

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Natural Resources, Fish, and Wildlife to which was
3 referred House Bill No. 500 entitled “An act relating to prohibiting the sale of
4 mercury lamps in the State” respectfully reports that it has considered the same
5 and recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 Sec. 1. 10 V.S.A. § 7101 is amended to read:

8 § 7101. LEGISLATIVE FINDINGS

9 The General Assembly finds and declares that:

10 (1) Mercury is a persistent and toxic pollutant that bioaccumulates in the
11 environment and poses a serious threat to humans, particularly young children
12 and the developing fetus, and wildlife.

13 * * *

14 (7) Human exposure to mercury can result in nervous system, kidney,
15 and liver damage and impaired childhood development.

16 (8) There has been a threefold increase in mercury loading to the
17 environment over the past 150 years. Much of the mercury deposited from the
18 atmosphere is from human and natural sources, but anthropogenic emissions
19 exceed those that occur naturally.

20 * * *

1 installation, use, transportation, storage, recycling, or disposal. Light-emitting
2 diode (LED) replacements for fluorescent lamps do not contain any mercury.

3 (22) Fluorescent lamps are no longer the most energy-efficient lighting
4 option in the marketplace. Lamps that contain LEDs have advanced
5 significantly and today use approximately half the electricity as fluorescent
6 lamps to produce the same amount of light. LEDs also last two to three times
7 longer than fluorescent lamps.

8 (23) Fluorescent lamps are no longer the least life-cycle cost (LLCC)
9 option because they cost twice as much to operate compared to an LED. LED
10 retrofit tubes are the LLCC, and they pay for the slightly higher first cost in a
11 matter of one to eight months, depending on price and application. After
12 paying back initial costs, the LED tubes continue to operate for years to come,
13 saving consumers and businesses on their lighting bills.

14 (24) LED retrofit lamps are widely available in a comprehensive set of
15 sizes, shapes, lengths, and light colors. There are over 10,000 models of four-
16 foot LED retrofit tubes that can replace fluorescent T5, T8, and T12 in the
17 Design Lights Consortium Qualified Product List database.

18 (25) Suppliers who sold fluorescent lamps in Vermont after July 1, 2012
19 made a profit from the sales of those lamps in the State, and they should
20 remain responsible for ensuring the safe collection at the end-of-life of those

1 lamps due to the toxic nature of the mercury contained in the products they
2 sold.

3 (26) Citizens of Vermont, the Vermont environment, and the Agency
4 will benefit from comprehensive mercury product legislation that further
5 reduces mercury emissions and is consistent with model mercury product
6 legislation developed jointly by the northeast states.

7 Sec. 2. 10 V.S.A. § 7102 is amended to read:

8 § 7102. DEFINITIONS

9 As used in this chapter:

10 (1) “Agency” means the Vermont Agency of Natural Resources.

11 (2) “Elemental mercury” means the chemical symbol Hg. Elemental Hg
12 is a silvery-white liquid (at room temperature) with an atomic number of 80
13 and an atomic mass of 200.57.

14 * * *

15 (9) “Mercury-added product” means a product, a commodity, a
16 chemical, a product with one or more components, or a product that cannot
17 function without the use of that component, that contains mercury or a mercury
18 compound intentionally added to the product, commodity, chemical, or
19 component in order to provide a specific characteristic, appearance, or quality,
20 or to perform a specific function, or for any other reason. These products

1 include formulated mercury-added products and fabricated mercury-added
2 products.

3 * * *

4 (20) “Four-foot linear fluorescent lamp” means a low-pressure,
5 mercury-containing, electric-discharge light source in which a fluorescing
6 coating transforms some of the ultraviolet energy generated by the mercury
7 discharge into visible light, and includes all of the following characteristics:

8 (A) two bases or endcaps of any type, including single-pin, two-pin,
9 or recessed double contact;

10 (B) light emission between a correlated color temperature of 1700K
11 and 24000K and a Duv of +0.024 and –0.024 in the International Commission
12 on Illumination (CIE) Uniform Color Space (CAM02-UCS);

13 (C) all tube diameters, including T2, T5, T8, T10, and T12; and

14 (D) four feet in length.

15 Sec. 3. 10 V.S.A. § 7105 is amended to read:

16 § 7105. RESTRICTIONS ON THE SALE AND USE OF CERTAIN
17 MERCURY-ADDED PRODUCTS

18 * * *

19 (g) Fluorescent lamps. Beginning on January 1, 2024, no four-foot
20 fluorescent lamp may be offered for final sale, sold at final sale, or distributed
21 in Vermont as a new manufactured product.

1 315–400 nanometers represents ≥ 20 % of the total radiation power emitted is
2 between 250–800 nanometers;

3 (iv) lamps used for the generation of ozone where the primary
4 purpose is to emit radiation at approximately 185.1 nanometers;

5 (v) lamps used for coral zooxanthellae symbioses where the
6 radiation power emitted between 400–480 nanometers represents ≥ 40 % of
7 total radiation power emitted is between 250–800 nanometers; and

8 (vi) lamps used for sun-tanning beds where the radiation power
9 emitted is between 250–400 nanometers represents ≥ 80 % of the total radiation
10 power emitted is between 250–800 nanometers.

11 Sec. 4. TRANSITION; COLLECTION AND DISPOSAL OF MERCURY-
12 CONTAINING LAMPS

13 (a) Notwithstanding the prohibition on the sale of **four-foot linear**
14 **fluorescent lamps** under 10 V.S.A. § 7105, a manufacturer of a mercury-
15 containing lamp remains required to implement the collection plans required
16 under 10 V.S.A. chapter 164a for free collection of mercury-containing lamps
17 from covered entities in the State.

18 (b) Beginning on January 15, **2024** and annually thereafter, the Secretary of
19 Natural Resources shall provide written testimony to the House Committee on
20 Natural Resources, Fish, and Wildlife and the Senate Committee on Natural
21 Resources and Energy regarding whether the requirements of 10 V.S.A.

1 chapter 164a regarding the collection and disposal of mercury-containing
2 lamps should be repealed by the General Assembly.

3 Sec. 5. EFFECTIVE DATE

4 This act shall take effect on July 1, 2022.

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11 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE