or potential bioterrorist incident or public health emergency. The bill also directs the department to develop a plan to ensure that all immunizing agents are mercury-free and thimerosal-free, including considering the requirement of the use of single-dose immunizing agents. Introduced on March 15, 2007 and referred to the Committee on Health and Human Services by both houses. It is listed as being dead.

<http://janus.state.me.us/legis/LawMakerWeb/summary.asp?LD=1446>

LD 1523. Beginning January 1, 2008, this bill prohibits the use of more than trace amounts of a heavy metal, including mercury or thimerosal, in any immunizing agent for administration to a person in this State. It imposes requirements for labeling and written information packaged with the immunizing agent. It provides for an exemption if the Commissioner of Health and Human Services determines that an immunizing agent containing more than a trace amount is necessary due to an actual or potential bioterrorist incident or public health emergency. The bill also directs the Department of Health and Human Services to develop a plan to ensure that all immunizing agents are free of heavy metals, including mercury and thimerosal, including considering the requirement of the use of single-dose immunizing agents. Introduced on March 20, 2007 and referred to the Committee on Health and Human Services by both houses. Listed as dead.

<http://janus.state.me.us/legis/LawMakerWeb/summary.asp?LD=1523>

Maryland

HB 418 requires motor vehicle manufacturers to develop and submit to the Department of the Environment a mercury minimization plan that includes information on mercury switch removal from motor vehicles by a specified date; establishing requirements for a mercury minimization plan; requiring vehicle manufacturers to pay

specified costs associated with mercury switch removal; etc.. Introduced February 7, 2007 and referred to the Environmental Matters Committee.

<http://mlis.state.md.us/2007rs/billfile/HB0418.htm>

HB 928 calls for environmentally preferred purchasing by state agencies, including for products that don't contain mercury. Introduced on February 9, 2007 and referred to the Committee on Health and Government Operations.

<http://mlis.state.md.us/2007rs/billfile/HB0928.htm>

SB 366 is for the removal of mercury switches from vehicles. Introduced on February 1, 2007, it has been adopted by the Senate and sent to the House, where it was referred to the Environmental Matters Committee.

<http://mlis.state.md.us/2007rs/billfile/sb0366.htm>

SB 902 requires an individual to be vaccinated with a vaccine containing less than a specified amount of mercury per dose on or after January 1, 2009, unless vaccines that meet the requirement are not readily available or appropriate.. Introduced February 22, 2007 and referred to the Rules Committee.

<http://mlis.state.md.us/2007rs/billfile/sb0902.htm>

Massachusetts

Petition 796 relates to mercury containing products and was scheduled to have a hearing on May 7, 2007.

<http://www.mass.gov/legis/185history/h00796.htm>

Petition 2115 relates to prohibiting the use of certain vaccines and serums containing mercury and is scheduled to have a hearing on June 13, 2007.

<http://www.mass.gov/legis/185history/h02115.htm>

Michigan

HB 4240 prohibits the sale or exchange of toys with, among other materials, mercury. Introduced on February 7, 2007 and referred to the Committee on Health Policy.

[http://www.legislature.mi.gov/\(S\(q00ngl55gzrdvbadvbqi4r45\)\)/mileg.aspx?page=getObject&objectName=2007-HB-4240](http://www.legislature.mi.gov/(S(q00ngl55gzrdvbadvbqi4r45))/mileg.aspx?page=getObject&objectName=2007-HB-4240)

SB 0174 is a companion to HB 4240 and prohibits the sale or exchange of toys with, among other materials, mercury. Introduced on February 6, 2007 and referred to Committee on Natural Resources and Environmental Affairs.

[http://www.legislature.mi.gov/\(S\(q00ngl55gzrdvbadvbqi4r45\)\)/mileg.aspx?page=getObject&objectName=2007-SB-0174](http://www.legislature.mi.gov/(S(q00ngl55gzrdvbadvbqi4r45))/mileg.aspx?page=getObject&objectName=2007-SB-0174)

SB 412 says that state agencies shall, to the extent possible, avoid the purchase of products with mercury in them if non-mercury alternatives exist. Introduced on April 18, 2007; adopted unanimously by the Senate on May 15, 2007 and sent to the House, where it was referred to the Committee on Great Lakes and the Environment.

[http://www.legislature.mi.gov/\(S\(dvqpoimxxowgof45mq3pnz45\)\)/mileg.aspx?page=getObject&objectName=2007-SB-0412](http://www.legislature.mi.gov/(S(dvqpoimxxowgof45mq3pnz45))/mileg.aspx?page=getObject&objectName=2007-SB-0412)

Minnesota

The Minnesota Legislature is now adjourned. One bill has been adopted into law.

