



Senate Fiscal Agency
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Senate Bill 152 (Substitute S-2)
Senate Bill 362 (Substitute S-1)
Sponsor: Senator Liz Brater (S.B. 152)
 Senator Patricia L. Birkholz (S.B. 362)
Committee: Natural Resources and Environmental Affairs

Date Completed: 3-21-07

CONTENT

The bills would amend Part 39 (Cleaning Agents) of the Natural Resources and Environmental Protection Act to prohibit the sale or distribution of cleaning agents intended for use in household dishwashers or clothes washers if the cleaning agents contained phosphorus in excess of 0.5% by weight. The prohibition concerning dishwasher cleaning agents would begin July 1, 2010. The bills are tied to each other.

Currently, Part 39 prohibits a person from selling or distributing for use in this State a cleaning agent that contains phosphorus in any form in excess of 8.7% by weight expressed as elemental phosphorus. Under the bills, this would be subject to the provisions regarding household use. Also, the bills would extend the current prohibition to offering for sale and distributing for sale cleaning agents containing phosphorus in excess of 8.7% by weight.

The bills would prohibit a person from selling, offering for sale, or distributing for sale or use in this State the following cleaning agents if they contained phosphorus in any form in excess of 0.5% by weight expressed as elemental phosphorus:

- A cleaning agent intended for use in household dishwashers.
- A cleaning agent intended for use with detergent in household clothes washing machines.

Senate Bill 152 (S-2) contains the prohibition regarding dishwashers, while Senate Bill 362 (S-1) applies to clothes washers. The prohibition in Senate Bill 152 (S-2) would apply beginning July 1, 2010.

(Part 39 defines "cleaning agent" as a laundry detergent, dishwashing compound, household cleaner, metal cleaner, degreasing compound, commercial cleaner, industrial cleaner, phosphate compound, or other substance intended to be used for cleaning purposes. The term does not include any of the following:

- A cleaner, rinsing aid, or sanitizing agent intended primarily for use in commercial machine dishwashers with not more than 14% phosphorus.
- A cleaner for food processing with not more than 14% phosphorus.
- A cleaner for industrial uses with not more than 28% phosphorus.)

MCL 324.3902

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bills would have no direct fiscal impact on the State. An indeterminate and indirect fiscal impact could be realized in the long term. Phosphorus is a nutrient necessary for the growth of algae; however, an abundance of phosphorous encourages the excessive growth of algae and other plant species in water. Decay of large amounts of plant material and additional growth of invasive species can lead to a reduction in water quality. If the amount of phosphorus in Michigan's waters were reduced, less money could be necessary to address water quality and aquatic invasive species in the long term. The primary sources of manmade phosphorus are sewage treatment systems, run-off from fertilized lawns or animal manure storage, water treatments, drained wetlands, disturbed land areas, and commercial cleaning products.

Fiscal Analyst: Jessica Runnels

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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.