

# HOUSE BILL No. 4435

March 5, 1991, Introduced by Reps. Joe Young, Jr. and DeMars and referred to the Committee on State Affairs.

A bill to amend the title and section 16 of Act No. 227 of the Public Acts of 1967, entitled

"An act to regulate the inspection, construction, installation, alteration, maintenance, repair and operation of elevators and the licensing of elevator contractors; to prescribe the functions of the director of labor; to create, and prescribe the functions of, the elevator safety board; to provide penalties for violations of the act; and to repeal certain acts and parts of acts,"

being section 408.816 of the Michigan Compiled Laws; and to add section 16a.

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

1       Section 1. The title and section 16 of Act No. 227 of the  
2 Public Acts of 1967, being section 408.816 of the Michigan  
3 Compiled Laws, is amended and section 16a are added to read as  
4 follows:

## TITLE

1  
2 An act to regulate the inspection, construction, installa-  
3 tion, alteration, maintenance, repair, and operation of elevators  
4 and the licensing of elevator contractors; to prescribe ~~the~~  
5 CERTAIN functions of the director of labor AND THE STATE  
6 TREASURER; to create ~~—~~ and prescribe the functions of ~~—~~ the  
7 elevator safety board; TO CREATE A STATE ELEVATOR INSPECTION FUND  
8 AND TO PROVIDE FOR ITS ADMINISTRATION; to provide penalties for  
9 violations of the act; and to repeal certain acts and parts of  
10 acts.

11 Sec. 16. (1) Fees for the following matters shall be deter-  
12 mined by the board:

- 13 (A) Commission.  
14 (B) Certificate of competency examination.  
15 (C) Elevator contractor license.  
16 (D) Contractor examination.  
17 (E) Permit, each elevator or device.  
18 (F) Certificate of operation.  
19 (G) Appeal for hearing before board.  
20 (H) Inspection by general inspector.  
21 (I) Special.

22 (2) Fees shall be paid by cash, money order, or certified  
23 check to the director. Money orders or checks shall be made pay-  
24 able to "Treasurer--State of Michigan". Fees received by the  
25 director shall be transmitted to the state treasurer for deposit  
26 in the ~~general fund. These funds shall be disbursed only as~~

1 ~~appropriated by the legislature.~~ STATE ELEVATOR INSPECTION FUND  
2 AS PROVIDED IN SECTION 16A.

3 SEC. 16A. (1) A STATE ELEVATOR INSPECTION FUND IS CREATED  
4 IN THE STATE TREASURY. THE DIRECTOR SHALL SUPERVISE AND ADMINIS-  
5 TER THE FUND. FEES RECEIVED BY THE DIRECTOR UNDER THIS ACT AND  
6 ACT NO. 333 OF THE PUBLIC ACTS OF 1976, BEING SECTIONS 338.2151  
7 TO 338.2160 OF THE MICHIGAN COMPILED LAWS, SHALL BE TRANSMITTED  
8 TO THE STATE TREASURER FOR DEPOSIT IN THE FUND AND SHALL BE  
9 APPROPRIATED BY THE LEGISLATURE FOR THE OPERATION OF THE ELEVATOR  
10 INSPECTION PROGRAM AND FOR INDIRECT OVERHEAD EXPENSES OF THE  
11 DEPARTMENT.

12 (2) THE STATE TREASURER SHALL BE THE CUSTODIAN OF THE FUND  
13 AND MAY INVEST THE SURPLUS OF THE FUND IN INVESTMENTS THAT IN THE  
14 STATE TREASURER'S JUDGMENT ARE IN THE BEST INTEREST OF THE FUND.  
15 EARNINGS FROM THOSE INVESTMENTS SHALL BE CREDITED TO THE FUND.  
16 THE STATE TREASURER SHALL NOTIFY THE DIRECTOR AND THE LEGISLATURE  
17 OF INTEREST CREDITED AND THE BALANCE OF THE FUND AS OF  
18 SEPTEMBER 30 OF EACH YEAR.

19 (3) FUNDS THAT ARE UNEXPENDED AT THE END OF EACH FISCAL YEAR  
20 SHALL REMAIN IN THE STATE ELEVATOR INSPECTION FUND.

21 Section 2. This amendatory act shall not take effect unless  
22 Senate Bill No. \_\_\_\_\_ or House Bill No. 4434 (request  
23 no. 02551'91) of the 86th Legislature is enacted into law.