

SENATE BILL NO. 398

August 20, 2019, Introduced by Senators IRWIN, ANANICH, WOJNO, MCCANN, MCMORROW and BRINKS and referred to the Committee on Environmental Quality.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 5478a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 5478a. (1) Within 30 days after the effective date of the**
2 **amendatory act that added this section, the governor shall**
3 **establish a childhood lead poisoning prevention and control**
4 **commission within the department of health and human services. The**

1 commission shall consist of the following 9 voting members
2 appointed by the governor with the advice and consent of the
3 senate:

4 (a) One member representing the department of health and human
5 services. The member appointed under this subdivision shall serve
6 as chairperson.

7 (b) One member representing the department of environment,
8 Great Lakes, and energy.

9 (c) One member representing the Michigan state housing
10 development authority.

11 (d) One member representing the pediatric public health
12 initiative formed by Michigan State University and Hurley
13 Children's Hospital.

14 (e) One member representing a local health department located
15 in a county with a population of more than 380,000 and less than
16 450,000.

17 (f) One member representing certified lead-abatement
18 contractors.

19 (g) Three members representing the general public. The
20 following apply to the members appointed under this subdivision:

21 (i) One of the members must be from a city with a population of
22 more than 90,000 and less than 105,000 located in a county with a
23 population of more than 380,000 and less than 450,000 and be a
24 parent of a child who has experienced lead poisoning or a child
25 advocate who has experience with lead poisoning in children.

26 (ii) One of the members must represent property owners and
27 developers in this state.

28 (2) Members of the commission shall serve without compensation
29 but, subject to appropriations, may receive reimbursement for their

1 actual and necessary expenses while attending meetings or
2 performing other authorized official business for the commission.
3 If a vacancy occurs on the commission, the vacancy must be filled
4 in the same manner as the original appointment.

5 (3) The commission shall conduct at least 2 public hearings to
6 seek input from the general public and all of the following groups
7 or individuals with an interest in childhood lead poisoning
8 prevention and control:

9 (a) The Michigan Association of Osteopathic Family Physicians
10 or its successor organization.

11 (b) The Michigan Nurses Association or its successor
12 organization.

13 (c) The Michigan Council of Nurse Practitioners or its
14 successor organization.

15 (d) The Michigan Association of Health Plans or its successor
16 organization.

17 (e) The Michigan Association for Local Public Health or its
18 successor organization.

19 (f) Blue Cross Blue Shield of Michigan or its successor
20 organization.

21 (g) The Michigan Health and Hospital Association or its
22 successor organization.

23 (h) The Michigan Head Start Association or its successor
24 organization.

25 (i) The Michigan Council for Maternal and Child Health or its
26 successor organization.

27 (j) Michigan's Children or its successor organization.

28 (k) Michigan League for Public Policy or its successor
29 organization.

1 (l) Detroit Public Schools or its successor organization.

2 (m) The Rental Property Owners Association or its successor
3 organization.

4 (n) The Association of General Contractors of Michigan or its
5 successor organization.

6 (o) The Michigan Realtors or its successor organization.

7 (p) The Michigan Environmental Council or its successor
8 organization.

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

11 (r) Michigan State University Extension or its successor
12 organization.

13 (s) CLEARCorps or its successor organization.

14 (t) The Michigan Lead Safe Partnership or its successor
15 organization.

16 (u) The Flint Safe Drinking Water Task Force or its successor
17 organization.

18 (v) United Parents Against Lead or its successor organization.

19 (w) The department of education or its successor organization.

20 (x) The department of health and human services medical
21 services administration or its successor organization.

22 (y) The Michigan occupational safety and health administration
23 or its successor organization.

24 (z) The department of health and human services bureau of
25 laboratories or its successor organization.

26 (aa) An occupational and environmental medicine specialist.

27 (bb) Parents or patient advocates of children who have
28 experienced lead poisoning.

29 (cc) A local housing authority.

1 (dd) A community reinvestment officer.

2 (ee) The Michigan State Medical Society or its successor
3 organization.

4 (ff) The Michigan Academy of Family Physicians or its
5 successor organization.

6 (gg) Saint Mary's of Michigan Field Neurosciences Institute or
7 its successor organization.

8 (hh) The American Academy of Pediatrics or its successor
9 organization.

10 (ii) The Arc Michigan or its successor organization.

11 (jj) The Michigan Chapter of the American Nursing Association
12 or its successor organization.

13 (kk) Any other interested organization or association
14 concerned with the prevention, treatment, and control of lead
15 poisoning that the department of health and human services
16 determines necessary.

17 (4) The commission shall hold its first public hearing within
18 60 days after the commission has been appointed under subsection
19 (1). The commission may hold additional public hearings as it
20 determines is necessary or appropriate to carry out its duties
21 under this part.

22 (5) 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.

27 (6) The commission shall make available to the public a
28 writing prepared, owned, used, in the possession of, or retained by
29 the commission in compliance with the freedom of information act,

1 1976 PA 442, MCL 15.231 to 15.246.

2 (7) As used in this section, "commission" means the childhood
3 lead poisoning prevention and control commission established and
4 appointed by the governor under subsection (1).

5 Enacting section 1. This amendatory act takes effect 90 days
6 after the date it is enacted into law.

7 Enacting section 2. This amendatory act does not take effect
8 unless Senate Bill No. 399 of the 100th Legislature is enacted into
9 law.