

1999 DRAFTING REQUEST

Bill

Received: **09/17/98**

Received By: **gibsom**

Wanted: **As time permits**

Identical to LRB:

For: **Natural Resources 72769**

By/Representing: **Susan Felker Donsing**

This file may be shown to any legislator: **NO**

Drafter: **gibsom**

May Contact: **See attached**

Alt. Drafters:

Subject: **Trade Regulation**

Extra Copies:

Topic:

Prohibition on sale of thermometers containing elemental mercury

Instructions:

See Attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	gibsom 09/17/98	ygeller 09/18/98	lpaasch 09/18/98	_____	lrb_docadmin 09/18/98		State

FE Sent For:

<END>

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/?	gibsom	P1-9-18-98 JG	LP918	LP918 JK			

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<END>

1999-2001 Statutory Language Proposals

Division: Customer Assistance and External Relations

Bureau: Cooperative Environmental Assistance

Issue/Topic: Mercury Pollution Prevention

Proposed Change: Prohibit the sale and distribution of thermometers containing mercury by adding to section 100.37(2)(e)2.e. Fever thermometers containing elemental mercury.

Explanatory Note: Many hospitals and clinics have already replaced the use of mercury containing fever thermometers with electronic thermometers or Tempa-Dots that cost less than the mercury containing thermometers. Consumers also have a range of choices for purchase of fever thermometers. The potential for hazard from broken thermometers and the subsequent mercury release and disposal cost make the ban on the sale of these items necessary. Minnesota and California have banned the sale/use of these types of thermometers. Mercury advisories have been issued in over 300 Wisconsin lakes and streams on the consumption of fish.

Desired Effective Date: One year after passage of the budget.

Contact Person: Joy Stewart 266-2159



State of Wisconsin
1999 - 2000 LEGISLATURE

*for budget
draft*

LRB-02208

MGG.....

Jlg

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1

do not gen

AN ACT ...; relating to: the budget ↓

Analysis by the Legislative Reference Bureau
COMMERCE AND ECONOMIC DEVELOPMENT ✓
COMMERCE ✓

Under current law, the department of agriculture, trade and consumer protection (DATCP) may ban the sale or distribution of any hazardous substance or article. In addition, under current law, there are articles and substances that statutorily are banned from being sold or distributed in this state. Under current law, toys containing mercury are included in this ban. This bill expands the ban to include fever thermometers that contain mercury.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 2 SECTION 1. 100.37 (2) (e) 2. e. [✓] of the statutes is created to read:
- 3 100.37 (2) (e) 2. e. [✓] Any fever thermometer containing elemental mercury.
- 4 SECTION 9404. [✓] Effective dates; agriculture, trade and consumer
- 5 protection.

SECTION 9404

① (1) SALE AND DISTRIBUTION OF FEVER THERMOMETERS. The treatment of sections
② 100.37 (2) ~~③~~ ^e2. e. of the statutes takes effect on the first day of the ¹³13th month
3 beginning after publication.
4 (END) ✓



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5 **protection.**

NOTE TO DRAFTING FILE for LRB-0220:

Per the drafter, this draft has been redrafted to a “/1” as no problems remain in the draft that require resolution before introduction of the budget bill. There are no changes between the “/PX” and the “/1.”

DOA:.....Wong – Prohibition on sale of thermometers containing elemental mercury

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

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Analysis by the Legislative Reference Bureau

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