

HOUSE BILL No. 5342

September 10, 2009, Introduced by Reps. Kowall, Haines, McMillin, Wayne Schmidt, Meekhof, Rick Jones, Denby, Tyler, Lund, Daley, Crawford, Horn, Caul, Booher, DeShazor, Marleau and Agema and referred to the Committee on Appropriations.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 5478, 12103, 12501, 12521, 12541, 12544,
13716, and 16631 (MCL 333.5478, 333.12103, 333.12501, 333.12521,
333.12541, 333.12544, 333.13716, and 333.16631), section 5478 as
added by 2007 PA 162, section 12103 as amended by 2006 PA 260,
sections 12501 and 12521 as amended by 2004 PA 408, section 12541
as amended by 2002 PA 507, sections 12544 and 13716 as amended by
1996 PA 67, and section 16631 as added by 2008 PA 503.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5478. (1) It is the intent of the legislature that the
2 childhood lead poisoning prevention and control commission created

1 in the department under former section 5474a shall be reinstated
2 with minimal interruption. To this end, the following 9 members
3 appointed by the governor with the advice and consent of the senate
4 under former section 5474a and serving on the childhood lead
5 poisoning prevention and control commission on June 30, 2007 shall
6 be reinstated to serve on the commission:

7 (a) One member representing the department of community
8 health. The member appointed under this subdivision shall serve as
9 chairperson.

10 (b) One member representing the department of human services.

11 (c) One member representing the department of ~~environmental~~
12 ~~quality~~ **NATURAL RESOURCES**.

13 (d) One member representing the Michigan state housing
14 development authority.

15 (e) One member representing "Get the Lead Out!". The member
16 appointed under this subdivision shall be from a county with a
17 population of more than 500,000 but not more than 700,000.

18 (f) One member representing a local health department located
19 in a county with a population of more than 170,000 but not more
20 than 200,000.

21 (g) One member representing certified lead-abatement
22 contractors.

23 (h) Two members representing the general public. One of the
24 members appointed under this subdivision shall be from a city with
25 a population of 750,000 or more and be a parent of a child who has
26 experienced lead poisoning or a child advocate who has experience
27 with lead poisoning in children. The second member appointed under

1 this subdivision shall represent property owners and developers in
2 this state.

3 ~~(2) Effective 30 days after the effective date of this section~~
4 **BEGINNING JANUARY 20, 2008**, the childhood lead poisoning prevention
5 and control commission reinstated under subsection (1) shall
6 consist of 16 voting members. In addition to the 9 members under
7 subsection (1), the following additional 7 members shall be
8 appointed by the governor ~~within 30 days after the effective date~~
9 ~~of this section~~ **NOT LATER THAN JANUARY 20, 2008**, with the advice
10 and consent of the senate:

11 (a) One member representing the Michigan municipal league.

12 (b) One member representing the department of labor and
13 economic growth.

14 (c) One member representing the Michigan chapter of the
15 American academy of pediatrics.

16 (d) One member representing the prosecuting attorneys
17 coordinating council.

18 (e) One member representing the department of education.

19 (f) One member representing the Michigan association of home
20 builders remodelors council.

21 (g) One member representing the early childhood investment
22 corporation.

23 ~~(3) On and after the effective date of this section~~ **BEGINNING**
24 **DECEMBER 31, 2007**, the term of office of individual members of the
25 commission, except those appointed to fill vacancies, expires 3
26 years after appointment on December 31 of the year in which the
27 term will expire. Members are eligible for reappointment to the

1 commission.

2 (4) Members of the commission shall serve without compensation
3 but, subject to appropriations, may receive reimbursement for their
4 actual and necessary expenses while attending meetings or
5 performing other authorized official business of the commission. If
6 a vacancy occurs on the commission, that vacancy shall be filled in
7 the same manner as the original appointment.

8 (5) The commission may hold public hearings as it determines
9 necessary or appropriate to carry out its duties under this part.
10 The commission shall seek input from the general public and all of
11 the following individuals or groups that have an interest in
12 childhood lead poisoning prevention and control:

13 (a) The Michigan association of osteopathic family physicians
14 or its successor organization.

15 (b) The Michigan nurses association or its successor
16 organization.

17 (c) The Michigan council of nurse practitioners or its
18 successor organization.

19 (d) The Michigan association of health plans or its successor
20 organization.