- ✓ SF 1085 is a companion to HF 1316 and the state description of the bill is that it prohibits the sale of mercury containing products and regulating disposal of fluorescent and high intensity discharge lamps, requiring delivery to lamp recycling facilities; specifying manufacturer labeling requirements for fluorescent and high intensity discharge lamps and laboratory chemicals and electrodes; prohibiting sale of mercury containing sphygmomanometers, gastrointestinal devices, thermostats, switches and relays, diostats, barometers, manometers, pyrometers, over the counter pharmaceuticals and cosmetics after a certain date; prohibiting school use of mercury after a certain date; specifying retail posting requirements for fluorescent lamps containing mercury. It was introduced on February 21, 2008 and referred to three committees: Environment and Natural Resources; Health, Housing and Family Security; and Rules and Administration. On March 22nd, the committee report was amended and it was re-referred to the Business, Industry and Jobs Committee. The Senate adopted it

on April 18th. It was sent to the House, and compared with its companion bill, HF 1316. They are not identical, and the amended SF 1085 was substituted for HF 1316 on the General Register. It had a second reading in the House on April 19, 2007. It was amended by the House and, because the Senate did not agree with the changes, a conference committee was set up as of May 3, 2007. The conference committee was released on the 17th of May and both the House and the Senate adopted it, presenting the bill to the Governor on May 18, 2007, who signed it into law on May 21, 2007 as Session Law Chapter 109.

http://www.revisor.leg.state.mn.us/revisor/pages/search_status/status_detail.php?b=Senate&f=SF1085&ssn=0&y=2007

HF 0470 is a companion to SF 0746 and would require patient notification when a vaccine contains more than a trace amount of mercury. Introduced on February 1, 2007 and referred to the Health and Human Services Committee.

http://www.revisor.leg.state.mn.us/revisor/pages/search_status/status_detail.php?b=House&f=HF0470&ssn=0&y=2007

HF 1316 is a companion to SF 1085 and covers certain mercury-containing products sales prohibited; sales, use, and disposal requirements modified; consumer information required; lamp recycling requirements modified; and mercury reduction at crematoriums provided. It was introduced on February 22, 2007 and referred to the Environment and Natural Resources Committee, which recommended adoption as amended on March 19, 2007. It was put on indefinite postponement on April 19, 2007, when SF 1085 was substituted on the General Register.

http://www.revisor.leg.state.mn.us/revisor/pages/search_status/status_detail.php?b=House&f=HF1316&ssn=0&y=2007

HF 1917 is a companion to SF 1780, providing a preference for a mercury-free vaccines preference established. Introduced on March 12, 2007 and referred to the Committee on Health and Human Services.

http://www.revisor.leg.state.mn.us/revisor/pages/search_status/status_detail.php?b=House&f=HF1917&ssn=0&y=2007

HF 2350 would prohibit the use of mercury in certain vaccines. Introduced on March 24, 2007 and referred to the Committee on Health and Human Services.

http://www.revisor.leg.state.mn.us/revisor/pages/search_status/status_detail.php?b=House&f=HF2350&ssn=0&y=2007

SF 0746 is an act requiring medical providers administering vaccines to school children to notify parents and guardians of certain mercury (thimerosal) content in vaccines was introduced on February 12, 2007 and referred to the Committee on Health, Housing and Family Security. Companion is HF 0470.

http://www.revisor.leg.state.mn.us/revisor/pages/search_status/status_detail.php?b=Senate&f=SF0746&ssn=0&y=2007

SF 1780 is a companion to HF 1917 and is a bill for establishing a preference for mercury free vaccines in the state; authorizing the use of vaccines containing a trace amount of mercury under certain conditions; specifying certain patient informed consent requirements prior to administering the vaccine; specifying certain disclosure requirements for immunization providers; requiring the commissioner of health to provide and maintain vaccine information on the department Web site. Introduced on March 12, 2007 and referred to the Committee on Health, Housing and Family Security.

http://www.revisor.leg.state.mn.us/revisor/pages/search_status/status_detail.php?b=Senate&f=SF1780&ssn=0&y=2007

Mississippi

The Mississippi Legislature adjourned on April 1, 2007 without adopting either of the following bills.

SB 2422 bans the purchase or acceptance of certain mercury products in schools and the sale of mercury switches and relays, with an exemption for thermostats and other products. Introduced on January 9, 2007 and referred to Environment Protection, Conservation and Water Resources, where it has died.

