

HOUSE BILL No. 5664

March 18, 2004, Introduced by Reps. Stakoe, Stahl, Wenke, Nofs, Hune, Jamnick, Pastor, Gaffney, LaJoy, Amos, Accavitti, Moolenaar, Acciavatti, Robertson, Mortimer, Tobocman, Gleason, Taub, Farhat, Ward and Casperson and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 18401, 18413, and 18421 (MCL 333.18401,
333.18413, and 333.18421), section 18421 as amended by 1993 PA
79.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 18401. (1) As used in this part:
2 (a) "Environmental health" means an area of activity dealing
3 with the protection of human health through the management,
4 control, and prevention of environmental factors that may
5 adversely affect the health of individuals. Environmental health
6 is concerned with the existence of substances, conditions, or
7 facilities in quantities, of characteristics, and under
8 conditions, circumstances, or duration that are or can be
9 injurious to human health.

1 **(b)** ~~—(a)—~~ "Registered sanitarian" means a sanitarian
2 registered in accordance with this article.

3 **(c)** ~~—(b)—~~ "Sanitarian" means an individual who has
4 specialized education and experience in the physical, biological,
5 and sanitary sciences as applied to the educational,
6 investigational, and technical duties in the field of
7 environmental health.

8 (2) In addition to the definitions in this part, article 1
9 contains general definitions and principles of construction
10 applicable to all articles in this code and part 161 contains
11 definitions applicable to this part.

12 Sec. 18413. **(1)** A registered sanitarian shall not engage in
13 or have an interest in any work, project, or operation
14 prejudicial to his or her professional interest ~~—, nor be in~~
15 ~~conflict with Act No. 240 of the Public Acts of 1937, as amended,~~
16 ~~being sections 338.551 to 338.576 of the Michigan Compiled Laws~~
17 **and shall not engage in the practice of professional engineering**
18 **as defined in section 2001 of the occupational code, 1980 PA 299,**
19 **MCL 339.2001, unless the activity is consistent with that as**
20 **defined in section 18401(c).**

21 **(2) The standards of the national environmental health**
22 **association as they exist on the effective date of the amendatory**
23 **act that added this subsection relative to qualifications,**
24 **education, and examinations are adopted by reference. The**
25 **department shall accept the certification by the national**
26 **environmental health association of the successful completion of**
27 **any education or examination for purposes of registration under**

1 this part.

2 (3) Notwithstanding section 16148, the department may by rule
3 adopt any other or additional appropriate standards and may adopt
4 any updates or amendments to the national environmental health
5 association standards adopted under subsection (2).

6 Sec. 18421. (1) ~~The Michigan board of sanitarians is~~
7 ~~created in the department and shall consist of the following 9~~
8 ~~voting members who shall meet the requirements of part 161: 5~~
9 ~~registered sanitarians and 4 public members. There is created a~~
10 7-member advisory committee whose purpose is to make
11 recommendations to the department relative to qualifications for
12 registration, establishment of education and training standards,
13 and actions regarding disciplinary proceedings. The members
14 shall be appointed by the governor for a term of 3 years.

15 (2) The membership on the committee is as follows:

16 (a) Four members who are registered sanitarians.

17 (b) One member who represents the Michigan restaurant
18 association or its successor organization.

19 (c) One member who represents the Michigan groundwater
20 association or its successor organization.

21 (d) One member who represents the Michigan onsite wastewater
22 recycling association or its successor organization.

23 (3) Of the initial members who are registered sanitarians, 1
24 member shall be appointed for a term of 1 year, 1 member shall be
25 appointed for a term of 2 years, and 2 members shall be appointed
26 for terms of 3 years.