

Act No. 184
Public Acts of 1996
Approved by the Governor
May 3, 1996
Filed with the Secretary of State
May 3, 1996

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1996**

Introduced by Senator Bouchard

ENROLLED SENATE BILL No. 441

AN ACT to amend sections 1, 10, 13, and 13a of Act No. 21 of the Public Acts of 1939, entitled as amended "An act to define and regulate the business of making regulatory loans; to permit the licensing of persons engaged in that business; to authorize licensees to make charges at a greater rate than unlicensed lenders; to prescribe maximum rates of charge which licensees are permitted to make; to regulate the advertising of the business of making regulatory loans; to authorize credit life insurance and to permit charges for that insurance; to prohibit assignments of wages or salaries, earned or to be earned, when given as security for a loan or as consideration for a payment of a regulatory loan; to provide for the administration of this act and for the promulgation of rules; to authorize the making of examinations and investigations and the publication of reports of examinations and investigations; to provide for a review of decisions and findings of the commissioner of the financial institutions bureau under this act; and to prescribe penalties," sections 1 and 13 as amended by Act No. 165 of the Public Acts of 1995, section 10 as amended by Act No. 14 of the Public Acts of 1991, and section 13a as amended by Act No. 407 of the Public Acts of 1994, being sections 493.1, 493.10, 493.13, and 493.13a of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Sections 1, 10, 13, and 13a of Act No. 21 of the Public Acts of 1939, sections 1 and 13 as amended by Act No. 165 of the Public Acts of 1995, section 10 as amended by Act No. 14 of the Public Acts of 1991, and section 13a as amended by Act No. 407 of the Public Acts of 1994, being sections 493.1, 493.10, 493.13, and 493.13a of the Michigan Compiled Laws, are amended to read as follows:

Sec. 1. (1) Except as otherwise provided by this act, a person shall not engage in the business of making loans of money, credit, goods, or things in action and charge, contract for, or receive on the loan a greater rate of interest, discount, or consideration than the lender would be permitted by law to charge if the lender were not a licensee under this act and without first obtaining a license from the commissioner for each location at which the business is to be conducted under this act, or by obtaining a license under the consumer financial services act, Act No. 161 of the Public Acts of 1988, being sections 487.2051 to 487.2072 of the Michigan Compiled Laws.

(2) As used in this act:

(a) "Person" means an individual, partnership, association, corporation, limited liability company, or other legal entity.

(b) "Licensee" means a person licensed under this act.

(c) "License" means a single license issued to a single place of business.

(d) "Liquid assets" means cash, unrestricted deposits in banks, and readily marketable securities at their then market value.

(a) At least 60 days before adoption of a protocol, the medical control authority shall circulate a written draft of the proposed protocol to all significantly affected persons within the emergency medical services system served by the medical control authority and submit the written draft to the department for approval.

(b) The department shall review a proposed protocol for consistency with other protocols concerning similar subject matter that have already been established in this state and shall consider any written comments received from interested persons in its review.

(c) Not later than 60 days after receiving a written draft of a proposed protocol from a medical control authority, the department shall provide a written recommendation to the medical control authority with any comments or suggested changes on the proposed protocol. If the department does not respond within 60 days after receiving the written draft, the proposed protocol shall be considered to be approved by the department.

(d) After department approval of a proposed protocol, the medical control authority may formally adopt and implement the protocol.

(e) A medical control authority may establish an emergency protocol necessary to preserve the health or safety of individuals within its jurisdiction in response to a present medical emergency or disaster without following the procedures established by the department under this section for an ordinary protocol. An emergency protocol established under this subdivision shall be effective only for a limited time period and shall not take permanent effect unless it is approved according to this subsection.

(4) A medical control authority shall provide an opportunity for an affected person to appeal decisions made by the medical control authority. After appeals to a medical control authority have been exhausted, an affected person may apply to the department for a variance from the medical control authority's decision. The department may grant the variance if it determines that the action is appropriate to protect the public health, safety, and welfare. The department shall impose a time limitation and may impose other conditions for the variance.

(5) If adopted in protocols approved by the department, a medical control authority may require life support agencies within its region to meet reasonable additional standards for equipment and personnel, other than medical first responders, that may be more stringent than are otherwise required under this part. If a medical control authority establishes additional standards for equipment and personnel, the medical control authority and the department shall consider the medical and economic impact on the local community, the need for communities to do long-term planning, and the availability of personnel. If either the medical control authority or the department determines that negative medical or economic impacts outweigh the benefits of those additional standards as they affect public health, safety, and welfare, protocols containing those additional standards shall not be adopted.

(6) If a decision of the medical control authority is appealed by an affected person, the medical control authority shall make available, in writing, the medical and economic information it considered in making its decision. On appeal, the department shall review this information and shall issue its findings in writing.

Section 2. This amendatory act shall take effect August 1, 1996.

Section 3. This amendatory act shall not take effect unless Senate Bill No. 452 of the 88th Legislature is enacted into law.

This act is ordered to take immediate effect.

Secretary of the Senate.

Clerk of the House of Representatives.

Approved -----

Governor.