

# SENATE BILL No. 57

January 24, 2017, Introduced by Senators ANANICH, HERTEL, BIEDA, HOPGOOD, CONYERS, GREGORY, SCHUITMAKER and ROCCA and referred to the Committee on Government Operations.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding section 5478a.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 5478A. (1) WITHIN 30 DAYS AFTER THE EFFECTIVE DATE OF THE  
2        AMENDATORY ACT THAT ADDED THIS SECTION, THE GOVERNOR SHALL  
3        ESTABLISH A CHILDHOOD LEAD POISONING PREVENTION AND CONTROL  
4        COMMISSION WITHIN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES. THE  
5        COMMISSION SHALL CONSIST OF THE FOLLOWING 8 VOTING MEMBERS  
6        APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE  
7        SENATE:

8        (A) ONE MEMBER REPRESENTING THE DEPARTMENT OF HEALTH AND HUMAN  
9        SERVICES. THE MEMBER APPOINTED UNDER THIS SUBDIVISION SHALL SERVE  
10       AS CHAIRPERSON.

11       (B) ONE MEMBER REPRESENTING THE DEPARTMENT OF ENVIRONMENTAL

1 QUALITY.

2 (C) ONE MEMBER REPRESENTING THE MICHIGAN STATE HOUSING  
3 DEVELOPMENT AUTHORITY.

4 (D) ONE MEMBER REPRESENTING THE PEDIATRIC PUBLIC HEALTH  
5 INITIATIVE FORMED BY MICHIGAN STATE UNIVERSITY AND HURLEY  
6 CHILDREN'S HOSPITAL.

7 (E) ONE MEMBER REPRESENTING A LOCAL HEALTH DEPARTMENT LOCATED  
8 IN A COUNTY WITH A POPULATION OF MORE THAN 380,000 AND LESS THAN  
9 450,000.

10 (F) ONE MEMBER REPRESENTING CERTIFIED LEAD-ABATEMENT  
11 CONTRACTORS.

12 (G) TWO MEMBERS REPRESENTING THE GENERAL PUBLIC. ONE OF THE  
13 MEMBERS APPOINTED UNDER THIS SUBDIVISION MUST BE FROM A CITY WITH A  
14 POPULATION OF MORE THAN 90,000 AND LESS THAN 105,000 LOCATED IN A  
15 COUNTY WITH A POPULATION OF MORE THAN 380,000 AND LESS THAN 450,000  
16 AND BE A PARENT OF A CHILD WHO HAS EXPERIENCED LEAD POISONING OR A  
17 CHILD ADVOCATE WHO HAS EXPERIENCE WITH LEAD POISONING IN CHILDREN.  
18 THE SECOND MEMBER APPOINTED UNDER THIS SUBDIVISION MUST REPRESENT  
19 PROPERTY OWNERS AND DEVELOPERS IN THIS STATE.

20 (2) MEMBERS OF THE COMMISSION SHALL SERVE WITHOUT COMPENSATION  
21 BUT, SUBJECT TO APPROPRIATIONS, MAY RECEIVE REIMBURSEMENT FOR THEIR  
22 ACTUAL AND NECESSARY EXPENSES WHILE ATTENDING MEETINGS OR  
23 PERFORMING OTHER AUTHORIZED OFFICIAL BUSINESS FOR THE COMMISSION.  
24 IF A VACANCY OCCURS ON THE COMMISSION, THE VACANCY MUST BE FILLED  
25 IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT.

26 (3) THE COMMISSION SHALL CONDUCT AT LEAST 2 PUBLIC HEARINGS TO  
27 SEEK INPUT FROM THE GENERAL PUBLIC AND ALL OF THE FOLLOWING GROUPS

1 OR INDIVIDUALS WITH AN INTEREST IN CHILDHOOD LEAD POISONING  
2 PREVENTION AND CONTROL:

3 (A) THE MICHIGAN ASSOCIATION OF OSTEOPATHIC FAMILY PHYSICIANS  
4 OR ITS SUCCESSOR ORGANIZATION.

5 (B) THE MICHIGAN NURSES ASSOCIATION OR ITS SUCCESSOR  
6 ORGANIZATION.

7 (C) THE MICHIGAN COUNCIL OF NURSE PRACTITIONERS OR ITS  
8 SUCCESSOR ORGANIZATION.

9 (D) THE MICHIGAN ASSOCIATION OF HEALTH PLANS OR ITS SUCCESSOR  
10 ORGANIZATION.

11 (E) THE MICHIGAN ASSOCIATION FOR LOCAL PUBLIC HEALTH OR ITS  
12 SUCCESSOR ORGANIZATION.

13 (F) BLUE CROSS BLUE SHIELD OF MICHIGAN OR ITS SUCCESSOR  
14 ORGANIZATION.

15 (G) THE MICHIGAN HEALTH AND HOSPITAL ASSOCIATION OR ITS  
16 SUCCESSOR ORGANIZATION.

17 (H) THE MICHIGAN HEAD START ASSOCIATION OR ITS SUCCESSOR  
18 ORGANIZATION.

19 (I) THE MICHIGAN COUNCIL FOR MATERNAL AND CHILD HEALTH OR ITS  
20 SUCCESSOR ORGANIZATION.

21 (J) MICHIGAN'S CHILDREN OR ITS SUCCESSOR ORGANIZATION.

