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Senate Bill 1262 (Substitute S-1 as passed by the Senate)  
Sponsor: Senator Shirley Johnson  
Committee: Education

Date Completed: 7-27-00

## **RATIONALE**

Mercury is a heavy, silver-white metallic element that is liquid at ordinary temperatures and can occur in a free state. Commonly referred to as quicksilver because of its fluidity, the metal is used to make household and commercial items such as thermometers, barometers, and blood pressure gauges. Mercury can be found in many science laboratories across the State where students learn about its use in thermometers and other instruments, and where it is used to demonstrate the concept of density. The substance can be toxic if a person touches it, and becomes dangerous when it is vaporized. Exposure may cause irritability, shyness, tremors, changes in vision or hearing, and memory loss. At high levels of exposure, there may be damage to the central nervous system as well as organ damage, or death. The Department of Environmental Quality (DEQ) recently began tracking mercury spills in schools, and notes that 14 have occurred since 1998. Given the toxicity of the substance, some people believe that schools should be banned from using or storing mercury or instruments that contain mercury.

## **CONTENT**

The bill would amend the Revised School Code to require the board of a school district, local or intermediate school district (ISD), or board of directors of a public school academy to ensure that after December 31, 2004, the school district, ISD, or public school academy did not purchase, store, or use free flowing elemental mercury for any experiment, display, or other purpose and did not purchase, store, or use an instrument that contained mercury, including a thermometer, barometer, or sphygmomanometer, or manometer containing mercury.

After December 31, 2004, if no reasonably acceptable, mercury-free alternative existed for an instrument used by a school district, ISD, or public school academy, then the school district, ISD, or academy could use the instrument that contained the

lowest mercury content available on the market.

The board of a school district, local act school district, ISD, or board of directors of a public school academy would have to ensure that the school district, ISD, or academy disposed of mercury and instruments containing mercury in accordance with applicable State and Federal law.

Proposed MCL 380.1274b

## **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**

According to the DEQ, mercury has been recognized as one of the primary pollutants of concern for the State. Mercury vapors can be readily absorbed through the lungs and into the bloodstream, which makes them particularly hazardous. In extreme cases, the DEQ notes, several drops of mercury can raise air concentrations to levels that may be harmful to human health. Mercury poisoning can cause severe neurological and kidney damage, harm the respiratory and gastrointestinal systems, as well as cause brain damage, numbness in the limbs, blindness, and loss of motor control. Several mercury spills in schools have been reported in Michigan. These spills resulted in the evacuation of schools, costly cleanup, and unnecessary exposure to toxic mercury fumes. The DEQ notes that there has been at least one case of mercury poisoning reported by a Michigan science teacher.

Under the bill, school officials would have until December 31, 2004, to ensure that they did not purchase, store, or use any mercury or mercury-containing instruments. Thus, faculty and school authorities would have ample time to take steps to remove mercury from classrooms, modify lessons to avoid using mercury in the classroom, replace

mercury products with mercury-free alternatives, and recycle any mercury that was found in a classroom or laboratory.

### **Supporting Argument**

Students at a Livonia High School recently were exposed to mercury vapors when a student allegedly took a small amount of mercury from a school storeroom, dumped it on a table in the photography lab and then brushed it on the floor. He also allegedly filled a laboratory eyedropper with the mercury and threatened to squirt the substance on two students before throwing the eyedropper against a blackboard. This incident and others resulted in loss of class time and funds when school officials had to close contaminated facilities and pay thousands of dollars to companies to clean the site and monitor air quality in the buildings. By banning school districts from purchasing, storing, or using mercury, the bill could help prevent intentional threats of contamination as well as accidental spills.

Legislative Analyst: L. Arasim

### **FISCAL IMPACT**

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

Fiscal Analyst: J. 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.