



HOUSE BILL No. 5316

October 25, 1995, Introduced by Rep. Murphy and referred to the Committee on Conservation, Environment and Great Lakes.

A bill to amend sections 9 and 21 of Act No. 239 of the Public Acts of 1982, entitled as amended

"An act to license and regulate animal food manufacturing plants, transfer stations, dead animal dealers, rendering plants, and certain vehicles; to regulate the disposal of dead animals and to provide for poultry composting; to prescribe the powers and duties of certain state departments; to impose fees; to prescribe penalties; and to repeal certain acts and parts of acts,"

as amended by Act No. 228 of the Public Acts of 1993, being sections 287.659 and 287.671 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 9 and 21 of Act No. 239 of the Public
2 Acts of 1982, as amended by Act No. 228 of the Public Acts of
3 1993, being sections 287.659 and 287.671 of the Michigan Compiled
4 Laws, are amended to read as follows:

5 Sec. 9. All of the following are exempt from obtaining a
6 license under this act:

1 (a) A restaurant grease dealer who is licensed under ~~Act~~
2 ~~No. 136 of the Public Acts of 1969, being sections 323.271 to~~
3 ~~323.280~~ PART 121 (LIQUID INDUSTRIAL WASTES) OF THE NATURAL
4 RESOURCES AND ENVIRONMENTAL PROTECTION ACT, ACT NO. 451 OF THE
5 PUBLIC ACTS OF 1994, BEING SECTIONS 324.12101 TO 324.12118 of the
6 Michigan Compiled Laws.

7 (b) A landfill that is licensed by the department of natural
8 resources under ~~the solid waste management act, Act No. 641 of~~
9 ~~the Public Acts of 1978, as amended, being sections 299.401 to~~
10 ~~299.437~~ PART 115 (SOLID WASTE MANAGEMENT) OF ACT NO. 451 OF THE
11 PUBLIC ACTS OF 1994, BEING SECTIONS 324.11501 TO 324.11549 of the
12 Michigan Compiled Laws.

13 (c) A person, and any vehicle used by a person, who is
14 licensed under Act No. 173 of the Public Acts of 1953, ~~as~~
15 ~~amended,~~ being sections 287.401 to 287.409 of the Michigan
16 Compiled Laws.

17 (d) A person who is licensed under the Michigan commercial
18 feed law, Act No. 120 of the Public Acts of 1975, ~~as amended,~~
19 being sections 287.521 to 287.535 of the Michigan Compiled Laws,
20 who manufactures or processes only decharacterized or denatured
21 dead animals.

22 (e) A person and any vehicle that is used by a person to
23 transport dead animals, as follows:

24 (i) To a laboratory for diagnosis.

25 (ii) To an incinerator approved by state and local
26 authorities.

(iii) To a licensed facility, by the original owner of the animal at the time of the animal's death.

(iv) Dead animals that have been released by authorized meat inspection personnel for educational or research purposes.

(v) Dead animals that are naturally unfit for human consumption, including but not limited to, hoofs, horns, and hides in their natural state.

(vi) For use in preparing pharmaceutical, organotherapeutic, or technical products and not for use as human food.

Sec. 21. (1) Dead animals, except if contained in a drum, barrel, or similar container, shall be transferred from 1 vehicle to another only at a licensed facility.

(2) All dead animals, except as provided in subsection (3), shall be disposed of within 24 hours after death by any of the following methods:

(a) Burial not less than 2 feet below the natural surface of the ground in accordance with rules promulgated under this act.

(b) Burning in a location which will not annoy or constitute a nuisance to the public in compliance with ~~the air pollution~~

~~act, Act No. 348 of the Public Acts of 1965, being sections~~

~~336.11 to 336.36~~ PART 55 (AIR POLLUTION CONTROL) OF THE NATURAL

RESOURCES AND ENVIRONMENTAL PROTECTION ACT, ACT NO. 451 OF THE

PUBLIC ACTS OF 1994, BEING SECTIONS 324.5501 TO 324.5542 of the

Michigan Compiled Laws. Residue from the burning process shall

be disposed of by burial as provided in subdivision (a) or in a

manner approved by the director.

1 (c) Processing at a poultry composting structure.

2 (d) Procuring the services of a licensed dead animal
3 dealer.

4 (e) Procuring the services of a licensed rendering plant.

5 (f) Procuring the services of a licensed animal food manu-
6 facturing plant.

7 (3) The following dead animals are not subject to the
8 requirements of subsection (2):

9 (a) Carcasses of small mammals, deer, and birds taken under
10 the authority of a damage and nuisance animal control permit
11 issued by the Michigan department of natural resources pursuant
12 to ~~the wildlife conservation act, Act No. 256 of the Public Acts~~
13 ~~of 1988, being sections 300.251 to 300.270~~ PART 401 (WILDLIFE
14 CONSERVATION) OF ACT NO. 451 OF THE PUBLIC ACTS OF 1994, BEING
15 SECTIONS 324.40101 TO 324.40119 of the Michigan Compiled Laws.

16 (b) Small mammals, cervidae, and birds, that are road kill.

17 (c) Dead animals kept in secured temporary cold storage of
18 4.5 degrees Celsius, 40 degrees Fahrenheit, or below for a maxi-
19 mum of 7 days or frozen and securely stored at minus 11 degrees
20 Celsius, 0 degrees Fahrenheit, or below for a maximum of 30
21 days.

22 (d) Restaurant grease.