21 (e) The Michigan association for local public health or its
22 successor organization.

23 (f) Blue cross blue shield of Michigan or its successor
24 organization.

25 (g) The Michigan health and hospital association or its
26 successor organization.

27 (h) The Michigan head start association or its successor

1 organization.

2 (i) The Michigan council for maternal and child health or its
3 successor organization.

4 (j) Michigan's children or its successor organization.

5 (k) Michigan league for human services or its successor
6 organization.

7 (l) Detroit public schools or its successor organization.

8 (m) The rental property owners association or its successor
9 organization.

10 (n) The Michigan associated general contractors or its
11 successor organization.

12 (o) The Michigan association of realtors or its successor
13 organization.

14 (p) The Michigan environmental council or its successor
15 organization.

16 (q) The Michigan adult blood lead epidemiology and
17 surveillance program or its successor organization.

18 (r) The Michigan state university extension program or its
19 successor organization.

20 (s) The Detroit lead partnership or its successor
21 organization.

22 (t) The Michigan lead safe partnership or its successor
23 organization.

24 (u) The Detroit mayor's lead-based paint task force or its
25 successor organization.

26 (v) United parents against lead or its successor organization.

27 (w) The Michigan department of community health medical

1 services administration or its successor organization.

2 (x) The Michigan occupational safety and health administration
3 or its successor organization.

4 (y) The Michigan department of community health bureau of
5 laboratories or its successor organization.

6 (z) An occupational and environmental medicine specialist.

7 (aa) Parents or patient advocates of children who have
8 experienced lead poisoning.

9 (bb) A local housing authority.

10 (cc) A community reinvestment officer.

11 (dd) The Michigan state medical society or its successor
12 organization.

13 (ee) The Michigan academy of family physicians or its
14 successor organization.

15 (ff) Saint Mary's field neurosciences institute or its
16 successor organization.

17 (gg) The ARC Michigan organization or its successor
18 organization.

19 (hh) Any other interested organization or association
20 concerned with the prevention, treatment, and control of lead
21 poisoning that the department determines necessary.

22 (6) The commission shall conduct its business at a public
23 meeting held in compliance with the open meetings act, 1976 PA 267,
24 MCL 15.261 to 15.275. The commission shall give public notice of
25 the time, date, and place of the meeting in the manner required by
26 the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. The
27 commission shall make available a writing prepared, owned, used, in

1 the possession of, or retained by the childhood lead poisoning
2 prevention and control commission to the public in compliance with
3 the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

4 (7) As used in this section and section 5479, "commission"
5 means the commission created and appointed by the governor under
6 former section 5474a and this section.

7 (8) This section is repealed effective July 1, 2010.

8 Sec. 12103. (1) The department of ~~environmental quality~~
9 **NATURAL RESOURCES** shall serve as the environmental health agency
10 for this state to facilitate a uniform approach to environmental
11 health by the various public and private entities involved in that
12 field and shall:

13 (a) Advise the governor, boards, commissions, and state
14 agencies on matters of the environment as those matters affect the
15 health of the people of this state.

16 (b) Cooperate with and provide environmental health resource
17 support to state and local health planning agencies and other
18 state, district, and local agencies mandated by law or otherwise
19 designated to develop, maintain, or administer state and local
20 health programs and plans, and other public and private entities
21 involved in environmental health activities.

22 (c) Develop and maintain the capability to monitor and
23 evaluate conditions which represent potential and actual
24 environmental health hazards, reporting its findings to appropriate
25 state departments and local jurisdictions, and to the public as
26 necessary.

27 (d) Provide an environmental health policy for the state and

1 an environmental health services plan to include environmental
2 health activities of local health jurisdictions.

3 (e) Serve as the central repository and clearinghouse for the
4 collection, evaluation, and dissemination of data and information
5 on environmental health hazards, programs, and practices.

6 ~~(2) Within 6 months after the effective date of the amendatory~~
7 ~~act that added this subsection, the~~ **THE** department of community
8 health, in consultation with the department of ~~environmental~~
9 ~~quality~~ **NATURAL RESOURCES**, shall develop a cleanup of clandestine
10 drug labs guidance document that includes, but is not limited to,
11 detailed protocols for the preliminary site assessment,
12 remediation, and post-cleanup assessment of indoor environments and
13 structures and cleanup criteria based on human health risk that is
14 similar to the cleanup criteria derived under section 20120a of the
15 natural resources and environmental protection act, 1994 PA 451,
16 MCL 324.20120a, and shall promulgate rules and procedures necessary
17 to implement subsection (3). The department of community health
18 shall make the guidance document available to the public on its
19 website and, upon request from a local health department, shall
20 provide that local health department with a physical copy of the
21 guidance document.

