

Act No. 312  
Public Acts of 1996  
Approved by the Governor  
June 21, 1996  
Filed with the Secretary of State  
June 24, 1996

**STATE OF MICHIGAN  
88TH LEGISLATURE  
REGULAR SESSION OF 1996**

**Introduced by Reps. Gnodtke, Gernaat, Hill, Harder, Baade, Randall, Wetters, Vaughn, Anthony, Pitoniak, Prusi, Oxender, London, Green, Horton, Goschka, McManus, Rocca, Llewellyn, Middleton, Bobier and Brackenridge**

# **ENROLLED HOUSE BILL No. 5734**

AN ACT to amend section 8319 of Act No. 451 of the Public Acts of 1994, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," being section 324.8319 of the Michigan Compiled Laws.

*The People of the State of Michigan enact:*

Section 1. Section 8319 of Act No. 451 of the Public Acts of 1994, being section 324.8319 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 8319. (1) The certification and registration of applicators and licensing requirements do not apply to any of the following:

(a) Employees of a certified private agricultural applicator while acting under the level of supervision required in this part.

(b) Commercial applicators applying general use pesticides indoors other than insecticides, rodenticides, avicides, and molluscicides.

(c) Persons applying general use pesticides for a private agricultural purpose.

(d) Persons applying general use pesticides on their own premises or employees of those persons applying general use pesticides indoors other than insecticides, rodenticides, avicides, and molluscicides on those premises as a scheduled and required work assignment in the course of their employment.

(e) Allopathic or osteopathic physicians and doctors of veterinary medicine applying pesticides during the course of their normal practice and their employees while acting under the level of supervision required in subsections (2) and (3).

(f) Persons conducting laboratory type research involving restricted use pesticides.

(2) An allopathic or osteopathic physician or a doctor of veterinary medicine shall supervise the application of a general use pesticide by a competent employee under his or her instruction and control during the course of the normal practice of the allopathic or osteopathic physician or the doctor of veterinary medicine even if the allopathic or osteopathic physician or the doctor of veterinary medicine is not physically present. An allopathic or osteopathic physician or a doctor of veterinary medicine shall directly supervise the application of a restricted use pesticide by an

employee under his or her instruction or control during the course of the normal practice of the allopathic or osteopathic physician or doctor of veterinary medicine by being physically present at the time and place the restricted use pesticide is being applied.

(3) An allopathic or osteopathic physician or doctor of veterinary medicine is subject to the requirements, prohibitions, and penalties of this part and rules promulgated under this part for an application of pesticides by the allopathic or osteopathic physician or the doctor of veterinary medicine and for an application of pesticides by an employee directly or indirectly supervised by the allopathic or osteopathic physician or the doctor of veterinary medicine during the course of the normal practice of the allopathic or osteopathic physician or the doctor of veterinary medicine.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved -----

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Governor.