

HOUSE BILL No. 6373

August 18, 2010, Introduced by Rep. Bledsoe and referred to the Committee on Great Lakes and Environment.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8325 (MCL 324.8325), as amended by 2008 PA 18.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8325. (1) The director shall promulgate rules for
2 implementing this part, including, but not limited to, rules
3 providing for the following:

4 (a) The collection, examination, and reporting the results of
5 examination of samples of pesticides or devices.

6 (b) The safe handling, transportation, storage, display,
7 distribution, and disposal of pesticides and their containers.

8 (c) The designation of restricted use pesticides and
9 agricultural pesticides for the state or for specified areas within
10 the state. The director may include in the rule the time and

1 conditions of sale, distribution, and use of restricted use
2 pesticides and agricultural pesticides.

3 (d) The certification and licensing of applicators and the
4 licensing of restricted use pesticide dealers and agricultural
5 pesticide dealers.

6 (e) The maintenance of records by certified commercial
7 applicators with respect to applications of restricted use
8 pesticides.

9 (f) Good practice in the use of pesticides.

10 (g) Notification or posting, or both, designed to inform
11 persons entering certain public or private buildings or other areas
12 where the application of a pesticide, other than a general use
13 ready-to-use pesticide, has occurred.

14 (h) Use of a pesticide in a manner consistent with its
15 labeling including adequate supervision of noncertified applicators
16 if appropriate.

17 (i) Prenotification by the building manager upon request for
18 affected persons regarding the application of a pesticide at
19 daycare centers and schools.

20 (j) Responsibility of a building manager to post signs
21 provided to him or her by a commercial applicator.

22 (k) Designation of posted school bus stops as sensitive areas.

23 (l) The establishing of a schedule of civil fines for violation
24 of local ordinances as described in section 8328(3).

25 **(2) AN INDIVIDUAL IS NOT REQUIRED TO PROVIDE A CERTIFICATE**
26 **FROM A PHYSICIAN TO BE PLACED ON THE REGISTRY UNDER R 285.637.5 OF**
27 **THE MICHIGAN ADMINISTRATIVE CODE IF THE INDIVIDUAL PAYS THE**

1 DEPARTMENT A \$20.00 ANNUAL FEE. WITHIN 90 DAYS AFTER THE EFFECTIVE
2 DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION, THE
3 DEPARTMENT SHALL PROVIDE ON ITS WEBSITE A MEANS FOR SUCH AN
4 INDIVIDUAL TO APPLY TO BE PLACED ON THE REGISTRY.

5 (3) ~~(2)~~—By December 27, 1989, the director shall submit rules
6 to the joint committee on administrative rules pertaining to all of
7 the following:

8 (a) The development of a training program for applicators who
9 apply pesticides for private agricultural purposes on the use of
10 appropriate procedures for the application of pesticides; safety
11 procedures for pesticide application; clothing and protective
12 equipment for pesticide application; the detection of common
13 symptoms of pesticide poisoning; the means of obtaining emergency
14 medical treatment; hazards posed by pesticides to workers, the
15 public health, and the environment; specific categories of
16 pesticides; and the requirements of applicable laws, rules, and
17 labeling.

18 (b) The development of training programs for integrated pest
19 management systems in schools, public buildings, and health care
20 facilities.

21 (c) The duty of commercial applicators to inform customers of
22 potential risks and benefits associated with the application of
23 pesticides.

24 (4) ~~(3)~~—By June 27, 1990, the director shall submit rules to
25 the joint committee on administrative rules pertaining to the
26 protection of agriculture employees who hand harvest agricultural
27 commodities regarding all of the following:

1 (a) The establishment of field reentry periods after the
2 application of agricultural pesticides.

3 (b) The posting and notification of areas where pesticides
4 have been applied.

5 (c) The use of protective clothing, safety devices, hand
6 washing, or other methods of protection from pesticide exposure.

7 (d) Notification of agricultural workers of poison treatment
8 facilities.

9 (5) ~~(4)~~—If the EPA at any time adopts and publishes
10 agricultural worker protection standards, the federal standards
11 shall supersede rules promulgated under subsection ~~(3)~~ ~~(4)~~.

12 (6) ~~(5)~~—By December 27, 1989, the director shall submit rules
13 to the joint committee on administrative rules. These rules shall
14 include all of the following:

15 (a) Minimum standards of competency and experience or
16 expertise for trainers of certified and registered applicators.

17 (b) The development of a training program for applicators on
18 the use of appropriate procedures for the application of
19 pesticides; safety procedures for pesticide application; clothing
20 and protective equipment for pesticide application; the detection
21 of common symptoms of pesticide poisoning; the means of obtaining
22 emergency medical treatment; hazards posed by pesticides to
23 workers, the public health, and the environment; specific
24 categories of pesticides; and the requirements of applicable laws,
25 rules, and labeling.

26 (c) The number of directly supervised application hours
27 required before a registered applicator may apply each category of

1 restricted use pesticide without direct supervision.