<http://billstatus.ls.state.ms.us/2007/HTML/history/SB/SB2422.htm>

SB 2733 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. Introduced on January 9, 2007 and referred to Environment Protection, Conservation and Water Resources, where it has died.

<http://billstatus.ls.state.ms.us/2007/HTML/history/SB/SB2733.htm>

Montana

The Montana Legislature adjourned on Friday, April 27, 2007 and none of the following mercury product bills was adopted into law.

HB 0261 is an act enacting laws relating to mercury; requiring a ban on the disposal of mercury-added products; requiring source separation; enacting requirements applicable to dental offices; requiring a mercury-added product education program; requiring the department of environmental quality to offer technical assistance; and authorizing the department of environmental quality to participate in a regional, multistate clearing house concerning mercury-added products. Introduced on January 9, 2007 and sent to the Natural Resources Committee; where it died.

<http://data.opi.mt.gov/bills/2007/billhtml/HB0261.htm>

HB 0779 is an act banning the future sale or installation of mercury-added thermostats; requiring manufacturers of mercury-added thermostats sold in Montana to establish collection and recycling programs; requiring incentives for recycling mercury-added thermostats; granting rulemaking authority to the board of environmental review; and prohibiting the sale of thermostats by manufacturers that do not establish a collection and recycling program. Introduced on February 20, 2007, it was referred to the Committee on Business and Labor, where it died.

<http://data.opi.mt.gov/bills/2007/billhtml/HB0779.htm>

SB 0236 is an act requiring mercury-free childhood vaccines; and establishing an interim preference for dispensing mercury-free influenza vaccines. Introduced on January 10, 2007, it was referred to the Committee on Public Health, Safety and Welfare. It was recommended for adopted and passed the Senate on February 5, 2007. It has been sent to the House, where it is in the Committee on Human Services, which had a hearing on March 16, 2007. It died in committee on April 27, 2007.

<http://data.opi.mt.gov/bills/2007/billhtml/SB0236.htm>

SB 0423 is an act establishing the Montana mercury safety and protection act; requiring presale notification before mercury-added products may be sold in Montana; providing restrictions on the sale and use of mercury and certain mercury-added products; providing for labeling and consumer information; enacting a phase out on disposal of certain mercury-added products; providing a household use exemption; and authorizing the department to participate in a multistate mercury information clearinghouse. Introduced on February 3, 2007, it has been adopted by the Senate and sent to the House, where it was referred to the Federal Relations, Energy, and Telecommunications Committee and had a hearing March 30th. It died in committee on April 27, 2007.

<http://data.opi.mt.gov/bills/2007/billhtml/SB0423.htm>

Nebraska

The Nebraska Legislature has adjourned, without adopting the following bill.

LB 49 states that on and after July 1, 2007, no vaccine or other drug administered in the State of Nebraska shall contain more than a trace amount of mercury; and on and after July 1, 2009, no vaccine or other drug administered in the State of Nebraska shall contain any amount of mercury. Introduced on January 4, 2007 and referred to Health and Human Services. Indefinitely postponed on February 26, 2007.

<http://uniweb.legislature.ne.gov/Apps/BillFinder/finder.php>

New Hampshire

New Hampshire has adopted one bill into law and has a second that has been adopted by both houses and is awaiting review by the Governor.

- ✓ HB 907 restricts the sale, distribution, and disposal of mercury-added products. Introduced on January 4, 2007, it has been referred to the Committee on Environment and Agriculture. It passed the House on March 27, 2007 and was amended by removing the disposal ban section, since that is covered in HB 416. Adopted and signed by the Governor as Chapter 0105.

<http://www.gencourt.state.nh.us/legislation/2007/hb0907.html>
<http://www.gencourt.state.nh.us/index/indexstatus.asp?expbillno=hb0907&txtsessionyear=2007>

HB 416 originally banned the disposal of mercury-added products in solid waste landfills or transfer stations. Introduced on January 31, 2007, it has been referred to the Committee on Environment and Agriculture. HB 416 passed the House on March 27, 2007 and was amended to include a disposal ban in incinerators as well as landfills and transfer stations. It has been adopted by the Senate with amendment and now is relative to mercury reduction and establishing a committee to study methods of improving the recycling rate in New Hampshire for mercury-added thermostats. It was concurred in by the House on June 13, 2007.

<http://www.gencourt.state.nh.us/legislation/2007/hb0416.html>
<http://www.gencourt.state.nh.us/index/indexstatus.asp?expbillno=hb0416&txtsessionyear=2007>

New Jersey

The New Jersey Legislature is unusual in that it starts in the even year and carries its bills over into the odd-numbered year.

