

SENATE BILL No. 921

May 1, 2014, Introduced by Senator PAPPAGEORGE and referred to the Committee on Veterans, Military Affairs and Homeland Security.

A bill to amend 2002 PA 733, entitled "State plumbing act," by amending sections 25 and 31 (MCL 338.3535 and 338.3541), section 25 as amended by 2012 PA 380 and section 31 as amended by 2012 PA 311.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 25. (1) The department shall issue a journey plumber's
2 license to an individual who is at least 18 years of age and who
3 does all of the following:

4 (a) Files a completed application on a form provided by the
5 department.

6 (b) Pays the examination fee required under section 31 and
7 passes an examination provided for by the board and the
8 department.

1 (c) Pays the license fee required under section 31.

2 (d) Meets either of the following:

3 (i) Has at least 6,000 hours' experience gained over a period
4 of at least 3 years as an apprentice plumber in the practical
5 installation of plumbing under the supervision of a master
6 plumber.

7 (ii) While on active duty as a member of the armed forces,
8 served as a plumber or in an equivalent job classification; ~~was~~
9 ~~honorably discharged from that military service in the 1-year~~
10 ~~period preceding the date the license application is filed;~~
11 **PROVIDES TO THE DEPARTMENT A FORM DD214, FORM DD215, OR ANY OTHER**
12 **FORM THAT IS SATISFACTORY TO THE DEPARTMENT THAT DEMONSTRATES HE**
13 **OR SHE WAS SEPARATED FROM MILITARY SERVICE WITH AN HONORABLE**
14 **CHARACTER OF SERVICE OR UNDER HONORABLE CONDITIONS (GENERAL)**
15 **CHARACTER OF SERVICE;** and has, and provides with his or her
16 application an affidavit signed by a commanding officer,
17 supervisor, or military superior with direct knowledge of the
18 applicant's service that states that he or she has, at least
19 6,000 hours of entry-level experience in and basic knowledge of
20 each of the following:

21 (A) The terminology of the plumbing trade and the ability to
22 make practical calculations.

23 (B) Knowledge related to drainage systems.

24 (C) Knowledge related to plumbing fixtures.

25 (D) Knowledge related to water and backflow protection.

26 (E) Knowledge related to storm and special wastewater
27 disposal.

1 (F) Knowledge related to testing and inspections of
2 plumbing.

3 (G) Knowledge related to venting.

4 (2) If an applicant who otherwise meets the requirements of
5 subsection (1)(d)(ii) has not attained 6,000 hours of entry-level
6 experience or does not have basic knowledge in each of the areas
7 described in subsection (1)(d)(ii)(A) to (G), he or she may
8 provide with his or her application an affidavit signed by a
9 commanding officer, supervisor, or military superior with direct
10 knowledge of the applicant's service that states the amount of
11 experience the applicant has attained and of which of the areas
12 described in subsection (1)(d)(ii)(A) to (G) the applicant has
13 basic knowledge, and the department may in its discretion grant
14 the applicant credit toward the 6,000-hour experience requirement
15 of subsection (1)(d)(i) based on the applicant's experience.

16 (3) As a condition of renewal of a journey plumber's
17 license, the journey plumber shall demonstrate the successful
18 completion of a course, approved by the board, concerning any
19 update or change in the code within 12 months after the update or
20 change in that code. This requirement applies only during or
21 after those years that the code is updated or changed.

22 (4) As used in this section **AND SECTION 31**, "armed forces"
23 means that term as defined in section 2 of the veteran right to
24 employment services act, 1994 PA 39, MCL 35.1092.

25 Sec. 31. (1) A license or apprentice registration issued
26 under this act must be renewed not more than 60 days after the
27 renewal date. It is the responsibility of a licensee or

1 registrant to renew a license or registration. The department
2 shall send a renewal application to the last known address of a
3 licensee or registrant on file with the department. Every holder
4 of a license or registration issued under this act shall promptly
5 notify the department of a change in his or her business or
6 residence address. The failure of a licensee or registrant to
7 notify the department of a change of address does not extend the
8 expiration date of a license or registration. The department may
9 issue licenses for up to 3 years in duration.

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

- 13 (a) If paid after September 30, 2015:
- 14 (i) Journey plumber..... \$ 20.00.
- 15 (ii) Apprentice plumber..... \$ 5.00.
- 16 (b) If paid on or before September 30, 2015:
- 17 (i) Journey plumber..... \$ 40.00.
- 18 (ii) Apprentice plumber..... \$ 15.00.

