



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

**BILL ANALYSIS**

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 412 (as passed by the Senate)
Sponsor: Senator Raymond E. Basham
Committee: Natural Resources and Environmental Affairs

Date Completed: 7-16-07

RATIONALE

Mercury is a naturally occurring element found in air, water, and soil. When used in the manufacture of various products, it also is released as an industrial pollutant. Exposure to mercury presents several risks to health and the environment. In bodies of water, it is transferred to methylmercury and absorbed by fish and, in turn, their predators, including humans. Over time, exposure to methylmercury can have a detrimental impact on the neurological development of fetuses, infants, and children.

Elemental or metallic mercury, which is liquid at room temperature, is used in some household products, such as thermometers, fluorescent light bulbs, batteries, and automotive components. When one of these products breaks and the mercury is spilled, it can turn into an invisible, odorless toxic vapor. Exposure can result in tremors, emotional changes, insomnia, neuromuscular changes, headaches, cognitive impairment, kidney and respiratory problems, and death.

In recent years, these environmental and public health concerns have led to various efforts to reduce exposure to mercury. According to the U.S. Environmental Protection Agency, several states have enacted legislation requiring mercury-added products to be labeled with clean-up and disposal instructions, prohibiting the sale of certain mercury-added products, and implementing product collection and recycling programs. In Michigan, Public Acts 492, 493, and 494 of 2006 prohibit the sale and use of blood pressure recording, measuring, and monitoring devices

containing mercury or a mercury compound, as well as the sale of thermostats and esophageal dilators, bougie tubes, and gastrointestinal tubes containing mercury or a mercury compound. (The ban on the sale of blood pressure devices will take effect in 2008, while the ban on the use of those devices and the sale of the other devices will take effect in 2009.) In addition to these measures, it has been suggested that the State should be required to purchase mercury-free products whenever possible.

CONTENT

The bill would amend the Management and Budget Act to require the Department of Management and Budget (DMB) and all State agencies, whenever possible, to avoid purchasing products containing mercury or mercury compounds if products that did not contain mercury or mercury compounds were available and cost-effective as determined by the DMB. This provision would apply in addition to existing requirements of the Act concerning the purchase of supplies.

Proposed MCL 18.1261d

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Requiring the State to purchase mercury-free products when possible and practical would be a simple way to reduce the amount of mercury in the waste stream. The bill

would be another component of the State's strategy to mitigate the environmental and public health risks posed by mercury.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.