

**THE JOHN C. HERTEL TOXIC SUBSTANCE CONTROL COMMISSION ACT (EXCERPT)**  
**Act 116 of 1978**

\*\*\*\*\* 286.188 THIS SECTION DOES NOT APPLY AFTER DECEMBER 31, 1989: See (1) of 286.194 \*\*\*\*\*

\*\*\*\*\* 286.188 THIS SECTION IS REPEALED BY ACT 210 OF 2015 EFFECTIVE MARCH 14, 2016 \*\*\*\*\*

**286.188 Commission; additional duties.**

Sec. 8. The commission shall:

(a) Submit annually to the governor and legislature a report of its activities not more than 60 days after the end of the fiscal year. The report shall include a summary of the problems identified and evaluated under section 6.

(b) Employ personnel necessary to implement this act subject to rules of the department of civil service.

(c) Appoint an executive secretary to the commission. The executive secretary shall perform those duties delegated to that person by the commission. The commission shall not delegate the promulgation of rules to the executive secretary. The executive secretary may employ assistants, subject to civil service rules, who are selected on the basis of training, knowledge, and expertise in scientific disciplines which will aid in the collection, analysis, and evaluation of data.

(d) Promulgate rules pursuant to Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.315 of the Michigan Compiled Laws, to govern its procedures in the implementation and administration of this act. These rules shall include rules that:

(i) State the circumstances under which the commission conducts investigations provided for in section 6(a) and (b).

(ii) Establish procedures for determining when a state agency or department has failed to make a necessary investigation as provided in section 6(a) and (b).

(iii) Refine the definition of toxic substance emergency as defined in section 2(e).

(iv) Establish procedures for alerting the governor and the legislature when a potential toxic substance problem has been identified as provided in section 6(c).

(v) Establish procedures for notification of all state departments and appropriate local officials as provided in section 6(g).

(e) Examine state programs, statutes, and policies to determine the state's ability to respond to toxic substance problems and make recommendations to improve the state's ability to effectively respond to toxic substance problems. This shall include the development and periodic reevaluation of a state toxic substance emergency contingency plan which will clearly identify the responsibilities of each state agency. The first plan shall be completed not later than 1 year after the effective date of this act.

**History:** 1978, Act 116, Eff. Jan. 1, 1979;—Am. 1984, Act 308, Imd. Eff. Dec. 21, 1984.