



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 606 (as reported without amendment)
Sponsor: Senator Valde Garcia
Committee: Economic Development and Regulatory Reform

(as enacted)

Date Completed: 10-19-07

RATIONALE

In an effort to ease occupational regulatory burdens on individuals who are deployed on active military duty, Public Act 373 of 2004 amended the Occupational Code to provide a temporary exemption from certain licensure or registration requirements for a person who is on active duty in the U.S. armed forces in an area designated by the U.S. President as a combat zone. Under that provision, the licensee or registrant is temporarily exempt from license or registration renewal fees, continuing education requirements, and any other related requirements. While the temporary exemption applies to troops on active duty in a combat zone, many military personnel are mobilized for extended periods of time for duties that are not in a combat zone. Some people believe that the temporary exemption should be more broadly available to troops mobilized for military duty.

CONTENT

The bill would amend the Occupational Code to refer to a licensee or registrant who was mobilized for military duty, rather than one who is on active duty in an area designated as a combat zone, in provisions for a temporary exemption from certain licensure or registration requirements.

Presently, an individual or qualifying officer who is a licensee or registrant under the Code and who is on active duty in the U.S. armed forces in an area designated by the U.S. President as a combat zone, is temporarily exempt from the Code's renewal license fee, continuing education

requirements, and any other related requirements. The licensee or registrant must inform the Department of Labor and Economic Growth (DLEG) that he or she desires to exercise the temporary exemption and must provide proof of his or her active duty status. Upon receiving a request, DLEG must determine the requestor's status and grant the temporary exemption after verifying active duty status. A temporary exemption is valid until 90 days after the licensee's or registrant's release from active duty but may not exceed 36 months from the expiration of the license or registration.

Under the bill, the temporary exemption would apply to a licensee or registrant who was "mobilized for military duty" in the U.S. armed forces by the U.S. President, rather than one who is "on active duty" in the U.S. armed forces "in an area designated as a combat zone" by the U.S. President. The bill also would refer to a licensee's or registrant's "mobilized" duty status rather than "active" duty status.

MCL 339.411

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

While the Occupational Code provides a temporary exemption from paying renewal fees and attaining continuing education credits for military personnel deployed on active duty in a combat zone, troops may be

mobilized for military duty at a number of locations throughout the world. The

President of the United States designates combat zones by executive order. For instance, the Persian Gulf area, including Iraq, has been designated a combat zone since President George H.W. Bush signed Executive Order 12744 on January 21, 1991, and Afghanistan has been designated as a combat zone since President George W. Bush signed Executive Order 13239 on December 12, 2001. Troops from Michigan have been deployed to both of those combat zones, but they also have been deployed in support of Persian Gulf and Afghanistan operations at locations throughout the Middle East, Europe, and Africa. In addition, military troops may be deployed within the United States for various assignments, such as border patrol or disaster relief. Individuals mobilized for those types of military duty may have as much difficulty meeting occupational licensing or registration requirements as those on active duty in a combat zone. Under the bill, the temporary exemption would apply to military personnel mobilized for any military duty, not just those on active duty in a combat zone.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Elizabeth Pratt
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.