

SENATE BILL NO. 766

October 21, 1997, Introduced by Senators DINGELL and
DE BEAUSSAERT and referred to the Committee on Human
Resources, Labor and Veterans Affairs.

A bill to amend 1972 PA 230, entitled
"State construction code act of 1972,"
by amending sections 2, 8, and 28 (MCL 125.1502, 125.1508, and
125.1528), section 2 as amended by 1980 PA 371, section 8 as
amended by 1994 PA 128, and section 28 as amended by 1996 PA 48,
and by adding section 8a; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 2. (1) As used in this act:
- 2 (a) "Agricultural or agricultural purposes" means of, or
- 3 pertaining to, or connected with, or engaged in agriculture or
- 4 tillage ~~which~~ THAT is characterized by the act or business of
- 5 cultivating or using land and soil for the production of crops
- 6 for the use of animals or humans, and includes, but is not
- 7 limited to, purposes related to agriculture, farming, dairying,

1 pasturage, horticulture, floriculture, viticulture, and animal
2 and poultry husbandry.

3 (b) "Application for a building permit" means an application
4 for a building permit submitted to an enforcing agency pursuant
5 to this act and plans, specifications, surveys, statements, and
6 other material submitted to the enforcing agency together or in
7 connection with the application.

8 (c) "Barrier free design" means design complying with legal
9 requirements for architectural designs ~~which~~ THAT eliminate the
10 type of barriers and hindrances that deter handicappers from
11 having access to and free mobility in and around a building or
12 structure.

13 (d) "Board of appeals" means the construction board of
14 appeals of a governmental subdivision provided for in section
15 14.

16 (e) "Boards" means the state plumbing and electrical admin-
17 istrative boards and the barrier free design board provided for
18 in ~~Act No. 1 of the Public Acts of 1966, as amended, being sec-~~
19 ~~tions 125.1351 to 125.1356 of the Michigan Compiled Laws 1966 PA~~
20 1, MCL 125.1351 TO 125.1356.

21 (f) "Building" means a combination of materials, whether
22 portable or fixed, forming a structure affording a facility or
23 shelter for use or occupancy by persons, animals, or property.
24 The term does not include a building incidental to the use for
25 agricultural purposes of the land on which the building is
26 located if it is not used in the business of retail trade. The
27 term shall be construed as though followed by the words "or part

1 or parts of the building and all equipment in the building"
2 unless the context clearly requires a different meaning.

3 (g) "Building envelope" means the elements of a building
4 ~~which~~ THAT enclose conditioned spaces through which thermal
5 energy may be transferred to or from the exterior.

6 (h) "Business day" means a day of the year, exclusive of a
7 Saturday, Sunday, or legal holiday.

8 (i) "Chief elected official" means the chairperson of the
9 county board of commissioners, the city mayor, the village presi-
10 dent, or the township supervisor.

11 (j) "Code" means the state construction code provided for in
12 section 4 or a part thereof of limited application, and includes
13 a modification of or amendment to the code.

14 (k) "Commission" means the state construction code commis-
15 sion created by section 3.

16 (l) "Construction" means the construction, erection, recon-
17 struction, alteration, conversion, demolition, repair, moving, or
18 equipping of buildings or structures.

19 (m) "Construction regulation" means a law, act, rule, reso-
20 lution, regulation, ordinance, or code, general or special, or
21 compilation thereof, heretofore or hereafter enacted or adopted,
22 by this state or a county, city, village, or township including a
23 department, board, bureau, commission, or other agency thereof,
24 relating to the design, construction, or use of buildings and
25 structures and the installation of equipment in the building or
26 structure. Construction regulation does not include a zoning

1 ordinance or rule issued pursuant to a zoning ordinance and
2 related to zoning.

3 (n) "Department" means the department of labor.

4 (o) "Director" means the director of labor or an authorized
5 representative of the director.

6 (p) "Energy conservation" means the efficient use of energy
7 by providing building envelopes with high thermal resistance and
8 low air leakage, and the selection of energy efficient mechani-
9 cal, electrical service, and illumination systems, equipment,
10 devices, or apparatus.

11 (q) "Enforcing agency" means the enforcing agency, in
12 accordance with section 8 or 9, ~~which~~ THAT is responsible for
13 administration and enforcement of a nationally recognized model
14 code or this act and the code within a governmental subdivision.
15 ~~, except~~ EXCEPT for the purposes of section 19 enforcing agency
16 means the agency in a governmental unit principally responsible
17 for the administration and enforcement of applicable construction
18 regulations.

19 (r) "Equipment" means plumbing, heating, electrical, venti-
20 lating, air conditioning, and refrigerating equipment.

21 (s) "Executive director" means the director of the bureau of
22 construction codes as set forth under section 7.

23 (t) "Governmental subdivision" means a county, city, vil-
24 lage, or township ~~which~~ THAT in accordance with section 8 or 9
25 has assumed responsibility for the administration and enforcement
26 of a nationally recognized model code or this act and the code
27 within its jurisdiction.

1 (u) "Handicapper" means a person whose physical
2 characteristics have a particular relationship to that person's
3 ability to be self-reliant in the person's movement throughout
4 and use of the building environment.

5 (v) "Mobile home" means a vehicular, portable structure
6 built on a chassis and designed to be used without a permanent
7 foundation as a dwelling when connected to required utilities and
8 ~~which~~ THAT is, or is intended to be, attached to the ground, to
9 another structure, or to a utility system on the same premises
10 for more than 30 consecutive days.

11 (w) "Other laws and ordinances" means other laws and ordi-
12 nances, whether enacted by this state or by a county, city, vil-
13 lage, or township and the rules issued ~~thereunder~~ UNDER THOSE
14 LAWS AND ORDINANCES.

15 (x) "Owner" means the owner of the freehold of the premises
16 or lesser estate in the premises, a mortgagee or vendee in pos-
17 session, an assignee of rents, receiver, executor, trustee,
18 lessee, or any other person, sole proprietorship, partnership,
19 association, or corporation directly or indirectly in control of
20 a building, structure, or real property or his or her duly autho-
21 rized agent.

22 (y) "Premanufactured unit" means an assembly of materials or
23 products intended to comprise all or part of a building or struc-
24 ture, and ~~which~~ THAT is assembled at other than the final loca-
25 tion of the unit of the building or structures by a repetitive
26 process under circumstances intended to insure uniformity of

1 quality and material content. Premanufactured unit includes a
2 mobile home.

3 (Z) "SCHOOL BUILDING" MEANS A STRUCTURE IN WHICH 6 OR MORE
4 PUPILS RECEIVE INSTRUCTION. SCHOOL BUILDING ALSO MEANS A STRUC-
5 TURE OWNED, LEASED, OR UNDER THE CONTROL OF A PUBLIC OR PRIVATE K
6 TO 12 SCHOOL SYSTEM OR A COMMUNITY COLLEGE OR JUNIOR COLLEGE
7 ESTABLISHED UNDER SECTION 7 OF ARTICLE VIII OF THE STATE CONSTI-
8 TUTION OF 1963 OR PART 25 OF THE REVISED SCHOOL CODE, 1976 PA
9 451, MCL 380.1601 TO 380.1607. SCHOOL BUILDING DOES NOT INCLUDE
10 A DWELLING UNIT OR A STRUCTURE OWNED, LEASED, OR UNDER THE CON-
11 TROL OF A COLLEGE OR UNIVERSITY DESCRIBED IN SECTION 4, 5, OR 6
12 OF ARTICLE VIII OF THE STATE CONSTITUTION OF 1963.

13 (AA) ~~(z)~~ "Structure" means that which is built or con-
14 structed, an edifice or building of any kind, or a piece of work
15 artificially built up or composed of parts joined together in
16 some definite manner. Structure does not include a structure
17 incident to the use for agricultural purposes of the land on
18 which the structure is located and does not include works of
19 heavy civil construction including, ~~without limitation~~ BUT NOT
20 LIMITED TO, a highway, bridge, dam, reservoir, lock, mine,
21 harbor, dockside port facility, an airport landing facility and
22 facilities for the generation, ~~or~~ transmission, or distribution
23 of electricity. Structure shall be construed as though followed
24 by the words "or part or parts of the structure and all equipment
25 in the structure" unless the context clearly indicates
26 otherwise.

1 (2) Unless the context clearly indicates otherwise,
2 ~~references~~ A REFERENCE to this act, or to this act and the
3 code, ~~shall refer to~~ MEANS this act and rules promulgated pur-
4 suant to this act including the code.

5 Sec. 8. (1) This act and the code apply throughout the
6 state, except that a governmental subdivision may elect to exempt
7 itself from certain parts of this act and the code by adopting
8 and enforcing a nationally recognized model building code or
9 other nationally recognized model codes. It is not necessary for
10 a governmental subdivision to elect to exempt itself from every
11 part of the code promulgated by the commission in order to pre-
12 serve its exemption election as to 1 or more nationally recog-
13 nized model codes. A governmental subdivision may make this
14 election by the passage of an ordinance adopting by reference or
15 otherwise without amendment a nationally recognized model build-
16 ing code or other nationally recognized model codes. A county
17 ordinance adopted pursuant to this act shall be adopted by the
18 county board of commissioners and shall be signed by the chair-
19 person of the county board of commissioners and certified by the
20 county clerk. A governmental subdivision that elects not to be
21 governed by certain parts of this act and the code shall review
22 and update its codes by amending its ordinance at least once
23 every 3 years by adopting without amendment all changes to those
24 codes and submitting a certified copy of the amended ordinance to
25 the commission. However, a governmental subdivision adopting
26 nationally recognized model codes may approve amendments to those
27 codes by ordinance. The amendments ~~shall become effective~~ TAKE

1 EFFECT 90 days after passage of the ordinance and 90 days after a
2 certified copy of the ordinance is delivered to the commission,
3 unless the commission determines after a public hearing that the
4 codes, as amended, do not adequately protect the health, safety,
5 or welfare of the people of the governmental subdivision, or that
6 the amendments ~~tend to~~ unnecessarily increase construction
7 costs; restrict the use of new materials, products, or methods of
8 construction; provide preferential treatment to types or classes
9 of materials, products, or methods of construction; or obstruct
10 the substantive uniformity of building codes within a region or
11 locality in the state.

12 (2) Within 10 days after December 30, 1980, the executive
13 director shall provide a notice of intent form to all governmen-
14 tal subdivisions administering and enforcing a nationally recog-
15 nized model code. This form shall set forth the date return
16 receipt is required, which date shall not be less than 60 days
17 after receipt. The chief elected official of the governmental
18 subdivision that receives this notice shall indicate on the form
19 the intention of the governmental subdivision as to whether it
20 shall continue to administer and enforce its code and transmit
21 this notice to the executive director within the prescribed
22 period. If a governmental subdivision fails to submit a notice
23 of intent to continue to administer and enforce its code within
24 the date set forth in the notice, the executive director shall
25 send a notice by registered mail to the clerk of that governmen-
26 tal subdivision. The registered notice shall indicate that the
27 governmental subdivision has 15 additional days in which to

1 submit a notice of intent to continue to administer and enforce
2 its code. If the governmental subdivision does not respond by
3 the end of the 15 additional days, it shall be conclusively pre-
4 sumed that the governmental subdivision does not intend to con-
5 tinue to administer and enforce its code, and the executive
6 director shall assume the responsibility for administering and
7 enforcing this act and the code in that governmental subdivision,
8 unless the county within which that governmental subdivision is
9 located has submitted a notice of intent to continue to adminis-
10 ter and enforce this act and the code. Governmental subdivisions
11 may provide by agreement for joint enforcement of another nation-
12 ally recognized model code adopted ~~pursuant to~~ UNDER subsection
13 (1).

14 (3) A county that was administering and enforcing this act
15 and the code ~~pursuant to~~ UNDER section 9(1) on December 30,
16 1980, and has submitted a notice of intent to continue to admin-
17 ister and enforce the code to the executive director ~~pursuant~~
18 ~~to~~ UNDER section 9, after December 30, 1980, may exempt itself
19 ~~pursuant to~~ UNDER subsection (1) by the passage of an ordinance
20 adopting by reference or otherwise without amendment a nationally
21 recognized model building code or other nationally recognized
22 model codes. However, that action shall not take effect until 90
23 days after passage of an ordinance to that effect. Before the
24 effective date of this action and the effective date of the ordi-
25 nance, a county that proposes to adopt an ordinance to this
26 effect shall file the proposed ordinance for approval ~~pursuant~~
27 ~~to~~ UNDER subsection (1) with the commission. The commission

1 shall review the proposed ordinance. If the commission does not
2 approve or disapprove the proposed ordinance within 90 days after
3 it is filed with the commission, the proposed ordinance shall be
4 considered approved unless the county grants the commission addi-
5 tional time to consider the proposed ordinance. The executive
6 director shall notify a county that elects to exempt itself
7 ~~pursuant to~~ UNDER subsection (1) of all governmental subdivi-
8 sions within their jurisdiction that have not submitted a notice
9 of intent to continue to administer and enforce its code. It is
10 the responsibility of that county to administer and enforce that
11 code for all of the governmental subdivisions within the county
12 that have not submitted a notice of intent to continue to admin-
13 ister and enforce its code within its jurisdiction. A structure
14 commenced under an effective code shall be completed under that
15 code. A county that elects to exempt itself in accordance with
16 this subsection may exercise the option to administer and enforce
17 this act and the code ~~pursuant to~~ UNDER section 9(1). However,
18 the exercise of this election to administer and enforce this act
19 and the code shall not take effect until 6 months after passage
20 of an ordinance to that effect.

21 (4) A governmental subdivision that has elected to assume
22 responsibility for the administration and enforcement of this act
23 and the code, and has submitted a notice of intent to continue to
24 administer and enforce the code to the executive director
25 ~~pursuant to~~ UNDER section 9, after December 30, 1980, may
26 reverse that election and exempt itself ~~pursuant to~~ UNDER
27 subsection (1) by the passage of an ordinance adopting by

1 reference or otherwise without amendment a nationally recognized
2 model building code or other nationally recognized model codes.
3 However, that action shall not take effect until 90 days after
4 passage of an ordinance to that effect. Before the effective
5 date of this action and the effective date of the ordinance, a
6 governmental subdivision that proposes to adopt an ordinance to
7 this effect shall file the proposed ordinance for approval
8 ~~pursuant to~~ UNDER subsection (1) with the commission. The com-
9 mission shall review the proposed ordinance. If the commission
10 does not approve or disapprove the proposed ordinance within 90
11 days after it is filed with the commission, the proposed ordi-
12 nance shall be considered approved unless the governmental subdi-
13 vision grants the commission additional time to consider the pro-
14 posed ordinance. A structure commenced under an effective code
15 shall be completed under that code. A governmental subdivision
16 that elects to exempt itself in accordance with this subsection
17 may exercise the option to make itself subject to this act and
18 the code ~~pursuant to~~ UNDER section 9(1). However, the exercise
19 of this election to be subject to this act and the code shall not
20 take effect until 6 months after passage of an ordinance to that
21 effect.

22 (5) A governmental subdivision that has elected to exempt
23 itself ~~pursuant to~~ UNDER subsection (1) may reverse that elec-
24 tion, making itself subject to the act and the code. However,
25 that action shall not take effect until 60 days after passage of
26 an ordinance to that effect. A structure commenced under an
27 effective code shall be completed under that code. A

1 governmental subdivision that elects to make itself subject to
2 the code in accordance with this subsection may exercise the
3 option to exempt itself ~~pursuant to~~ UNDER subsection (1) not
4 later than 3 years after its administration and enforcement of
5 the code. ~~However, that~~ THE exemption shall not take effect
6 until 1 year after passage of an ordinance to that effect.

7 (6) A governmental subdivision that before December 30,
8 1980, has not administered and enforced either this act and the
9 code or another nationally recognized model code may elect to
10 exempt itself from certain parts of this act and the code
11 ~~pursuant to~~ UNDER subsection (1) by the passage of an ordinance
12 to that effect. A governmental subdivision that makes this elec-
13 tion after December 30, 1980 shall submit, in addition to the
14 ordinance, an application to the commission for approval to
15 administer and enforce that code within its jurisdiction. This
16 application shall be made on the proper form ~~to be~~ provided by
17 the commission. The standards for approval shall include, but
18 not be limited to, the certification by the governmental subdivi-
19 sion that the enforcing agency is qualified by experience or
20 training to administer and enforce that nationally recognized
21 model code and all related acts and rules, that agency personnel
22 are provided as necessary, administrative services are provided,
23 plan review services are provided, and timely field inspection
24 services shall be provided. The executive director shall seek
25 additional information if the executive director considers it
26 necessary. The commission shall render a decision on the
27 application for approval to administer and enforce that code that

1 has been adopted and transmit its findings to that governmental
2 subdivision within 90 days of receipt of the application. The
3 commission shall document its reasons if the commission disap-
4 proves an application. A governmental subdivision that receives
5 a disapproval may resubmit its application for approval. Upon
6 receipt of approval from the commission for the administration
7 and enforcement of that adopted code, the governmental subdivi-
8 sion shall administer and enforce that code within its jurisdic-
9 tion pursuant to the provisions of its approved application.

10 (7) The state construction code ~~or any of its sections~~
11 shall take effect 6 months after the code's initial
12 promulgation. The 6-month delay does not apply to rules promul-
13 gated to implement sections 13a, 13b, 19, and 21 and the require-
14 ments of barrier free design and energy conservation of this act
15 and code. A governmental subdivision may not exempt itself from
16 the requirements of this section ~~—~~ OR section 8A, 9(8) or (10),
17 ~~or section~~ 9a, 10, 13a, 13b, 14, 15, 20, 21a, 22(1), 23, or
18 23a. The 6-month delay does not apply to amendments to the code
19 or any of the code's sections after the initial promulgation. A
20 governmental subdivision that elects to exempt itself from this
21 act and the code may do so within 6 months after the promulgation
22 of the code in the manner provided in subsection (1), except that
23 any amendments the governmental subdivision adopts at that time
24 are subject to review by the commission as set forth in subsec-
25 tion (1) within 120 days after a copy of the adopted amendments
26 is delivered to the commission by certified mail with return
27 receipt requested.

1 (8) A governmental subdivision that elects to exempt itself
2 from certain parts of this act and the code ~~pursuant to~~ UNDER
3 subsection (1) and is enforcing its code within its jurisdiction
4 ~~pursuant to~~ UNDER subsection (1) may rescind that ordinance by
5 which it elected to exempt itself from certain parts of this act
6 and the code, and transfer the responsibility for the administra-
7 tion and enforcement of this act and the code within the govern-
8 mental subdivision to the executive director. The executive
9 director shall assume the responsibility for administering and
10 enforcing this act and the code in that governmental subdivision,
11 unless the county within which that governmental subdivision is
12 located has submitted a notice of intent to continue to adminis-
13 ter and enforce the code. However, that action shall not take
14 effect until 12 months after the passage of an ordinance to that
15 effect. A structure commenced under an effective code shall be
16 completed under that code.

17 ~~(9) Locally adopted codes do not apply to public or nonpub-~~
18 ~~lic schools within the governmental subdivision without concur-~~
19 ~~rence by the school authorities having jurisdiction.~~

20 (9) ~~(10)~~ Sections 8A, 10, 13a, 13b, 19, 21, 21a, and 23a,
21 subsection ~~(13)~~ (12), and other provisions of this act and code
22 directly relating to the provisions of sections 8A, 10, 13a, 13b,
23 19, 21, 21a, and 23a, subsection ~~(13)~~ (12), and provisions of
24 the code relating to the requirements of barrier free design,
25 energy conservation, and, except as provided in subsection ~~(11)~~
26 (10), for plans submitted for approval after January 1, 1994 the
27 type and number of plumbing fixtures for men and women required

1 in an assembly building with an occupancy of more than 150 are
2 effective throughout the state without local modifications not-
3 withstanding the exception of subsections (1) to ~~(9)~~ (8). The
4 standards for premanufactured housing shall not be less than the
5 standards required for nonpremanufactured housing, except that
6 mobile homes shall be considered to have complied with this
7 requirement by compliance with the state code provisions adopting
8 a nationally recognized mobile home code. As used in this sub-
9 section, "assembly building" means a theater, sports arena, sta-
10 dium, food service establishment with or without a liquor
11 license, exhibition hall, library, recreation center, passenger
12 terminal, and outdoor assembly structure which includes an out-
13 door grandstand, bleacher, colosseum, stadium, amusement park
14 structure, and fair or carnival structure.

15 (10) ~~(11)~~ With respect to the type and number of plumbing
16 fixtures required for men and women in an assembly building pur-
17 suant to subsection ~~(10)~~ (9), the executive director, in his or
18 her sole discretion, may exempt from the effective date provision
19 those projects for which plans were near finalization before
20 January 1, 1994, but were submitted after that date.

21 (11) ~~(12)~~ The commission may limit the application of a
22 part of the code to include or exclude the following:

23 (a) Specified classes or types of buildings or structures,
24 according to use, or other distinctions as may make differentia-
25 tion or separate classification or regulation necessary, proper,
26 or desirable. The commission shall consider the specific
27 problems of the construction or alteration of a single family,

1 owner-occupied recreational dwelling that is located in a
2 sparsely populated area and that is to be occupied on a part-time
3 basis.

4 (b) Specified areas of the state based on size, population
5 density, special conditions prevailing in the area, or other fac-
6 tors as may make differentiation or separate classification or
7 regulation necessary, proper, or desirable.

8 (12) ~~(13)~~ A building or structure that has baby changing
9 stations in the women's restrooms shall have baby changing sta-
10 tions in the men's restrooms.

11 SEC. 8A. (1) EXCEPT AS PROVIDED IN SECTION 8 AND
12 SUBSECTION (3), THE EXECUTIVE DIRECTOR IS RESPONSIBLE FOR THE
13 ADMINISTRATION AND ENFORCEMENT OF THIS ACT AND THE CODE IN EACH
14 SCHOOL BUILDING IN THIS STATE.

15 (2) EXCEPT AS PROVIDED IN SUBSECTION (3), THE BUREAU OF CON-
16 STRUCTION CODES SHALL PERFORM FOR SCHOOL BUILDINGS ALL PLAN
17 REVIEWS AND INSPECTIONS REQUIRED BY THE CODE AND SHALL BE THE
18 ENFORCING AGENCY FOR THIS ACT. EXCEPT AS PROVIDED IN
19 SUBSECTION (3), A SCHOOL BUILDING SHALL NOT BE CONSTRUCTED,
20 REMODELED, OR RECONSTRUCTED IN THIS STATE AFTER THE EFFECTIVE
21 DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION UNTIL WRITTEN
22 APPROVAL OF THE PLANS AND SPECIFICATIONS IS OBTAINED FROM THE
23 BUREAU OF CONSTRUCTION CODES INDICATING THAT THE SCHOOL BUILDING
24 WILL BE DESIGNED AND CONSTRUCTED IN CONFORMANCE WITH THE CODE.
25 THIS SUBSECTION DOES NOT APPLY TO ANY SCHOOL BUILDING FOR WHICH
26 CONSTRUCTION HAS COMMENCED BEFORE THE EFFECTIVE DATE OF THE
27 AMENDATORY ACT THAT ADDED THIS SECTION.