A1324 is the same as A4433 from the 2004-2005 session and would phase out the use of mercury in vaccinations over a period of three years. Introduced January 10, 2006, referred to Assembly Health and Senior Services Committee. It was reported out of committee on May 11, 2006, with amendments.

http://www.njleg.state.nj.us/2006/Bills/A1500/1324_I1.HTM
<http://www.njleg.state.nj.us/Default.asp>

A3485 prohibits the sale of mercury batteries and consumer products that use mercury batteries; prohibits disposal of used mercury batteries as solid waste. Introduced on October 19, 2006, and referred to the Assembly Environment and Solid Waste Committee.

<http://www.njleg.state.nj.us/bills/BillsByNumber.asp>
http://www.njleg.state.nj.us/2006/Bills/A3500/3485_I1.HTM

S618 is the same as A1324 and would phase out the use of mercury in vaccinations over a period of three years. Introduced on January 10, 2006 and referred to Senate Health, Human Services and Senior Citizens Committee.

http://www.njleg.state.nj.us/2006/Bills/S1000/618_I1.HTM
<http://www.njleg.state.nj.us/Default.asp>

New Mexico

New Mexico adopted a resolution and is now adjourned.

- ✓ SJM 25 is a joint memorial resolution that encourages the use of vaccines with no more than a trace of mercury in them. Adopted and signed.

<http://legis.state.nm.us/Sessions/07%20Regular/memorials/senate/SJM025.html>
<http://legis.state.nm.us:8080/lcsbillsearch/session.jsp?year=2007R&type=JM&chamber=S&number=25>

HB 481 is known as the Amalgam Reduction Act and would require the installation of amalgam separators at dental offices. It has been amended and adopted by the House and is now in the Senate, in the Finance Committee, which has recommended adoption. It is now on the Senate calendar.

<http://legis.state.nm.us:8080/lcsbillsearch/session.jsp?year=2007R&type=B&chamber=H&number=481>
<http://legis.state.nm.us//Sessions/07%20Regular/bills/house/HB0481GUS.html>

New York

A00875 is the same as S00283 and prohibits the use, purchase and storage of mercury and mercury instruments in schools; mercury instruments may continue 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 January 3, 2007 and referred to the Education Committee.

<http://assembly.state.ny.us/leg/?bn=A00875>

A01094 enacts "The Mercury Free Water Resources and Mercury Reduction Management Strategy Act of 2007"; provides for: disclosure of mercury content, phase-out of mercury-added products, disposal prohibition, labeling, source separation, collection, requirements for sewage treatment plants, point source release containment traps, ban on sale or distribution of certain mercury products, replacement of manometers and gas pressure regulators (agriculture department to handle for dairy industry), regulates dental use and bans health insurance discrimination therein, requires lamp recycling; adds all mercury-added products to state universal waste rules; provides for a state advisory committee on mercury pollution; provides for penalties for violations; repeals chapter 145 of the laws of 2004 amending the environmental conservation law and the state finance law relating to the labeling and recycling of mercury-added consumer products and establishing an advisory committee on mercury pollution; provides for penalties for violations; repeals chapter 145 of the laws of 2004 amending the environmental conservation law and the state finance law relating to the labeling and recycling of mercury-added consumer products and establishing an advisory committee on mercury pollution. Introduced on January 3, 2007 and referred to Environmental Conservation Committee.

<http://assembly.state.ny.us/leg/?bn=A01094>

A01563 prohibits the sale of mercury fever thermometers without a prescription from a health care practitioner or veterinarian. Introduced January 10, 2007 and referred to the Committee on Environmental Conservation.

<http://assembly.state.ny.us/leg/?bn=A01563>

A03312 requires motor vehicle manufacturers to establish programs for the collection and recycling of mercury-added components from their vehicles when such vehicles are scrapped or recycled. Introduced on January 24, 2007 and referred to the Environmental Conservation Committee, it was reported as referred to Codes on May 8, 2007, followed by Ways and Means on June 12, 2007.

<http://assembly.state.ny.us/leg/?bn=A03312>

A08410 is the same as S01941 and prohibits the sale of mercury-containing thermometers and the use of mercury-containing gauges and manometers. Referred to Environmental Conservation on May 15, 2007.

<http://assembly.state.ny.us/leg/?bn=A08410>

A08641 enacts the "New York state lighting efficiency and toxics reduction act"; requires the department of environmental conservation to promulgate by regulation certain schedules for reducing the levels of mercury and lead in general purpose lights sold or offered for sale in New York; establishes certain requirements manufacturers of general purpose lights sold in New York and containing hazardous materials. Referred to Environmental Conservation on May 23, 2007. It has been amended come out of committee and was ordered to a third reading on June 19, 2007.

