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:

PART 172. MERCURY THERMOMETERS

SEC. 17201. AS USED IN THIS PART:

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

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

(C) "MERCURY THERMOMETER" MEANS A PRODUCT OR COMPONENT,
OTHER THAN A DRY CELL BATTERY, OF A PRODUCT USED FOR MEASURING
TEMPERATURE THAT CONTAINS MERCURY OR A MERCURY COMPOUND
INTENTIONALLY ADDED TO THE PRODUCT OR COMPONENT.
SEC. 17202. (1) EXCEPT AS PROVIDED IN SUBSECTION (2),
BEGINNING ON JANUARY 1, 2003, A PERSON SHALL NOT SELL, OFFER FOR
SALE, OR OFFER FOR PROMOTIONAL PURPOSES A MERCURY THERMOMETER IN
THIS STATE OR FOR USE IN THIS STATE. THIS SUBSECTION DOES NOT
APPLY IF THE MERCURY THERMOMETER IS SOLD OR OFFERED FOR A USE FOR
WHICH A MERCURY THERMOMETER IS REQUIRED BY STATE OR FEDERAL STAT-
UTE, REGULATION, OR ADMINISTRATIVE RULE.

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

SEC. 17203. (1) THE DEPARTMENT OF ENVIRONMENTAL QUALITY
SHALL ENFORCE THIS PART.

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