

HOUSE BILL No. 5821

August 15, 2012, Introduced by Rep. Pscholka and referred to the Committee on Appropriations.

A bill to amend 2002 PA 733, entitled
"State plumbing act,"
by amending sections 31 and 35 (MCL 338.3541 and 338.3545), as
amended by 2008 PA 370.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 31. (1) A license or apprentice registration issued
2 under this act must be renewed not more than 60 days after the
3 renewal date. It is the responsibility of a licensee or
4 registrant to renew a license or registration. The department
5 shall send a renewal application to the last known address of a
6 licensee or registrant on file with the department. Every holder
7 of a license or registration issued under this act shall promptly
8 notify the department of a change in his or her business or
9 residence address. The failure of a licensee or registrant to

1 notify the department of a change of address does not extend the
 2 expiration date of a license or registration. The department may
 3 issue licenses for up to 3 years in duration.

4 (2) The annual fees for initial licensure, apprentice
 5 plumber registration, or renewal of a license and registration
 6 issued under this act are as follows:

7	(a)	If paid after September 30, 2012:	
8	(i)	Journey plumber.....	\$ 20.00.
9	(ii)	Apprentice plumber.....	\$ 5.00.
10	(b)	If paid on or before September 30, 2012:	
11	(A) (i)	Journey plumber.....	\$ 40.00.
12	(B) (ii)	Apprentice plumber.....	\$ 15.00.

13 (3) ~~All licenses and~~ **A LICENSE OR** apprentice registrations
 14 **REGISTRATION THAT IS** not renewed within 60 days of expiration may
 15 be reinstated only ~~upon application~~ **BY APPLYING** to the board for
 16 reinstatement and ~~the payment of~~ **PAYING** the annual renewal fee
 17 and the following reinstatement fee:

18	(a)	If paid after September 30, 2012:	
19	(i)	Journey plumber.....	\$ 25.00.
20	(ii)	Apprentice plumber.....	\$ 10.00.
21	(b)	If paid on or before September 30, 2012:	
22	(A) (i)	Journey plumber.....	\$ 50.00.
23	(B) (ii)	Apprentice plumber.....	\$ 20.00.

24 (4) ~~A person~~ **AN INDIVIDUAL WHO IS** requesting renewal of a
 25 license **UNDER SUBSECTION (3)** within 3 years after the license is
 26 expired ~~under subsection (3)~~ is not subject to reexamination for

the license but is required to pay the reinstatement fee and the annual renewal fee for each year **THE LICENSE WAS** not renewed. A ~~person~~ **AN INDIVIDUAL** who fails to renew a license for more than 3 consecutive years is required to meet the experience and other requirements and take an examination for the class of license requested.

(5) Examination fees **UNDER THIS ACT** are as follows:

(a)	If paid after September 30, 2012:	
(i)	Plumbing contractor.....	\$ 50.00.
(ii)	Master plumber.....	\$ 50.00.
(iii)	Journey plumber.....	\$ 50.00.
(b)	If paid on or before September 30, 2012:	
(A) (i)	Plumbing contractor.....	\$ 100.00.
(B) (ii)	Master plumber.....	\$ 100.00.
(C) (iii)	Journey plumber.....	\$ 100.00.

(6) The department shall issue an initial master plumber ~~and~~ **OR** plumbing contractor license for a period of up to 3 years. ~~The~~ **A** master plumber ~~and-OR plumbing contractor licenses are-~~ **LICENSE** **IS** renewable for periods of 3 years. ~~For a person-IF AN~~ **INDIVIDUAL IS** applying for initial or reinstatement license at a time other than between April 30 and June 30 of the year in which the department issues renewal licenses, the department shall compute and charge the license fee on a yearly prorated basis beginning the year of application until the last year of the 3-year license period.