<http://assembly.state.ny.us/leg/?bn=A08641>

S00283 is the same as A00875 and Prohibits the use, purchase and storage of mercury and mercury instruments in schools; mercury instruments may continue 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 3, 2007 and referred to the Committee on Education.

<http://assembly.state.ny.us/leg/?bn=S00283>

S01941 prohibits the use of mercury-containing gauges and manometers and the sale of mercury-containing fever thermometers. Introduced on January 29, 2007 and referred to the Environmental Conservation Committee.

<http://assembly.state.ny.us/leg/?bn=S01941>

S06124 enacts the "New York state lighting efficiency and toxics reduction act"; requires the department of environmental conservation to promulgate by regulation certain schedules for reducing the levels of mercury and lead in general purpose lights sold or offered for sale in this state; establishes certain requirements manufacturers of general purpose lights sold in this state and containing hazardous materials; requires the commissioner of

environmental conservation to develop a plan for limiting electrical energy consumption for lighting. Introduced on June 11, 2007 and referred to the Rules Committee.
<http://assembly.state.ny.us/leg/?bn=S06124>

North Carolina

HB 431 would require that vaccines, containing the preservative thimerosal, administered to children under the age of eight years shall not contain more than 0.5 micrograms of mercury per 0.5 milliliter dose. Influenza vaccines administered to children 6-35 months of age and pregnant women shall not contain the preservative thimerosal, except: (1) vaccines with a trace amount (<0.5ug/0/5ml dose) of mercury are permissible only if there are no alternative vaccines available; and(2) in times of emergency or epidemic as determined by the State Health Director. If an emergency or epidemic is determined to exist, the State Health Director shall notify the Commission for Health Services, the Governor, and the Joint Legislative Commission on Governmental Operations, and the general public. The Department of Health and Human Services, Division of Public Health, shall develop and produce a brochure that explains the use of thimerosal and other preservatives in vaccines. The brochure shall describe what alternatives are available and what potential advantages and disadvantages are posed by the use of thimerosal and the alternatives. Introduced February 28, 2007, referred to the Committee on Health. A substitute was favorably reported on April 26, 2007 and it was referred to the Committee on Appropriations.
<http://www.ncleg.net/gascripts/BillLookUp/BillLookUp.pl?Session=2007&BillID=H431>

HB 838 would direct the Environmental Review Commission to prepare a study on phasing out incandescent lamps along with a proposal for a recycling system for fluorescents. It was introduced on March 14, 2007, and referred to the Committee on Energy and Energy Efficiency. A substitute was favorably reported on May 7, 2007 and it was referred to the Committee on Rules, Calendar and Operation of the House.
<http://www.ncleg.net/gascripts/BillLookUp/BillLookUp.pl?Session=2007&BillID=H838>

HB 1758 would amend the state program for the removal of mercury switches from vehicles. It was introduced on April 18, 2007 and referred to the Committee on Commerce, Small Business and Entrepreneurship and, if favorable, to the Committee on Environment and Natural Resources. A substitute was recommended and adopted by the House, and the bill was sent to the Senate on May 21, 2007, which referred it to the Committee on Commerce, Small Business and Entrepreneurship.
<http://www.ncleg.net/gascripts/BillLookUp/BillLookUp.pl?Session=2007&BillID=H1758>

Oregon

HB 2628 prohibits the sale of mercury vapor lights. Introduced on February 8, 2007, amended and adopted by both houses as of June 5, 2007. The Speaker of the Assembly and the President of the Senate have both signed off on the bill on June 14 and June 15, 2007, respectively.
<http://landru.leg.state.or.us/07reg/measures/hb2600.dir/hb2628.intro.html>
<http://www.leg.state.or.us/searchmeas.html>

SB 704 requires dentist to have amalgam separator installed in wastewater drain if materials containing mercury pass through a drain. Introduced on February 28, 2007, it has been adopted by both houses with amendment as of June 7, 2007. The President of the Senate signed it on June 13, 2007.
<http://www.leg.state.or.us/07reg/measures/sb0700.dir/sb0704.intro.html>
<http://www.leg.state.or.us/searchmeas.html>

Pennsylvania

HB 44 would prohibit the sale and restricting the disposal of mercury thermostats Referred to the Environmental Resources and Energy Committee on January 30, 2007.
<http://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?&syearch=2007&sind=0&body=H&type=B&bn=0044>