22 (K) MICHIGAN LEAGUE FOR PUBLIC POLICY OR ITS SUCCESSOR  
23 ORGANIZATION.

24 (L) DETROIT PUBLIC SCHOOLS OR ITS SUCCESSOR ORGANIZATION.

25 (M) THE RENTAL PROPERTY OWNERS ASSOCIATION OR ITS SUCCESSOR  
26 ORGANIZATION.

27 (N) THE AGC OF MICHIGAN OR ITS SUCCESSOR ORGANIZATION.

1 (O) THE MICHIGAN ASSOCIATION OF REALTORS OR ITS SUCCESSOR  
2 ORGANIZATION.

3 (P) THE MICHIGAN ENVIRONMENTAL COUNCIL OR ITS SUCCESSOR  
4 ORGANIZATION.

5 (Q) THE MICHIGAN ADULT BLOOD LEAD EPIDEMIOLOGY AND  
6 SURVEILLANCE PROGRAM OR ITS SUCCESSOR ORGANIZATION.

7 (R) MICHIGAN STATE UNIVERSITY EXTENSION OR ITS SUCCESSOR  
8 ORGANIZATION.

9 (S) CLEARCORPS OR ITS SUCCESSOR ORGANIZATION.

10 (T) THE MICHIGAN LEAD SAFE PARTNERSHIP OR ITS SUCCESSOR  
11 ORGANIZATION.

12 (U) THE FLINT SAFE DRINKING WATER TASK FORCE OR ITS SUCCESSOR  
13 ORGANIZATION.

14 (V) UNITED PARENTS AGAINST LEAD OR ITS SUCCESSOR ORGANIZATION.

15 (W) THE DEPARTMENT OF EDUCATION OR ITS SUCCESSOR ORGANIZATION.

16 (X) THE DEPARTMENT OF HEALTH AND HUMAN SERVICES MEDICAL  
17 SERVICES ADMINISTRATION OR ITS SUCCESSOR ORGANIZATION.

18 (Y) THE MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION  
19 OR ITS SUCCESSOR ORGANIZATION.

20 (Z) THE DEPARTMENT OF HEALTH AND HUMAN SERVICES BUREAU OF  
21 LABORATORIES OR ITS SUCCESSOR ORGANIZATION.

22 (AA) AN OCCUPATIONAL AND ENVIRONMENTAL MEDICINE SPECIALIST.

23 (BB) PARENTS OR PATIENT ADVOCATES OF CHILDREN WHO HAVE  
24 EXPERIENCED LEAD POISONING.

25 (CC) A LOCAL HOUSING AUTHORITY.

26 (DD) A COMMUNITY REINVESTMENT OFFICER.

27 (EE) THE MICHIGAN STATE MEDICAL SOCIETY OR ITS SUCCESSOR

1 ORGANIZATION.

2 (FF) THE MICHIGAN ACADEMY OF FAMILY PRACTICE OR ITS SUCCESSOR  
3 ORGANIZATION.

4 (GG) SAINT MARY'S OF MICHIGAN FIELD NEUROSCIENCES INSTITUTE OR  
5 ITS SUCCESSOR ORGANIZATION.

6 (HH) THE AMERICAN ACADEMY OF PEDIATRICS OR ITS SUCCESSOR  
7 ORGANIZATION.

8 (II) ARC MICHIGAN OR ITS SUCCESSOR ORGANIZATION.

9 (JJ) ANY OTHER INTERESTED ORGANIZATION OR ASSOCIATION  
10 CONCERNED WITH THE PREVENTION, TREATMENT, AND CONTROL OF LEAD  
11 POISONING THAT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES  
12 DETERMINES NECESSARY.

13 (4) THE COMMISSION SHALL HOLD ITS FIRST PUBLIC HEARING WITHIN  
14 60 DAYS AFTER THE COMMISSION HAS BEEN APPOINTED UNDER SUBSECTION  
15 (1). THE COMMISSION MAY HOLD ADDITIONAL PUBLIC HEARINGS AS IT  
16 DETERMINES IS NECESSARY OR APPROPRIATE TO CARRY OUT ITS DUTIES  
17 UNDER THIS PART.

18 (5) THE COMMISSION SHALL CONDUCT ITS BUSINESS AT A PUBLIC  
19 MEETING HELD IN COMPLIANCE WITH THE OPEN MEETINGS ACT, 1976 PA 267,  
20 MCL 15.261 TO 15.275. THE COMMISSION SHALL GIVE PUBLIC NOTICE OF  
21 THE TIME, DATE, AND PLACE OF THE MEETING IN THE MANNER REQUIRED BY  
22 THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.

23 (6) THE COMMISSION SHALL MAKE AVAILABLE TO THE PUBLIC A  
24 WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR RETAINED BY  
25 THE COMMISSION IN COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT,  
26 1976 PA 442, MCL 15.231 TO 15.246.

27 (7) AS USED IN THIS SECTION, "COMMISSION" MEANS THE CHILDHOOD

1 LEAD POISONING PREVENTION AND CONTROL COMMISSION ESTABLISHED AND  
2 APPOINTED BY THE GOVERNOR UNDER SUBSECTION (1).

3 Enacting section 1. This amendatory act takes effect 90 days  
4 after the date it is enacted into law.

5 Enacting section 2. This amendatory act does not take effect  
6 unless Senate Bill No. 58

7 of the 99th Legislature is enacted into law.