(7) The initial and renewal fee for a master plumber ~~and-OR~~

1 plumbing contractor license issued under this act are as follows:

- 2 ~~(a) If paid after September 30, 2012.~~
 3 ~~(i) Plumbing contractor..... \$ 200.00.~~
 4 ~~(ii) Master plumber..... \$ 200.00.~~
 5 ~~(b) If paid on or before September 30, 2012.~~
 6 (A) ~~(i)~~ Plumbing contractor..... \$ 300.00.
 7 (B) ~~(ii)~~ Master plumber..... \$ 300.00.

8 (8) ~~All-A plumbing contractor and-OR master plumber licenses~~
 9 **LICENSE THAT IS** not renewed within 60 days of expiration may be
 10 reinstated only ~~upon application submitted-BY APPLYING~~ to the
 11 board and ~~payment of-PAYING~~ the renewal fee and ~~, if paid after~~
 12 ~~September 30, 2012, an \$85.00-A \$100.00~~ reinstatement fee. ~~, and~~
 13 ~~\$100.00 if paid on or before September 30, 2012.~~

14 (9) ~~Beginning July 23, 2004, the-THE~~ department shall issue
 15 an initial or renewal license for a master plumber or a plumbing
 16 contractor **UNDER THIS** not later than 90 days after the applicant
 17 files a completed application. ~~Receipt of-THE DATE OF FILING OF~~
 18 the application is considered the date the application is
 19 received by any agency or department of ~~the-THIS~~ state. ~~of~~
 20 ~~Michigan.~~ If the application is considered incomplete by the
 21 department, the department shall notify the applicant in writing,
 22 or make the information electronically available **TO THE**
 23 **APPLICANT**, within 30 days after ~~receipt-THE DATE OF FILING~~ of the
 24 incomplete application, describing the deficiency and requesting
 25 the additional information. The 90-day period is tolled ~~upon-FROM~~
 26 **THE DATE OF** notification by the department of a deficiency until

1 the date the requested information is received by the department.
2 The determination of the completeness of an application does not
3 operate as an approval of the application for the license and
4 does not confer eligibility of an applicant determined otherwise
5 ineligible for issuance of a license.

6 (10) If the department fails to issue or deny a license
7 within the time required ~~by~~ **UNDER** this section, the department
8 shall return the license fee and shall reduce the license fee for
9 the applicant's next renewal application, if any, by 15%. The
10 failure to issue a license within the time required under this
11 section does not allow the department to otherwise delay the
12 processing of the application, and **THE DEPARTMENT SHALL PLACE**
13 that application, ~~upon completion, shall be placed~~ **WHEN**
14 **COMPLETED**, in sequence with other completed applications received
15 at that same time. The department shall not discriminate against
16 an applicant in the processing of the application based ~~upon~~ **ON**
17 the fact that the license fee was refunded or discounted under
18 this subsection.

19 (11) ~~Beginning October 1, 2005, the~~ **THE** director shall
20 submit a report by December 1 of each year to the standing
21 committees and appropriations subcommittees of the senate and
22 house of representatives concerned with occupational issues. The
23 director shall include all of the following information in the
24 report concerning the preceding fiscal year:

25 (a) The number of initial and renewal applications the
26 department received and completed within the 90-day time period
27 described in subsection (9).

(b) The number of applications denied **BY THE DEPARTMENT**.

(c) The number of applicants **THAT WERE** not issued a license within the 90-day time period and the amount of money returned to licensees under subsection (10).

(12) As used in this section, "completed application" means an application **THAT IS** complete on its face and submitted with any applicable licensing fees ~~as well as~~ **AND** any other information, records, approval, security, or similar item required by law or rule from a local unit of government, a federal agency, or a private entity but not from another department or agency of ~~the~~ **THIS** state. ~~of Michigan.~~

Sec. 35. If a license or registration is lost or destroyed, **THE DEPARTMENT SHALL ISSUE** a new license or registration ~~shall be issued without examination, upon payment of a \$20.00 fee if paid after September 30, 2012, and IF A FEE OF \$30.00 if paid on or before September 30, 2012. An~~ **IS PAID AND AN** application for a new license or registration ~~shall be~~ **IS SUBMITTED**, accompanied by a written statement made by the licensee or registrant that the license or registration ~~has been~~ **WAS** lost or destroyed.