

HOUSE BILL No. 5879

June 1, 1992, Introduced by Reps. Bennane, Baade, Gire, Berman, Bartnik, DeMars, Anthony, Olshove, Yokich and Bodem and referred to the Committee on Social Services and Youth.

A bill to amend section 14 of Act No. 290 of the Public Acts of 1965, entitled
"Boiler act of 1965,"
being section 408.764 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 14 of Act No. 290 of the Public Acts of
2 1965, being section 408.764 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 14. (1) ~~An inspector's, repairer's or installer's~~
5 THE license OF AN INSPECTOR, REPAIRER, OR INSTALLER may be sus-
6 pended by the chief inspector ~~for~~ DUE TO the incompetence of
7 the ~~holder thereof~~ LICENSEE or for ~~wilful~~ WILLFUL falsifica-
8 tion of ~~any~~ A matter or statement contained in his OR HER
9 application or in a report of any inspection made by him OR HER.
10 Written notice of the suspension shall be given by the chief

1 inspector within ~~not more than~~ 10 days AFTER THE SUSPENSION to
2 the licensee, his OR HER employer, and the board. A person whose
3 license has been suspended may appeal to the board as provided in
4 section 22 and be present in person and be represented by counsel
5 at the hearing of the appeal.

6 (2) SUBJECT TO SUBSECTION (3), UPON RECEIPT OF A NOTICE FROM
7 THE OFFICE OF THE FRIEND OF THE COURT STATING THAT AN INDIVIDUAL
8 LICENSEE IS AT LEAST 3 MONTHS IN ARREARS OF SUPPORT, THE BOARD
9 SHALL RECOMMEND AND THE DIRECTOR SHALL SUSPEND THE LICENSE OF AN
10 INSPECTOR, REPAIRER, OR INSTALLER AFTER ALL OF THE FOLLOWING
11 OCCUR:

12 (A) THE DIRECTOR SENDS A NOTICE FOR A HEARING TO BE SCHED-
13 ULED NOT LESS THAN 30 DAYS AFTER THE DATE THE NOTICE IS SENT TO
14 THE INDIVIDUAL'S ADDRESS AS INDICATED IN THE DIRECTOR'S RECORDS.

15 (B) THE LICENSEE FAILS TO PRESENT PROOF ACCEPTABLE TO THE
16 BOARD THAT THE ARREARAGE HAS BEEN PAID.

17 (3) IF AT THE HEARING THE BOARD DETERMINES THAT EXTREME
18 HARDSHIP TO THE INDIVIDUAL OR PERSONS THE INDIVIDUAL SERVES WOULD
19 BE CREATED BY THE SUSPENSION, THE BOARD SHALL NOT RECOMMEND AND
20 THE DIRECTOR SHALL NOT SUSPEND THE LICENSE AND SHALL CONDITION
21 THE HOLDING OF THE LICENSE UPON COMPLIANCE WITH THE SUPPORT
22 ORDER.

23 (4) THE ONLY ISSUES TO BE CONSIDERED BY THE BOARD ARE
24 WHETHER THE INDIVIDUAL IS THE HOLDER OF A LICENSE AND WHETHER THE
25 INDIVIDUAL HAS PRESENTED PROOF ACCEPTABLE TO THE BOARD THAT
26 ARREARAGE HAS BEEN PAID.

1 (5) ~~-(2)-~~ If the board has reason to believe that a licensee
2 is no longer qualified to hold his OR HER license, the board,
3 upon not less than 10 days' written notice to the licensee and
4 his OR HER employer, shall hold a hearing at which the licensee
5 and his OR HER employer shall have an opportunity to be heard.
6 If, as a result of the hearing, the board finds that the licensee
7 is no longer qualified to hold his OR HER license, the board
8 shall recommend to the ~~commissioner~~ DIRECTOR that the license
9 be revoked and the ~~commissioner~~ DIRECTOR shall ~~thereupon~~
10 ~~revoke such license forthwith~~ IMMEDIATELY REVOKE THE LICENSE.

11 (6) ~~-(3)-A~~ EXCEPT AS PROVIDED FOR IN SUBSECTION (2), A
12 person whose license has been suspended may apply, after 90 days
13 from the date of the suspension, for reinstatement of the
14 license.