HB 790 prohibits certain persons from being vaccinated with vaccines containing mercury or injected with any mercury-containing product. Referred to Health and Human Services, March 19, 2007.
<http://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?&syearch=2007&sind=0&body=H&type=B&bn=0790>

HB 1001 amends existing law, known as the Childhood Immunization Insurance Act, further providing for definitions; and providing for mercury-free vaccines. Referred to Health and Human Services, April 2, 2007.
<http://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?&syyear=2007&sind=0&body=H&type=B&bn=1001>

HR 112 directs the Department of Environmental Protection to identify and implement policies which encourage the use of current electronic waste recycling programs and expand existing programs. Referred to Environmental Resources and Energy, March 19, 2007. It was reported as committed on May 8, 2007.
<http://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?&syyear=2007&sind=0&body=H&type=R&bn=0112>

SB 51 would prohibit the sale of mercury fever thermometers. Referred to the Public Health and Welfare Committee on February 7, 2007.
<http://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?&syyear=2007&sind=0&body=S&type=B&bn=0051>

SB 830 would prohibit the sale of mercury thermostats and restrict their disposal. Referred to the Environmental Resources and Energy Committee on May 3, 2007.
<http://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?&syyear=2007&sind=0&body=S&type=B&bn=0830>

Rhode Island

H 5282 would require, prior to any vaccination of a minor child, a physician shall provide notice to a parent or guardian if the vaccination contains mercury. A standardized consent form stating that mercury is a dangerous toxin, and that exposure to even low levels may permanently damage the brain and nervous system and cause behavior changes, shall be developed and provided by the department of health. This form shall be signed and dated by a minor child's parent or guardian prior to vaccination and kept with the minor child's permanent record. Introduced on February 01, 2007, and referred to the House Health, Education & Welfare Committee.
<http://www.rilin.state.ri.us/billtext07/housetext07/h5282.htm>

H 5863 would require, except for an influenza vaccine, on and after July 1, 2008, 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 five tenths 0.5 milliliter dose. On and after July 1, 2008, a person who is knowingly pregnant or who is under three years of age shall not be vaccinated with a mercury containing influenza vaccine that contains more than one microgram of mercury per 0.5 milliliter dose. The director of the department of health may exempt the use of a vaccine from this section if the director finds, and the governor concurs, that an actual or potential bioterrorist incident or other actual or potential public health emergency, including a pandemic, an epidemic or shortage of supply of a vaccine that would prevent persons from receiving the needed vaccine, makes necessary the administration of a vaccine containing more mercury than the maximum level set forth herein. Date Introduced March 01, 2007 and referred to the House Health, Education & Welfare Committee.
<http://www.rilin.state.ri.us/billtext07/housetext07/h5863.htm>

H 5915 creates an electronic scrap recycling program with producer responsibilities, in part due to the presence of mercury. Introduced March 01, 2007; referred to the House Environment and Natural Resources Committee. Companion is S 0561.
<http://www.rilin.state.ri.us/billtext07/housetext07/h5915.htm>

H 6395 would require that fluorescents contain less than 100 milligrams of mercury by 2010. Introduced on May 16, 2007 and referred to the Environment and Natural Resources Committee.
<http://www.rilin.state.ri.us/billtext07/housetext07/h6395.htm>

H 6396 would exempt button cell batteries and products containing button cell batteries from the phase-out required by the state. Introduced on May 16, 2007 and referred to the Environment and Natural Resources Committee. A substitute amendment has been introduced and also referred to this committee, which recommended adoption on June 5, 2007.
<http://www.rilin.state.ri.us/billtext07/housetext07/h6396.htm>
<http://www.rilin.state.ri.us/billtext07/housetext07/h6396a.htm>

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

S 0561 is a companion to H 5915 and creates an electronic scrap recycling program with producer responsibilities, in part due to the presence of mercury. Introduced February 15, 2007 and referred to the Senate Environment & Agriculture Committee.

<http://www.rilin.state.ri.us/billtext07/senatetext07/s0561.htm>

S 0632 modifies existing state statutes on toxics in packaging to both include packaging made in other countries as well as providing some exemptions. Introduced February 15, 2007, and referred to the Senate Health & Human Services Committee.

<http://www.rilin.state.ri.us/billtext07/senatetext07/s0631.htm>

S 0781 modifies existing statutes requiring the removal of mercury switches from vehicles by removing the requirement that manufacturers pay the entire cost and by removing the minimum payment of \$5 per switch. Introduced on February 15, 2007 and referred to the Senate Environment & Agriculture Committee.