22 (3) Within 48 hours of discovering an illegal drug
23 manufacturing site, a state or local law enforcement agency shall
24 notify the local health department and the department of community
25 health regarding the potential contamination of any property or
26 dwelling that is or has been the site of illegal drug
27 manufacturing. The state or local law enforcement agency shall post

1 a written warning on the premises stating that potential
2 contamination exists and may constitute a hazard to the health or
3 safety of those who may occupy the premises. Within 14 days after
4 receipt of the notification under this subsection or as soon
5 thereafter as practically possible, the department of community
6 health, in cooperation with the local health department, shall
7 review the information received from the state or local law
8 enforcement agency, emergency first responders, or hazardous
9 materials team that was called to the site and make a determination
10 regarding whether the premises are likely to be contaminated and
11 whether that contamination may constitute a hazard to the health or
12 safety of those who may occupy the premises. The fact that property
13 or a dwelling has been used as a site for illegal drug
14 manufacturing shall be treated by the department of community
15 health as prima facie evidence of likely contamination that may
16 constitute a hazard to the health or safety of those who may occupy
17 those premises. If the property or dwelling, or both, is determined
18 likely to be contaminated under this subsection, the local health
19 department or the department of community health shall issue an
20 order requiring the property or dwelling to be vacated until the
21 property owner establishes that the property is decontaminated or
22 the risk of likely contamination ceases to exist. The property
23 owner may establish that the property is decontaminated by
24 submitting a written assessment of the property before
25 decontamination and a written assessment of the property after
26 decontamination, enumerating the steps taken to render the property
27 decontaminated, and a certification that the property has been

1 decontaminated and that the risk of likely contamination no longer
2 exists to the enforcing agency. The property or dwelling shall
3 remain vacated until the enforcing agency has reviewed and
4 concurred in the certification. As used in this subsection,
5 "dwelling" means any house, building, structure, tent, shelter,
6 trailer or vehicle, or portion thereof, except railroad cars on
7 tracks or rights-of-way, which is occupied in whole or in part as
8 the home, residence, living, or sleeping place of 1 or more human
9 beings, either permanently or transiently.

10 Sec. 12501. (1) As used in sections 12501 to 12516:

11 (a) "Campground" means a parcel or tract of land under the
12 control of a person in which sites are offered for the use of the
13 public or members of an organization, either free of charge or for
14 a fee, for the establishment of temporary living quarters for 5 or
15 more recreational units. Campground does not include a seasonal
16 mobile home park licensed under the mobile home commission act,
17 1987 PA 96, MCL 125.2301 to 125.2349.

18 (b) "Department" means the department of ~~environmental quality~~
19 **NATURAL RESOURCES.**

20 (c) "Local health department" means that term as defined under
21 section 1105.

22 (d) "Mobile home" means a structure, transportable in 1 or
23 more sections, which is built on a chassis and designed to be used
24 as a dwelling with or without permanent foundation, when connected
25 to the required utilities, and includes the plumbing, heating, air
26 conditioning, and electrical systems contained in the structure.

27 (e) "Person" means a person as defined in section 1106 or a

1 governmental entity.

2 (f) "Recreational unit" means a tent or vehicular-type
3 structure, primarily designed as temporary living quarters for
4 recreational, camping, or travel use, which either has its own
5 motive power or is mounted on or drawn by another vehicle which is
6 self-powered. A tent means a collapsible shelter of canvas or other
7 fabric stretched and sustained by poles and used for camping
8 outdoors. Recreational unit includes the following:

9 (i) A travel trailer, which is a vehicular portable structure,
10 mounted on wheels, of such a size or weight as not to require
11 special highway movement permits when drawn by a vehicle, primarily
12 designed and constructed to provide temporary living quarters for
13 recreational, camping, or travel use.

14 (ii) A camping trailer, which is a vehicular portable structure
15 mounted on wheels and constructed with collapsible partial
16 sidewalls of fabric, plastic, or other pliable material which fold
17 for towing by another vehicle and unfold at the campsite to provide
18 temporary living quarters for recreational, camping, or travel use.

