

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 1135

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
(MCL 324.101 to 324.90106) by adding sections 20517 and 20519.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1       Sec. 20517. (1) The laboratory data quality assurance  
2 advisory council is created in an advisory capacity within the  
3 department.
- 4       (2) The council shall consist of all of the following  
5 individuals:
- 6       (a) A representative of a statewide business organization.  
7       (b) A representative of commercial laboratories that do not  
8 also function as in-house laboratories.  
9       (c) A representative of in-house laboratories.  
10       (d) A representative of public laboratories.  
11       (e) A representative of the Michigan municipal league or a

1 successor organization.

2 (f) A representative of the general public.

3 (g) The director or his or her designee.

4 (3) The members of the council described in subsection (2) (a)  
5 to (f) shall be appointed by the governor. The members first  
6 appointed to the council shall be appointed within 90 days after  
7 the effective date of this section.

8 (4) Members of the council shall serve until a successor is  
9 appointed.

10 (5) If a vacancy occurs on the council, the unexpired term  
11 shall be filled in the same manner as the original appointment  
12 was made.

13 (6) The first meeting of the council shall be called by the  
14 director or his or her designee on the council. At the first  
15 meeting, the council shall elect from among its members a  
16 chairperson and other officers as it considers necessary or  
17 appropriate. After the first meeting, the council shall meet at  
18 least quarterly, or more frequently at the call of the  
19 chairperson or if requested by 2 or more members.

20 (7) A majority of the members of the council constitute a  
21 quorum for the transaction of business at a meeting of the  
22 council. A majority of the members present and serving are  
23 required for official action of the council.

24 (8) The director or his or her designee shall serve on the  
25 council without any additional compensation. Other members of  
26 the council shall serve without compensation. However, members  
27 of the council may be reimbursed for their actual and necessary

1 expenses incurred in the performance of their official duties as  
2 members of the council.

3 Sec. 20519. (1) The council shall do all of the following:

4 (a) Monitor and evaluate the quality recognition program,  
5 including, but not limited to, both of the following:

6 (i) Whether commercial laboratories participating in the  
7 quality recognition program should or should not be required to  
8 participate in proficiency testing.

9 (ii) The structure and the appropriate scope of review of  
10 quality systems described in section 20505(4).

11 (b) Develop recommendations whether the program under this  
12 part should be retained, terminated, or replaced with another  
13 laboratory data quality assurance method.

14 (c) Evaluate the costs to private business of the program  
15 under this part and the costs to private business of implementing  
16 the recommendations under subdivision (b).

17 (d) Evaluate the first report of the auditor general under  
18 section 20513.

19 (e) Develop recommendations whether a commercial laboratory  
20 code of ethics is needed and, if so, what its content should be.

21 (f) Review the department's laboratory data acceptance  
22 requirements.

23 (g) Develop recommendations whether the department should  
24 provide additional technical and training assistance to  
25 commercial laboratories, in-house laboratories, and public  
26 laboratories.

27 (h) Submit to the governor, the senate majority leader, the

1 speaker of the house of representatives, and the standing  
2 committees of the senate and house of representatives with  
3 primary responsibility for environmental protection issues  
4 reports on its findings under subdivisions (a) to (g). The  
5 council shall submit an interim report within 18 months after the  
6 effective date of this section and a final report by June 30,  
7 2007.

8 (2) Effective 180 days after the council submits its final  
9 report as required by subsection (1)(h), the council is  
10 disbanded.

11 Enacting section 1. This amendatory act does not take  
12 effect unless both of the following bills of the 92nd Legislature  
13 are enacted into law:

14 (a) House Bill No. 5742.

15 (b) House Bill No. 5743.