<http://www.rilin.state.ri.us/billtext07/senatetext07/s0781.htm>

South Carolina

The Legislature has adjourned without adopting either of these two bills.

H 3398 is a bill to promulgate regulations on the proper management of electronics waste and to specify the content of these regulations; to prohibit the sale of video display devices in this state if the manufacturer is not in compliance with this article; to establish consumer electronics waste recycling fees on the purchase of video display devices to be collected by the Department of Revenue; to establish the electronics recycling fund and to provide for the uses of the monies in the fund; to require retailers to provide information to consumers describing how and where to return and recycle electronic equipment; to provide that a retailer may retain three percent of the electronics waste recycling fee for administrative costs in collecting the fee, to provide that a portion of the electronics waste fee collected by a retailer may be refunded to the retailer who delivers electronics waste to a recycler, and to also provide that funds must be disbursed to each county based on population; to require the department to review and adjust electronics waste recycling fees biennially and to make adjustments to ensure that these fees generate sufficient revenue to fund this recycling program; to require manufacturers to submit annual reports to the department on the sale of electronic equipment; to establish civil penalties for violations; to provide that the department shall establish and update statewide recycling goals; and to provide that this article may not be implemented if federal law takes effect regulating electronics waste or if a court issues a judgment holding that out-of-state manufacturers of electronic equipment or retailers may not be required to collect the electronics waste recycling fee established pursuant to this article. Introduced January 31, 2007 and referred to the Committee on Agriculture, Natural Resources and Environmental Affairs. On March 21, 2007, recalled from this committee and referred to the Committee on Labor, Commerce and Industry.

http://www.scstatehouse.net/cgi-bin/web_bh10.exe?bill=3398&session=117&summary=T

S 169 is a joint resolution to establish the electronic equipment recycling program to be administered by the recycling market development advisory council within the department of commerce; to impose a five dollar fee on each piece of electronic equipment containing a cathode ray tube sold; to require the state treasurer to deposit the fees collected in the electronic equipment recycling fund to be used, among other things, to determine the most efficient means of collecting, transporting, and processing scrap electronic equipment and to award grants, contracts, and loans to further the process and technology for recycling this equipment; to establish the electronic equipment recycling committee to review and evaluate the use of the recycling fund; and to require the recycling market development advisory council to evaluate the program and recommend whether this program should continue and be made permanent law. Introduced December 13, 2006, and referred to the Committee on Agriculture and Natural Resources.

http://www.scstatehouse.net/cgi-bin/web_bh10.exe?bill=169&session=117&summary=T

Vermont

H.0114 proposes to prohibit the use of mercury-containing vaccines for children and pregnant women. Introduced January 23, 2007 and referred to the Human Services Committee.

<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2008/bills/intro/H-114.HTM>

<http://www.leg.state.vt.us/database/status/summary.cfm?Bill=H%2E0114&Session=2008>

H.0121 proposes to limit the presence of mercury in the air and waters of the state by prohibiting the installation of mercury-containing dental amalgam, except in back molars, effective January 1, 2011. It establishes reporting requirements regarding amounts of mercury supplied to the dentists of the state. It also proposes to establish a comprehensive program by which manufacturers of mercury-added thermostats will collect mercury-added thermostats facing disposal. Introduced January 23, 2007 and referred to the Human Services Committee.

Reported out favorably with amendment and referred to the Human Services Committee on March 14, 2007.

<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2008/bills/intro/H-121.HTM>

<http://www.leg.state.vt.us/database/status/summary.cfm?Bill=H%2E0121&Session=2008>

H.0136 proposes to amend the prohibition on the sale of mercury-added products to apply to products manufactured on or after July 1, 2007. Introduced on January 26, 2007 and referred to the Fish, Wildlife and Water Resources Committee.

<http://www.leg.state.vt.us/database/status/summary.cfm?Bill=H%2E0136&Session=2008>

<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2008/bills/intro/H-136.HTM>

H.0220 would require manufacturers of compact fluorescent bulbs containing mercury to attach labels to the bulbs warning consumers of the health risks posed by and disposal requirements for mercury-added bulbs. Introduced on February 2, 2007 and referred to the Fish, Wildlife and Water Resources Committee.

<http://www.leg.state.vt.us/database/status/summary.cfm?Bill=H%2E0220&Session=2008>

<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2008/bills/intro/H-220.HTM>

H.0515 would establish a comprehensive program by which manufacturers of mercury-added thermostats will collect mercury-added thermostats facing disposal. In addition, the bill would propose to amend the prohibition on the sale of mercury-added products to apply to products manufactured on or after July 1, 2007. Introduced March 14, 2007; adopted by the House and sent to the Senate, where it has been referred to the Natural Resources & Energy Committee.