19 (iii) A motor home, which is a vehicular structure built on a
20 self-propelled motor vehicle chassis, primarily designed to provide
21 temporary living quarters for recreational, camping, or travel use.

22 (iv) A truck camper, which is a portable structure designed to
23 be loaded onto, or affixed to, the bed or chassis of a truck,
24 constructed to provide temporary living quarters for recreational,
25 camping, or travel use. Truck campers are of 2 basic types:

26 (A) A slide-in camper, which is a portable structure designed
27 to be loaded onto and unloaded from the bed of a pickup truck,

1 constructed to provide temporary living quarters for recreational,
2 camping, or travel use.

3 (B) A chassis-mount camper, which is a portable structure
4 designed to be affixed to a truck chassis, and constructed to
5 provide temporary living quarters for recreational, camping, or
6 travel use.

7 (v) A single sectional mobile home used only to provide
8 temporary living quarters for recreational, camping, or travel use.
9 Recreational unit does not include a mobile home used as a
10 permanent dwelling, residence, or living quarters.

11 (2) In addition, article 1 contains general definitions and
12 principles of construction applicable to all articles in this code.

13 Sec. 12521. As used in sections 12521 to 12534:

14 (a) "Department" means the department of ~~environmental quality~~
15 **NATURAL RESOURCES.**

16 (b) "Local health department" means that term as defined under
17 section 1105.

18 (c) "Person" means a person as defined in section 1106 or a
19 governmental entity.

20 (d) "Public swimming pool" means an artificial body of water
21 used collectively by a number of individuals primarily for the
22 purpose of swimming, wading, recreation, or instruction and
23 includes related equipment, structures, areas, and enclosures
24 intended for the use of individuals using or operating the swimming
25 pool such as equipment, dressing, locker, shower, and toilet rooms.
26 Public swimming pools include those which are for parks, schools,
27 motels, camps, resorts, apartments, clubs, hotels, mobile home

1 parks, subdivisions, waterparks, and the like. A pool or portable
2 pool located on the same premises with a 1-, 2-, 3-, or 4-family
3 dwelling and for the benefit of the occupants and their guests, a
4 natural bathing area such as a stream, lake, river, or man-made
5 lake or pond that uses water from natural sources and has an inflow
6 and outflow of natural water, an exhibitor's swimming pool built as
7 a model at the site of the seller and in which swimming by the
8 public is not permitted, or a pool serving not more than 4 hotel,
9 motel, apartment, condominium, or similar units is not a public
10 swimming pool.

11 Sec. 12541. (1) The local health officer or an authorized
12 representative of the local health department having jurisdiction
13 may test and otherwise evaluate the quality of water at bathing
14 beaches to determine whether the water is safe for bathing
15 purposes. However, the local health officer or authorized
16 representative shall notify the city, village, or township in which
17 the bathing beach is located prior to conducting the test or
18 evaluation.

19 (2) If a local health officer or an authorized representative
20 of a local health department conducts a test or evaluation of a
21 bathing beach under subsection (1), within 36 hours of conducting
22 the test or evaluation, he or she shall notify the department, the
23 city, village, or township in which the bathing beach is located,
24 and the owner of the bathing beach of the results of the test or
25 evaluation.

26 (3) The owner of the bathing beach shall post at the main
27 entrance to the bathing beach or other visible location a sign that

1 states whether or not the bathing beach has been tested or
2 evaluated under subsection (1) and, if the bathing beach has been
3 tested, the location of where test results may be reviewed. Open
4 stretches of beach or beaches at road ends that are not advertised
5 or posted as public bathing beaches do not need to have signs
6 posted.

7 (4) If a local health officer or authorized representative of
8 the local health department conducts a test or evaluation under
9 subsection (1) and, based upon the standards promulgated under
10 section 12544, the health officer or the authorized representative
11 determines that the water is unsafe for bathing, he or she may
12 petition the circuit court of the county in which the bathing beach
13 is located for an injunction ordering the person owning or
14 operating the bathing beach to close the bathing beach for use by
15 bathers or ordering other measures to keep persons from entering on
16 the bathing beach. Upon receipt of a petition under this
17 subsection, the court may grant an injunction if circumstances
18 warrant it.

19 (5) As used in this section:

20 (a) "Bathing beach" means a beach or bathing area offered to
21 the public for recreational bathing or swimming. It does not
22 include a public swimming pool as defined in section 12521.

