

VOLUNTARY PESTICIDE NOTIFICATION REGISTRY

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Senate Bill 542 (reported from committee as substitute H-1)

Sponsor: Sen. Tom Casperson

House Committee: Natural Resources

Senate Committee: Natural Resources

Complete to 6-11-18

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

Senate Bill 542 would amend Part 83 (Pesticide Control) within the Natural Resources and Environmental Protection Act (NREPA) to create a voluntary registry of certain individuals who would be required to be notified before the application of certain pesticides.

Under the bill, the Department of Agriculture would be charged with maintaining a voluntary registry of individuals with a medically documented condition who are required to be notified before the application of a lawn or ornamental pesticide on property *adjacent to* or within a *physician-recommended distance* from the property on which the individual's primary residence is located. The registry also would contain a list of those properties adjacent to or within a physician-recommended distance from the individual's primary residence.

Adjacent to would be defined as either of the following:

- Sharing a common boundary line or property corner with.
- Located directly across an undivided road, stream, or right-of-way from.

Physician-recommended distance would be defined as a specified distance, not more than 200 feet, considered necessary and substantiated by a physician.

Notification to an individual listed in the registry would be by means provided in the registry and would state that a pesticide application is scheduled on one or more of the properties listed in the registry. Notification would not be required for a general-use, ready-to-use pesticide.

The notification requirements and any yard marker requirements provided by rule would also not apply to a pesticide that is applied only on or within 10 feet of a structure located on the property where the pesticide application takes place and that is applied to prevent, destroy, repel, or mitigate pests on the structure.

The bill would take effect 90 days after its enactment.

Proposed MCL 324.8316b

FISCAL IMPACT:

Senate Bill 542 has no apparent fiscal impact on the state or local units of government.

HOUSE COMMITTEE ACTION:

The House Natural Resources committee adopted an H-1 substitute to exempt notice requirements for applications of pesticide that occur within 10 feet of a structure on the application property and to provide for a physician-recommended distance.

POSITIONS:

Representatives of the following organizations testified in support of the bill (5-23-18):

- Nault's Green Lawn Liquid Fertilizer
- Michigan Pest Management Association
- TruGreen

The Michigan Nursery and Landscape Association indicated support for the bill. (6-6-18)

A representative of the Michigan Department of Agriculture and Rural Development testified with a neutral position regarding the bill. (5-23-18)

The following organizations indicated opposition to the bill (5-23-18):

- Michigan Environmental Council
- Sierra Club, Michigan Chapter

Legislative Analyst: Emily S. Smith
Fiscal Analyst: William E. Hamilton

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.