

# HOUSE BILL No. 4026

January 25, 2001, Introduced by Reps. Kolb, Woodward, Zelenko and Williams and referred to the Committee on Family and Children Services.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
(MCL 324.101 to 324.90106) by adding chapter 9 to article II.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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CHAPTER 9: HEALTH

PART 221 CHILDREN'S HEALTH

SEC. 22101. AS USED IN THIS PART:

(A) "CHILDREN" MEANS INDIVIDUALS UNDER THE AGE OF 18.

(B) "DEPARTMENT" MEANS THE DEPARTMENT OF ENVIRONMENTAL  
QUALITY.

(C) "OFFICE" MEANS THE OFFICE OF CHILDREN'S HEALTH PROTEC-  
TION ESTABLISHED IN SECTION 22102.

(D) "PROTECT THE HEALTH OF CHILDREN" MEANS TO PROTECT THE  
HEALTH OF CHILDREN TAKING INTO ACCOUNT THE SPECIAL VULNERABILITY

1 OF CHILDREN BECAUSE OF THEIR DEVELOPING PHYSIOLOGY, BEHAVIOR, AND  
2 INTAKE OF AIR, WATER, AND FOOD.

3 SEC. 22102. (1) THE OFFICE OF CHILDREN'S HEALTH PROTECTION  
4 IS ESTABLISHED IN THE DEPARTMENT.

5 (2) SUBJECT TO SUBSECTION (3), THE OFFICE SHALL DO ALL OF  
6 THE FOLLOWING:

7 (A) REVIEW LEGISLATION PROPOSED BY THE DEPARTMENT TO DETER-  
8 MINE WHETHER IT ADEQUATELY PROTECTS THE HEALTH OF CHILDREN. THE  
9 DEPARTMENT SHALL NOT PROPOSE LEGISLATION UNLESS THE DEPARTMENT  
10 HAS SUBMITTED THE PROPOSED LEGISLATION TO THE OFFICE AND THE  
11 OFFICE HAS CERTIFIED THAT THE PROPOSED LEGISLATION PROTECTS THE  
12 HEALTH OF CHILDREN.

13 (B) REVIEW STATUTES AND RULES ADMINISTERED BY THE DEPARTMENT  
14 TO DETERMINE WHETHER THEY PROTECT THE HEALTH OF CHILDREN. THE  
15 OFFICE SHALL CONDUCT THE REVIEW IN ORDER OF PRIORITY BASED ON  
16 WHICH ENVIRONMENTAL EXPOSURES HAVE THE GREATEST POTENTIAL TO  
17 ADVERSELY AFFECT THE HEALTH OF CHILDREN.

18 (C) REVIEW, AT THE REQUEST OF THE DEPARTMENT OR OF A MEMBER  
19 OF THE PUBLIC, APPLICATIONS FOR PERMITS SUBMITTED TO THE DEPART-  
20 MENT UNDER PART 31, 55, 111, OR 115. THE REVIEW SHALL DETERMINE  
21 THE POTENTIAL IMPACTS OF THE PROPOSED PERMITS ON THE HEALTH OF  
22 CHILDREN. BASED ON THE REVIEW, THE OFFICE SHALL PROVIDE RECOM-  
23 MENDATIONS TO THE DEPARTMENT ON MEASURES WHICH WOULD AVOID OR  
24 MINIMIZE ADVERSE IMPACTS ON THE HEALTH OF CHILDREN.

25 (D) ANNUALLY REPORT TO THE GOVERNOR AND LEGISLATURE ON THE  
26 EFFECTS OF POLLUTION ON THE HEALTH OF CHILDREN OF THIS STATE.  
27 THE REPORT SHALL INCLUDE BOTH OF THE FOLLOWING:

1           (i) BASELINE DATA AND ANNUAL UPDATES ON THE HEALTH OF  
2 CHILDREN AS AFFECTED BY POLLUTION.

3           (ii) THE OFFICE'S RECOMMENDATIONS ON POLICIES, RULES, AND  
4 LAWS NEEDED TO PROTECT THE HEALTH OF CHILDREN.

5           (E) REVIEW AND COORDINATE EXISTING RESEARCH CONCERNING THE  
6 RELATIONSHIP BETWEEN EXPOSURE TO POLLUTION AND CHILDREN'S  
7 HEALTH.

8           (F) IN CONJUNCTION WITH THE DEPARTMENT OF COMMUNITY HEALTH,  
9 DEVELOP AND UPDATE BIENNIALLY A RESEARCH AGENDA TO ADDRESS UNRE-  
10 SOLVED SCIENTIFIC CONCERNS ABOUT THE RELATIONSHIP BETWEEN EXPO-  
11 SURE TO POLLUTION AND CHILDREN'S HEALTH.

12           (G) DEVELOP AND COORDINATE A PUBLIC EDUCATION PROGRAM TO  
13 MAKE PARENTS, GUARDIANS, AND OTHER CAREGIVERS AWARE OF THE POTEN-  
14 TIAL HEALTH EFFECTS TO CHILDREN CAUSED BY EXPOSURE TO POLLUTION  
15 AND OF RECOMMENDATIONS TO MINIMIZE SUCH EXPOSURE.

16           (3) IF, BASED ON EXISTING RESEARCH, THE OFFICE IS UNABLE TO  
17 MAKE A DETERMINATION UNDER SUBSECTION (2)(A), (B), OR (C), THE  
18 OFFICE SHALL IDENTIFY AND PROPOSE ADDITIONAL RESEARCH NECESSARY  
19 FOR THE OFFICE TO MAKE THE DETERMINATION.