23 (b) "Department" means the department of ~~environmental quality~~
24 **NATURAL RESOURCES.**

25 Sec. 12544. The department, in cooperation with local health
26 departments, shall promulgate rules which shall contain minimum
27 sanitation standards for determining water quality at bathing

1 beaches open to the public. The rules shall be used by a local
2 health department to establish the safety of the water for
3 swimming. Water quality standards adopted under this section shall
4 be in conformity with the official state water quality standards
5 adopted by the department of ~~environmental quality~~ **NATURAL**
6 **RESOURCES** under the authority of part 31 ~~(water resources~~
7 ~~protection)~~ of the natural resources and environmental protection
8 act, ~~Act No. 451 of the Public Acts of 1994, being sections~~
9 ~~324.3101 to 324.3119 of the Michigan Compiled Laws 1994 PA 451, MCL~~
10 **324.3101 TO 324.3133.**

11 Sec. 13716. (1) Upon receipt of an application for a
12 construction and operating license, the department shall do all of
13 the following:

14 (a) Within 45 days, determine whether the application is
15 complete. If the application is not complete, the department shall
16 notify the authority of all deficiencies and request that the
17 additional information that the department considers necessary to
18 make the application complete be supplied by the authority within
19 15 days. If the authority is unable to supply the requested
20 information within 15 days, the authority shall notify the
21 department in writing of the reason for any delay and when the
22 requested information will be forwarded.

23 (b) Immediately notify the local monitoring committee of the
24 host site community, the governing body of the county in which the
25 host site is located, and impacted state departments and agencies
26 as determined by the department of the receipt of an application
27 for a construction and operating license and the procedure by which

1 the license may be approved or denied.

2 (c) Publish a notice in a newspaper that has statewide
3 circulation, and a newspaper that has major circulation in the
4 municipality in the immediate vicinity of the host site, and a
5 newspaper that is circulated in the county in which the host site
6 is located. The published notice shall contain a map indicating the
7 location of the host site and shall contain a description of the
8 host site and the location where the complete application package
9 may be reviewed and where copies may be obtained. The notice shall
10 describe the procedure by which the construction and operating
11 license may be granted or denied. The director shall provide an
12 opportunity for public comment at least 60 days before making a
13 final decision to grant or deny an application for a construction
14 and operating license.

15 (d) Along with other impacted state departments and agencies
16 as determined by the department, review the entire application for
17 a construction and operating license. The review shall include, but
18 not be limited to, considerations pertaining to air quality, water
19 quality, waste management, hydrogeology, and proposed waste
20 transportation routes, and the protection of the public health,
21 safety, and welfare, and the environment. The review shall be
22 completed within 140 days after a complete application is received.
23 Following the completion of the 140-day review, the department
24 shall prepare a draft version of a construction and operating
25 license that the department is considering issuing. Before the
26 department prepares a draft construction and operating license, the
27 department shall assure that all concerns expressed by the review

1 board created in section 13 of the low-level radioactive waste
2 authority act, **1987 PA 204, MCL 333.26213**, the local monitoring
3 committee of the host site community, the governing body of the
4 county in which the host site is located, and impacted state
5 departments and agencies during the review process are considered.
6 A written and signed review by each person representing a
7 department who reviews the application and plans shall be reviewed
8 and recorded by the department before a draft license is prepared
9 by the department. In addition, before a draft license is prepared,
10 but following the completion of the 140-day review, the department
11 shall prepare a responsive summary that describes any public
12 comments received by the department and describes how those
13 comments have been evaluated and addressed by the department.

14 (e) Insure that the draft construction and operating license,
15 written and signed reviews, and the responsive summary provided for
16 in subdivision (d) are submitted to impacted state agencies as
17 determined by the director and to the department of ~~environmental~~
18 ~~quality~~ **NATURAL RESOURCES**.

19 (2) The director shall make a decision to issue a construction
20 and operating license or deny the application for a construction
21 and operating license as soon as practicable but not later than 12
22 months after the receipt of a complete application that is in
23 compliance with this part. If the director denies the authority's
24 application for a construction and operating license, the director
25 shall state his or her reason or reasons in writing. If the
26 construction and operating license application meets the
27 requirements of this part and the rules promulgated under this

1 part, the department shall, after preparing a draft version,
2 prepare and issue to the authority a construction and operating
3 license.