<http://www.leg.state.vt.us/database/status/summary.cfm?Bill=H%2E0515&Session=2008>

<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2008/bills/intro/H-515.HTM>

S.0081 would require that dental patients are notified of alternatives to mercury amalgam dental fillings, using brochures and posters the department of health must produce; phase out the use of mercury amalgam fillings, beginning with a ban on the use of mercury amalgam fillings for pregnant women and children commencing in 2008 and then applying it to the rest of the general public by 2011; and prohibit the use of mercury in flu vaccines except in the case of a shortage or public health emergency. Introduced February 9, 2007 and referred to the Health and Welfare Committee.

<http://www.leg.state.vt.us/database/status/summary.cfm?Bill=S%2E0081&Session=2008>

<http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2008/bills/intro/S-081.HTM>

Washington

The Legislature of the State of Washington has adjourned and adopted the following bill.

- ✓ HB 1098 modifies the state statutes limiting the amount of mercury in vaccinations to provide an exemption for the use of mercury-containing vaccinations in times of an outbreak of a vaccine-preventable disease. Introduced January 10, 2007, a substitute was adopted with amendment and sent to the Governor on April 22, 2007, who signed it into law on May 2, 2007.

<http://search.leg.wa.gov/pub/textsearch/default.asp##>

West Virginia

The Legislature adjourned in March 2007, and the following two bills were not adopted.

HCR 57 Requests that the Joint Committee on Government and Finance conduct a study on the need to eliminate mercury and mercury preservatives (thimerosal) in vaccines. Introduced February 26, 2007, adopted by the House on March 7 and sent to the Senate, where it has been referred to the Committee on Health and Human Resources.

http://www.legis.state.wv.us/Bill_Text_HTML/2007_SESSIONS/RS/Bills/hcr57%20intr.htm

http://www.legis.state.wv.us/bill_status/Resolution_History.cfm?year=2007&sessiontype=rs&btype=res

HB 2152 provides that, effective the first day of July, two thousand seven, vaccines administered in this state shall not contain any mercury or mercury compounds, including but not limited to thimerosal, unless a vaccine containing no mercury is not manufactured; or 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 according to subsection (a), 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 January 16, 2007; referred to the Committee on Health and Human Resources, then the Judiciary.

http://www.legis.state.wv.us/Bill_Text_HTML/2007_SESSIONS/RS/Bills/hb2152%20intr.htm

http://www.legis.state.wv.us/bill_status/Bill_Status.cfm

Federal

HR 881 amends the Federal Food, Drug, and Cosmetic Act to deem a banned mercury-containing vaccine to be adulterated. Amends the Public Health Service Act to provide that a vaccine is a banned mercury-containing vaccine if one dose of the vaccine contains one or more micrograms of mercury in any form. It authorizes the Secretary of Health and Human Services to declare that an actual or potential bioterrorist incident or other public health emergency makes the administration of such vaccines advisable for a specified period. The bill requires the Secretary to prohibit the distribution of banned mercury-containing influenza vaccines that are approved as biological products to: (1) any child under the age of three years old (effective July 1, 2007); (2) pregnant women if the vaccine contains thimerosal (effective July 1, 2007); and (3) any child under the age of six (effective July 1, 2008). It also requires the Secretary to revise the vaccine information included with mercury-containing vaccines to include: (1) a statement that indicates the presence of mercury in the vaccine; (2) information on the availability of any mercury-free or mercury-reduced alternative vaccine and instructions on how to obtain such an alternative vaccine; and (3) a recommendation against administration of any mercury-containing vaccine to a pregnant woman. In addition, the bill expresses the sense of Congress that the Centers for Disease Control and Prevention (CDC) should disseminate, with any vaccine-related information, a recommendation against administration of any thimerosal-containing vaccine to a pregnant woman. Introduced on February 7, 2007, it has 17 sponsors and co-sponsors, and has been referred to the Committee on Energy and Commerce.

<http://thomas.loc.gov/cgi-bin/bdquery/z?d110:h.r.00881>:

HR 2101 would prohibit after 2008 the introduction into interstate commerce of mercury intended for use in a dental filling, and for other purposes. Introduced on May 1, 2007, it has two sponsors and co-sponsors and has been referred to the Committee on Energy and Commerce.

<http://thomas.loc.gov/cgi-bin/bdquery/z?d110:h.r.02101>: