

Act No. 53
Public Acts of 1992
Approved by the Governor
May 20, 1992
Filed with the Secretary of State
May 20, 1992

**STATE OF MICHIGAN
86TH LEGISLATURE
REGULAR SESSION OF 1992**

Introduced by Reps. Johnson, Bender, Gilmer, Hillegonds, Ostling and Richard A. Young

ENROLLED HOUSE BILL No. 4905

AN ACT to amend sections 13305, 13306, 13307, 13308, 13310, 13311, and 13322 of Act No. 368 of the Public Acts of 1978, entitled as amended "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," being sections 333.13305, 333.13306, 333.13307, 333.13308, 333.13310, 333.13311, and 333.13322 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Sections 13305, 13306, 13307, 13308, 13310, 13311, and 13322 of Act No. 368 of the Public Acts of 1978, being sections 333.13305, 333.13306, 333.13307, 333.13308, 333.13310, 333.13311, and 333.13322 of the Michigan Compiled Laws, are amended to read as follows:

Sec. 13305. A person shall not operate a class IV installation until issued a license under this part.

Sec. 13306. (1) The department may receive license applications for the operation of a class IV installation. Upon compliance by an applicant with the requirements of this part and rules promulgated pursuant to this part, the department shall issue a class IV installation license.

(2) The department shall issue a license under this part for a period of 1 year.

(3) Except as otherwise provided in subsection (4), the initial application and annual license fee for a class IV installation license is \$100.00 for each class IV installation with operating equipment and an additional \$2.75 per pound of rated capacity per cleaning wheel for each dry cleaning machine.

(4) The department shall adjust on an annual basis the installation license fees prescribed by subsection (3) by an amount determined by the state treasurer to reflect the cumulative annual percentage change in the Detroit consumer price index, not to exceed 5%. As used in this subsection, "Detroit consumer price index" means the most comprehensive index of consumer prices available for the Detroit area from the bureau of labor statistics of the United States department of labor.

Sec. 13307. (1) The department shall conduct annual inspections of class IV installations to insure compliance with the requirements of this part and rules promulgated pursuant to this part.

(2) The department may delegate the duty of inspections for approval of class IV installation permits to a local health department which has the technical and other capabilities to protect the public health, safety, and welfare in this field. The delegation shall not take place unless the department has first consulted with an ad hoc committee which shall be appointed by the department for the purpose of advising on such delegation. Membership on the ad hoc committee shall include representatives of the department, local public health agencies, and an association which represents the class IV installations which would be subject to the inspections. The state shall reimburse each local health department the full amount of the fees collected, as reimbursement for cost of inspection, on vouchers certified by the local health officer and approved by the department.

(3) A local governmental unit shall not enact or enforce an ordinance which duplicates the standards regarding class IV installations imposed in this part.

(4) The department shall adequately staff the dry cleaning section to carry out the duties of the department under this section.

Sec. 13308. (1) A person operating a class IV installation shall apply for license renewal and shall pay a fee as prescribed by section 13306.

(2) Upon compliance by an applicant with the requirements of this part and rules promulgated pursuant to this part and payment of the license renewal fee, the department shall issue a renewal license.

Sec. 13310. When a class IV installation is operated in the same building or establishment as other classes of dry cleaning installations, section 5i of the fire prevention code, Act No. 207 of the Public Acts of 1941, being section 29.5i of the Michigan Compiled Laws, applies.

Sec. 13311. A class IV installation in which no flammable liquids as defined in section 1 of the fire prevention code, Act No. 207 of the Public Acts of 1941, being section 29.1 of the Michigan Compiled Laws, are employed for other than spotting purposes may be installed in a building approved by the department.

Sec. 13322. The department shall promulgate rules necessary to carry out this part, and may appoint an advisory committee to assist in rule development. The rules shall include the following:

- (a) Plans.
- (b) Drawings.
- (c) Specifications.
- (d) Construction.
- (e) Installation of equipment standards.
- (f) Inspections.
- (g) Other matters necessary to protect the health, safety, and welfare of the public.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved.....

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Governor.