4 (3) The departments of agriculture, natural resources,
5 ~~environmental quality~~, state police, the state transportation
6 department, and other state departments and agencies shall consult
7 and cooperate with the department in a timely manner in the review
8 of an application for a construction and operating license. The
9 department may also seek the assistance of any other person in
10 evaluating the application for a construction and operating license
11 and in the development of a draft or final construction and
12 operating license, or both.

13 (4) Except as provided in this subsection, the issuance of a
14 construction and operating license by the director pursuant to this
15 part shall exempt the authority from obtaining other permits,
16 licenses, or registrations which may be required under other
17 applicable state laws, but shall not exempt the authority from
18 meeting other standards and requirements of applicable state laws
19 or federal laws or from obtaining an operating license pursuant to
20 part 111 ~~(hazardous waste management)~~ of the natural resources and
21 environmental protection act, ~~Act No. 451 of the Public Acts of~~
22 ~~1994, being sections 324.11101 to 324.11152 of the Michigan~~
23 ~~Compiled Laws 1994 PA 451, MCL 324.11101 TO 324.11153~~, before
24 construction commences.

25 (5) A local ordinance or permit requirement or other local
26 requirement shall not prohibit, restrict, or regulate the
27 construction or operation of the disposal site.

1 Sec. 16631. (1) Except as otherwise provided, this section
2 applies to a dentist who uses dental amalgam and to a dentist who
3 removes dental amalgam. This section does not apply to any of the
4 following:

5 (a) Oral and maxillofacial surgeons.

6 (b) Oral and maxillofacial radiologists.

7 (c) Oral pathologists.

8 (d) Orthodontists.

9 (e) Periodontists.

10 (f) Dentists while providing services in a dental school, in a
11 hospital, or through a local health department.

12 (2) On or before December 31, 2013, a dentist described in
13 subsection (1) shall install or have installed and use on each
14 wastewater drain in the dentist's office that is used to discharge
15 dental amalgam a separator that has an efficiency of 95% or more as
16 determined through testing in accordance with standards published
17 by the international organization for standardization in ISO
18 11143:2008 "Dental equipment – Amalgam separators".

19 ~~(3) On or before the expiration of 90 days after the effective~~
20 ~~date of this section~~ **NOT LATER THAN APRIL 13, 2009**, the department,
21 in consultation with the department of ~~environmental quality~~
22 **NATURAL RESOURCES**, shall promulgate rules regarding best management
23 practice for dental amalgam collection, disposal, and recycling and
24 the retention and inspection of dental office records regarding the
25 following:

26 (a) The make, model, and type of dental amalgam separator
27 installed and in use in the office.

1 (b) The method used to dispose of or recycle the dental
2 amalgam waste collected.

3 (c) The shipping or other delivery records documenting the
4 transfer of the dental amalgam waste collected to licensed
5 recyclers or disposers.

6 (d) The proper operation of the dental amalgam separator,
7 including scheduled maintenance as specified in the manufacturer's
8 owner's manual for that separator.

9 (e) Compliance with dental amalgam best management practices.

10 (4) A violation of subsection (1) or (2) or a rule promulgated
11 under subsection (3) is a violation of section 16221(h).

12 (5) Beginning on ~~the effective date of this section and~~
13 ~~subject to this subsection~~ **JANUARY 13, 2009**, this section preempts
14 and supersedes any local ordinance, regulation, or resolution that
15 imposes conflicting, different, or additional standards or
16 requirements on dentists than those contained in this section or
17 rules promulgated by the board under this section. A local unit of
18 government may enact, adopt, maintain, amend, or enforce an
19 ordinance, regulation, or resolution that requires implementation
20 of the requirement in subsections (2) and (3) before the date
21 required in subsection (2). A local unit of government shall not
22 enact, adopt, maintain, or enforce an ordinance, regulation, or
23 resolution that imposes conflicting, different, or additional
24 standards or requirements on dentists than those contained in this
25 section or rules promulgated by the board under this section,
26 including, but not limited to, the requirement to obtain a permit
27 that limits the discharge of mercury into wastewater with a

1 limitation greater than that capable of being achieved by full
2 compliance with this section.

3 Enacting section 1. This amendatory act does not take effect
4 unless Senate Bill No. 807 or House Bill No.____ (request no.
5 04046'09) of the 95th Legislature is enacted into law.