

## **MERCURY SOURCE REDUCTION LEGISLATION – OVERVIEW OF 2001 PROGRESS**

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Prepared by Terri Goldberg, NEWMOA

During the past year, the Northeastern states have been involved in major legislative efforts designed to reduce mercury releases attributable to products. Some of the key goals of these efforts are to make information readily available to the public about mercury-containing products; reduce unnecessary uses of mercury-added products where environmentally preferable alternatives exist; and increase the collection of mercury-added products used by consumers. Considerable progress has been made regionally to advance these objectives.

Table 1 shows the provisions of the Mercury Education and Reduction Model Legislation that were introduced in each state legislature this year. The following sections summarize the status of the legislation in alphabetical order by state.

### Connecticut

A bill that included most of the provisions of the Model Mercury Education and Reduction Legislation was introduced by Governor Rowland this year. If enacted the bill would have implemented a phase-out of mercury products, product labeling, a ban on certain mercury products, a manufacturer-sponsored collection programs, a disposal ban, testing and disclosure of the mercury content of certain products used by health care facilities, controls on the sale of elemental mercury, and elimination of mercury from schools. The bill was easily passed by a number of legislative Committees and will be reintroduced in the next year. The bill can be found at [http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=HB06687](http://www.cga.state.ct.us/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=HB06687)

### Maine

A mercury reduction bill enacted this year requires notification by manufacturers before selling a mercury-added product, bans the sale of mercury fever thermometers, requires manufacturers to disclose the mercury content of certain products sold to hospitals. This year Maine has also been implementing a mercury labeling law that was passed in the 1999 legislative session. The 2001 bill can be found at: <http://janus.state.me.us/legis/bills/billtexts/LD166501-1.asp>; the 1999 bill can be found at <http://janus.state.me.us/legis/statutes/38/title38ch16-B0sec0.html>

### Massachusetts

The Massachusetts House Natural Resources Committee has favorably reported out comprehensive legislation that was revised to include all the provisions of the Model Mercury Education and Reduction Legislation to reduce man-made mercury in the environment. If enacted, the legislation

would ban the sale of mercury thermometers without a prescription, require product labeling, mandate phase outs and ban sales of certain mercury products, require manufacturers to pay for mercury collection programs, direct manufacturers to test and disclose the mercury content of certain products used by health care facilities, and eliminate the use of mercury products in schools. The legislation was supported by the state environmental agencies. The bill can be found at:

<http://www.state.ma.us/legis/bills/house/ht02217.htm>

**Table 1**  
**Provisions from the Model Mercury Legislation in Bills That Were Introduced in 2001**

Provision	CT	ME	MA	NH	NJ	NY	RI	VT
Notification	✓	✗	✓	✗		✓	✗	✓
Interstate Clearinghouse	✓	✗	✓	✗		✓	✗	✓
Bans on Certain Hg-Added Products	✓	✗	✓	✗	✓	✓	✗	✓
Novelty ban	✓		✓	✗		✓	✗	✓
Thermometer ban	✓	✗	✓	✗	✓	✓	✗	✓
School ban	✓	✗	✓	✗		✓	✗	✓
Manometer ban	✓	✗	✓			✓	✗	✓
Phase-Out and Exemptions	✓		✓	✓		✓	✗	✓
Labeling	✓	✗	✓	✓		✓	✗	✗
Disposal Ban	✓	✗	✓	✓		✓	✗	✓
Collection System Plans	✓		✓	✓		✓	✗	
Disclosure	✓	✗*	✓	✓		✓	✗*	
Control on Sale of Elemental Mercury	✓	✗	✓	✗		✓	✗	✓
Public Education and Outreach	✓	✗	✓	✗		✓	✗	✓
Universal Waste Rule	**	**	**	**		✓	✗	✓
State Procurement	✓	**	✓	✓		✓	✗	✓

✗ = Provisions that have been passed

✓ = Provisions that have been proposed

\* = Provisions that were substantially modified during debate/passage of the bill.

\*\* = Authority exists to implement under existing laws or policies.

## New Hampshire

The New Hampshire Legislature introduced HB 675 in the 2001 session. HB 675 proposes labeling and collection requirements, a disposal ban, phase-out provisions, and disclosure provisions for mercury-containing products used in health care facilities. The bill also includes a state procurement provision and provides for equal reimbursement of non-mercury dental fillings by state insurance providers. This bill was retained in committee, and will be held over the summer, worked on, and prepared for introduction in the next legislative session. The bill can be found at:

<http://gencourt.state.nh.us/legislation/2001/HB0675.html>

In addition, NH DES has been busy conducting outreach to manufacturers and users of mercury-added products regarding legislation passed in the 2000 session (HB 1418), which prohibits the sale of mercury thermometers; bans mercury use in schools; requires manufacturers to report on mercury-added products that they produce, and restricts the use of elemental mercury. This bill can be found at: <http://gencourt.state.nh.us/legislation/2000/HB1418.html>

## New Jersey

A bill was introduced in the House and Senate to ban the sale of mercury fever thermometers. Action on the bill is still pending in the legislature. The bill can be found at:

[http://www.njleg.state.nj.us/2000/Bills/a3500/3250\\_i1.htm](http://www.njleg.state.nj.us/2000/Bills/a3500/3250_i1.htm)

## New York

A bill entitled, "Mercury Free Water Resources and Mercury Reduction Management Strategy Act of 2001" was introduced in the House and Senate. The law includes provisions for disclosure of mercury content, phase-out of mercury products, disposal ban, labeling, collection plans, product bans, and universal waste. Action on the bill is still pending. The bill can be found at:

<http://assembly.state.ny.us/leg/?bn=S03084>

## Rhode Island

The Rhode Island Legislature recently passed a comprehensive mercury reduction bill containing most of the provisions of the Model Mercury Education and Reduction Legislation. This legislation will require the phase-out of mercury-added products, labeling, collection plans, bans on certain products, elimination of mercury from schools, and many other provisions. The bill can be found at:

<http://www.rilin.state.ri.us/PublicLaws/law01/law01318.htm>

## Vermont

Vermont Governor Howard Dean submitted a comprehensive bill to reduce mercury in products this year. The bill included provision that if enacted would phase-out mercury-added products, eliminate mercury from schools, ban certain mercury products, require hospitals to develop mercury reduction plans, and many other provisions. This bill was passed by the Senate Natural Resources Committee. The bill will be reintroduced next year. Although there have been many changes to the bill as originally introduced, most of the provisions of the Model Mercury Education and Reduction Legislation remain. The bill can be found at: <http://www.mercvt.org> (search for bill number S.91).