



SENATE BILL No. 37

January 13, 1993, Introduced by Senator EHLERS and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend section 3 of Act No. 116 of the Public Acts of 1978, entitled
"The John C. Hertel toxic substance control commission act," as amended by Act No. 308 of the Public Acts of 1984, being section 286.183 of the Michigan Compiled Laws; and to repeal certain parts of the act.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 3 of Act No. 116 of the Public Acts of
2 1978, as amended by Act No. 308 of the Public Acts of 1984, being
3 section 286.183 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 3. (1) The state toxic substance control commission is
6 created as an autonomous entity in the department of ~~management~~
7 ~~and budget~~ NATURAL RESOURCES. The commission shall exercise its
8 powers, duties, and functions independently of the director of

1 the department of ~~management and budget~~ NATURAL RESOURCES
2 except that budget, procurement, and related management functions
3 of the commission shall be performed by the director of the
4 department of ~~management and budget~~ NATURAL RESOURCES.

5 (2) The commission shall consist of the director of the
6 department of agriculture, the director of the department of nat-
7 ural resources, and the director of public health, who shall
8 serve as ex officio nonvoting members, and 9 citizens, appointed
9 by the governor with the advice and consent of the senate. Of
10 the voting members, 7 shall be trained or knowledgeable in the
11 fields of human and animal medicine and the natural sciences
12 including zoology, botany, chemistry, and ecology and 1 member
13 shall be a member of the general public, and 1 member shall rep-
14 resent a toxic substance business or industry. Not more than 5
15 of the voting members shall be affiliated with the same political
16 party. A voting member shall not hold any other position in
17 state government. A voting member shall serve for 2 years,
18 except that of the members first appointed, 3 shall be appointed
19 for 1 year and 4 shall be appointed for 2 years. Following the
20 effective date of this 1984 amendatory act adding 2 voting mem-
21 bers to the commission, the governor shall appoint 2 new commis-
22 sion members to serve for 2 years, except that of the 2 new com-
23 mission members, 1 shall be appointed initially for 1 year and 1
24 shall be appointed for 2 years.

25 (3) A vacancy shall be filled in the same manner as the
26 original appointment for the balance of the unexpired term.

1 (4) The commission shall elect from its voting members a
2 chairperson and other officers it considers advisable. The term
3 of office shall be 1 year.

4 (5) The commission shall hold meetings as considered neces-
5 sary by the chairperson, and may hold public hearings. A meeting
6 or hearing of the commission shall be held pursuant to THE OPEN
7 MEETINGS ACT, Act No. 267 of the Public Acts of 1976, being sec-
8 tions 15.261 to 15.275 of the Michigan Compiled Laws.

9 (6) A majority of the voting members serving shall consti-
10 tute a quorum. Except as provided in section 6(d), an action of
11 the commission shall be accomplished by a majority vote of the
12 voting members serving on the commission.

13 Section 2. Section 14 of Act No. 116 of the Public Acts of
14 1978, being section 286.194 of the Michigan Compiled Laws, is
15 repealed.