

HOUSE BILL No. 4599

April 17, 2001, Introduced by Reps. Minore, Kolb, Hale, George, Basham, Jacobs, Neumann, Daniels, Garza, Bogardus, Zelenko and Lemmons and referred to the Committee on Commerce.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding part 172.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 PART 172. MERCURY THERMOMETERS

2 SEC. 17201. AS USED IN THIS PART:

3 (A) "MANUFACTURER" MEANS A PERSON THAT PRODUCES, IMPORTS, OR
4 DISTRIBUTES MERCURY THERMOMETERS IN THIS STATE.

5 (B) "MERCURY FEVER THERMOMETER" MEANS A MERCURY THERMOMETER
6 USED FOR MEASURING BODY TEMPERATURE.

7 (C) "MERCURY THERMOMETER" MEANS A PRODUCT OR COMPONENT OF A
8 PRODUCT USED FOR MEASURING TEMPERATURE THAT CONTAINS MERCURY OR A
9 MERCURY COMPOUND INTENTIONALLY ADDED TO THE PRODUCT OR COMPONENT.

10 SEC. 17202. (1) EXCEPT AS PROVIDED IN SUBSECTION (2),
11 BEGINNING ON JANUARY 1, 2003, A PERSON SHALL NOT SELL, OFFER FOR

1 SALE, OR OFFER FOR PROMOTIONAL PURPOSES A MERCURY THERMOMETER IN
2 THIS STATE OR FOR USE IN THIS STATE.

3 (2) BEGINNING ON JANUARY 1, 2003, A PERSON SHALL NOT SELL,
4 OFFER FOR SALE, OR OFFER FOR PROMOTIONAL PURPOSES A MERCURY FEVER
5 THERMOMETER IN THIS STATE OR FOR USE IN THIS STATE, EXCEPT BY
6 PRESCRIPTION. A MANUFACTURER OF MERCURY FEVER THERMOMETERS SHALL
7 SUPPLY CLEAR INSTRUCTIONS ON THE CAREFUL HANDLING OF THE THERMOM-
8 ETER TO AVOID BREAKAGE AND PROPER CLEANUP SHOULD A BREAKAGE OCCUR
9 WITH EACH MERCURY FEVER THERMOMETER SOLD BY PRESCRIPTION.

10 SEC. 17203. (1) THE DEPARTMENT SHALL ENFORCE THIS PART.

11 (2) A PERSON WHO VIOLATES THIS PART IS GUILTY OF A MISDE-
12 MEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 60 DAYS OR A
13 FINE OF NOT MORE THAN \$1,000.00, OR BOTH, PLUS THE COSTS OF
14 PROSECUTION.