

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.8326 Pesticide advisory committee; creation; appointment, qualifications, and terms of members; vacancies; meetings; quorum; duties and responsibilities; meetings open to the public.

Sec. 8326. (1) A pesticide advisory committee is created within the department. The committee shall be composed of the following members:

- (a) The director.
- (b) The director of the department of natural resources.
- (c) A representative of the department of natural resources selected by the director of the department of natural resources who has expertise regarding water quality programs.
- (d) The director of public health.
- (e) The director of the Michigan cooperative extension service.
- (2) The director shall appoint additional members to the committee, 1 each representing the following:
 - (a) The Michigan pest control association.
 - (b) Licensed outdoor commercial applicators.
 - (c) Producers of agricultural commodities.
 - (d) Licensed aerial applicators.
 - (e) Nongovernmental organizations for environmental preservation.
 - (f) Farm employees.
 - (g) Those in the medical or health science profession experienced in the toxicology of pesticides.
 - (h) Agricultural chemical industry.
 - (i) Nongovernmental organizations representing human health interests.
- (3) The members of the committee may designate an authorized representative or substitute to represent them on the committee. Of the members first appointed by the director, 3 shall serve for 1 year, 3 for 2 years, and 2 for 3 years. Thereafter, an appointment shall be for 3 years. The director shall remove any member who is absent, either personally or through a designated representative or substitute, for 4 or more consecutive meetings. Vacancies shall be filled for the balance of an unexpired term. The committee shall meet on the call of the director, who shall serve as chairperson. The director shall call a meeting of the committee upon request of 2 or more members. A majority of the members of the committee constitutes a quorum.
- (4) The pesticide advisory committee shall consult with and advise the director in the administration of this part and shall have the following responsibilities:
 - (a) To analyze and summarize information pertaining to pesticide use, including, but not limited to, the number and types of pesticide use violations and the underlying causes and circumstances involving pesticide misuse, and to develop a profile of violators of this part.
 - (b) To evaluate potential contamination related to the size and disposal of pesticide containers for home, agricultural, industrial, and commercial use and make recommendations to the legislature.
 - (c) To utilize available information pertaining to the misuse of pesticides to determine whether the training programs offered by the director are effective in curtailing misuses.
 - (d) To review all training requirements for applicators and persons licensed under this part, including the specific review of the components of each area tested under this part, and to make recommendations to the director regarding training and testing. Notwithstanding the responsibilities of the committee under this subdivision, the specific test questions prepared to implement the requirements of this part shall remain confidential.
 - (e) To annually publish a report to be submitted to the governor, the legislature, and the director. The report shall include all of the following:
 - (i) A review of the recommendations of the committee.
 - (ii) Recommendations regarding amendatory language for this part.
 - (iii) Recommendations regarding resources necessary to adequately implement this part.
 - (iv) A summary of the annual enforcement actions taken under this part.
- (5) All meetings of the committee shall be conducted pursuant to the open meetings act, Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws.

History: 1994, Act 451, Eff. Mar. 30, 1995.

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