

SENATE BILL No. 914

October 20, 2009, Introduced by Senator McMANUS and referred to the Committee on Appropriations.

A bill to amend 2002 PA 733, entitled
"State plumbing act,"
by amending section 13 (MCL 338.3523).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 13. (1) There is created a state plumbing board within
2 the department. ~~The governor, with the advice and consent of the~~
3 ~~senate, shall appoint~~ 5 **THE STATE PLUMBING BOARD SHALL CONSIST OF**
4 **THE FOLLOWING MEMBERS:**

5 **(A) THE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES OR HIS**
6 **OR HER AUTHORIZED REPRESENTATIVE, AS A VOTING EX OFFICIO MEMBER.**

7 **(B) AN EMPLOYEE OF THE DEPARTMENT OF NATURAL RESOURCES**
8 **INVOLVED WITH DRINKING WATER AND RADIOLOGIC PROTECTION, SELECTED BY**

1 THE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES, AS A VOTING EX
2 OFFICIO MEMBER.

3 (C) FIVE United States citizens who are residents of the
4 state, ~~2 of whom shall be~~ APPOINTED BY THE GOVERNOR WITH THE ADVICE
5 AND CONSENT OF THE SENATE AS FOLLOWS:

6 (i) TWO INDIVIDUALS WHO ARE licensed plumbing contractors who
7 hold a master's license.

8 (ii) One ~~shall be~~ INDIVIDUAL WHO IS a licensed master plumber
9 WITH 10 YEARS OF EXPERIENCE AND EXPERIENCE IN securing permits. ~~7~~
10 and ~~1 shall be~~

11 (iii) ONE INDIVIDUAL WHO IS a licensed journey plumber ~~, each~~
12 having ~~10 years'~~ WITH 10 YEARS OF experience. ~~, and a person~~

13 (iv) ONE INDIVIDUAL WHO IS representative of the general
14 public. ~~, who with the director of the department of environmental~~
15 ~~quality or his or her authorized representative, a member or~~
16 ~~employee of the drinking water and radiologic protection division~~
17 ~~of the department of environmental quality, selected by the~~
18 ~~director of the department of environmental quality as voting ex~~
19 ~~officio members, shall constitute the plumbing board.~~

20 (2) Upon the expiration of the term of office of each person
21 ~~so~~ appointed BY THE GOVERNOR TO THE STATE PLUMBING BOARD UNDER
22 SUBSECTION (1), the governor shall, on or before July 1 in each
23 year, appoint a successor to hold office for a term of 3 years.

24 (3) ~~(2)~~ Per diem compensation of the members of the board,
25 other than the ~~director and the director of the department of~~
26 ~~environmental quality~~ NATURAL RESOURCES or their ~~HIS OR HER~~
27 authorized representatives and the ~~member or employee of the~~

~~drinking water and radiologic protection division of the department~~
of ~~environmental quality~~ **NATURAL RESOURCES**, and the schedule for
reimbursement of expenses shall be established annually by the
legislature.

(4) ~~(3)~~—The board shall meet as often as necessary to fulfill
its duties under this act, but shall meet not less than 4 times a
year. A majority of the members appointed and serving shall
constitute a quorum. An approval, decision, or ruling of the board
does not become effective unless supported by a majority of the
members present constituting a quorum. A member of the board shall
not vote by proxy.

(5) ~~(4)~~—At the first meeting of each calendar year, the board
shall elect 1 member as chairperson, another as vice-chairperson,
another as secretary, and other officers as it determines
appropriate, for the terms and with the duties and powers as the
board determines. The chairperson, vice-chairperson, and secretary
shall be elected from those members appointed to the board by the
governor.

(6) ~~(5)~~—The business which the board may perform shall be
conducted at a public meeting of the board held in compliance with
the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public
notice of the time, date, and place of the meeting shall be given
in the manner required by the open meetings act, 1976 PA 267, MCL
15.261 to 15.275. A member of the board who intentionally violates
this subsection is subject to the penalties prescribed in the open
meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(7) ~~(6)~~—A writing prepared, owned, used, in the possession of,

1 or retained by the board in the performance of an official function
2 shall be made available to the public in compliance with the
3 freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. The
4 department shall maintain physical possession of the files of the
5 board and shall ensure that applicable laws concerning public
6 access to the files are met.

7 (8) ~~(7)~~—The board shall recommend to the state construction
8 code commission the promulgation of rules necessary for the safe
9 design, construction, installation, alteration, and inspection of
10 plumbing. The board may also recommend to the state construction
11 code commission, after testing and evaluation, that it issue
12 certificates of acceptability under the code for a material,
13 product, method of manufacturing, or method of construction or
14 installation of plumbing equipment.

15 (9) ~~(8)~~—The department, in consultation with the board, shall
16 promulgate rules pursuant to the administrative procedures act of
17 1969, 1969 PA 306, MCL 24.201 to 24.328, for the administration of
18 this act and to effectuate the purposes of this act including, but
19 not limited to, the establishing of standards for license
20 classifications under this act; the examination and licensing of
21 plumbing contractors, master plumbers, and journey plumbers; and
22 for the registration of plumbers' apprentices. Before an
23 examination or other test required under this act is administered,
24 the board, in consultation with the department, shall review and
25 approve the form and content of the examination or test. Each
26 examination for a license as a plumbing contractor, master plumber,
27 or journey plumber shall be conducted by the board and the

1 department, acting jointly.

2 Enacting section 1. This amendatory act does not take effect

3 unless Senate Bill No. 807

4 of the 95th Legislature is enacted into law.