1 (3) THE EXECUTIVE DIRECTOR SHALL DELEGATE THE RESPONSIBILITY
2 FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS ACT TO THE APPLI-
3 CABLE AGENCY IF BOTH THE SCHOOL BOARD AND THE GOVERNING BODY OF
4 THE GOVERNMENTAL SUBDIVISION HAVE ANNUALLY CERTIFIED TO THE CON-
5 STRUCTION CODE COMMISSION, IN A MANNER PRESCRIBED BY THE COMMIS-
6 SION, THAT FULL-TIME CODE OFFICIALS, INSPECTORS, AND PLAN REVIEW-
7 ERS REGISTERED UNDER THE BUILDING OFFICIALS AND INSPECTORS REGIS-
8 TRATION ACT, 1986 PA 54, MCL 338.2301 TO 338.2313, WILL CONDUCT
9 PLAN REVIEWS AND INSPECTIONS OF SCHOOL BUILDINGS.

10 (4) THIS SECTION DOES NOT AFFECT THE RESPONSIBILITIES OF THE
11 STATE FIRE MARSHAL PURSUANT TO THE FIRE PREVENTION CODE, 1941 PA
12 207, MCL 29.1 TO 29.34.

13 Sec. 28. (1) Any provision of section 34 of ~~Act No. 18 of~~
14 ~~the Public Acts of the Extra Session of 1933, being section~~
15 ~~125.684 of the Michigan Compiled Laws; Act No. 266 of the Public~~
16 ~~Acts of 1929, being sections 338.901 to 338.917 of the Michigan~~
17 ~~Compiled Laws; Act No. 222 of the Public Acts of 1901, being sec-~~
18 ~~tions 338.951 to 338.965 of the Michigan Compiled Laws the elec-~~
19 ~~trical administrative act, Act No. 217 of the Public Acts of~~
20 ~~1956, being sections 338.881 to 338.892 of the Michigan Compiled~~
21 ~~Laws~~ 1933 (EX SESS) PA 18, MCL 125.684; 1929 PA 266, MCL 338.901
22 TO 338.917; 1901 PA 222, MCL 338.951 TO 338.965; THE ELECTRICAL
23 ADMINISTRATIVE ACT, 1956 PA 217, 338.881 TO 338.892; and any
24 other public act of this state ~~which~~ THAT is inconsistent or
25 ~~in conflict~~ CONFLICTS with this act is superseded to the extent
26 of the inconsistency or conflict.

1 (2) This act shall not be construed to repeal, amend,
2 supersede, or otherwise affect the powers and duties presently
3 exercised under part 55 ~~-(air pollution)-~~ of the natural
4 resources and environmental protection act, ~~Act No. 451 of the~~
5 ~~Public Acts of 1994, being sections 324.5501 to 324.5542 of the~~
6 ~~Michigan Compiled Laws; part 124 of Act No. 368 of the Public~~
7 ~~Acts of 1978, being sections 333.12401 to 333.12434 of the~~
8 ~~Michigan Compiled Laws; the Michigan occupational safety and~~
9 ~~health act, Act No. 154 of the Public Acts of 1974, being sec-~~
10 ~~tions 408.1001 to 408.1094 of the Michigan Compiled Laws; the~~
11 ~~boiler act of 1965, Act No. 290 of the Public Acts of 1965, being~~
12 ~~sections 408.751 to 408.776 of the Michigan Compiled Laws; or Act~~
13 ~~No. 227 of the Public Acts of 1967, being sections 408.801 to~~
14 ~~408.824 of the Michigan Compiled Laws. This act shall not be~~
15 ~~construed to repeal, amend, or otherwise affect Act No. 306 of~~
16 ~~the Public Acts of 1937, being sections 388.851 to 388.855a of~~
17 ~~the Michigan Compiled Laws~~ 1994 PA 451, MCL 324.5501 TO
18 324.5542; PART 124 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL
19 333.12401 TO 333.12434; THE MICHIGAN OCCUPATIONAL SAFETY AND
20 HEALTH ACT, 1974 PA 154, MCL 408.1001 TO 408.1094; THE BOILER ACT
21 OF 1965, 1965 PA 290, MCL 408.751 TO 408.776; AND 1967 PA 227,
22 MCL 408.801 TO 408.824.

23 Enacting section 1. 1937 PA 306, MCL 388.851 to 388.855a,
24 is repealed.