19 (3) A license or apprentice registration that is not renewed
20 within 60 days of expiration may be reinstated only by applying
21 to the board for reinstatement and the payment of the annual
22 renewal fee and the following reinstatement fee:

- 23 (a) If paid after September 30, 2015:
- 24 (i) Journey plumber..... \$ 25.00.
- 25 (ii) Apprentice plumber..... \$ 10.00.
- 26 (b) If paid on or before September 30, 2015:

- 1 (i) Journey plumber..... \$ 50.00.
- 2 (ii) Apprentice plumber..... \$ 20.00.

3 (4) An individual who is requesting renewal of a license
 4 under subsection (3) within 3 years after the license is expired
 5 is not subject to reexamination for the license but is required
 6 to pay the reinstatement fee and the annual renewal fee for each
 7 year the license was not renewed. An individual who fails to
 8 renew a license for more than 3 consecutive years is required to
 9 meet the experience and other requirements and take an
 10 examination for the class of license requested.

11 (5) Examination fees under this act are as follows:

- 12 (a) If paid after September 30, 2015:
- 13 (i) Plumbing contractor..... \$ 50.00.
- 14 (ii) Master plumber..... \$ 50.00.
- 15 (iii) Journey plumber..... \$ 50.00.
- 16 (b) If paid on or before September 30, 2015:
- 17 (i) Plumbing contractor..... \$ 100.00.
- 18 (ii) Master plumber..... \$ 100.00.
- 19 (iii) Journey plumber..... \$ 100.00.

20 (6) The department shall issue an initial master plumber or
 21 plumbing contractor license for a period of up to 3 years. A
 22 master plumber or plumbing contractor license is renewable for
 23 periods of 3 years. If an individual is applying for initial or
 24 reinstatement license at a time other than between April 30 and
 25 June 30 of the year in which the department issues renewal
 26 licenses, the department shall compute and charge the license fee

1 on a yearly prorated basis beginning the year of application
2 until the last year of the 3-year license period.

3 (7) The initial and renewal fee for a master plumber or
4 plumbing contractor license issued under this act are as follows:

- 5 (a) If paid after September 30, 2015:
- 6 (i) Plumbing contractor..... \$ 200.00.
- 7 (ii) Master plumber..... \$ 200.00.
- 8 (b) If paid on or before September 30, 2015:
- 9 (i) Plumbing contractor..... \$ 300.00.
- 10 (ii) Master plumber..... \$ 300.00.

11 (8) A plumbing contractor or master plumber license that is
12 not renewed within 60 days of expiration may be reinstated only
13 by applying to the board and paying the renewal fee and, if paid
14 after September 30, 2015, an \$85.00 reinstatement fee, and
15 \$100.00 if paid on or before September 30, 2015.

16 (9) The department shall issue an initial or renewal license
17 for a master plumber or a plumbing contractor under this act not
18 later than 90 days after the applicant files a completed
19 application. The date of filing of the application is considered
20 the date the application is received by any agency or department
21 of this state. If the application is considered incomplete by the
22 department, the department shall notify the applicant in writing,
23 or make the information electronically available to the
24 applicant, within 30 days after the date of filing of the
25 incomplete application, describing the deficiency and requesting
26 the additional information. The 90-day period is tolled from the

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

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

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

1 (b) The number of applications denied by the department.

2 (c) The number of applicants who were not issued a license
3 within the 90-day time period and the amount of money returned to
4 licensees under subsection (10).

5 (12) The department shall waive any fee otherwise required
6 under this section ~~or section 35~~ if the person responsible for
7 ~~paying the fee meets any of the following:~~

8 ~~—— (a) If the person is an individual, he or she is, and~~
9 ~~provides proof satisfactory to the department that he or she is,~~
10 ~~an honorably discharged veteran of the armed forces of the United~~
11 ~~States.~~ **APPLICANT IS AN INDIVIDUAL WHO SERVED IN THE ARMED FORCES**
12 **AND HE OR SHE PROVIDES TO THE DEPARTMENT A FORM DD214, FORM**
13 **DD215, OR ANY OTHER FORM THAT IS SATISFACTORY TO THE DEPARTMENT**
14 **THAT DEMONSTRATES HE OR SHE WAS SEPARATED FROM THAT SERVICE WITH**
15 **AN HONORABLE CHARACTER OF SERVICE OR UNDER HONORABLE CONDITIONS**
16 **(GENERAL) CHARACTER OF SERVICE.**

17 ~~—— (b) If the person is a nonprofit corporation organized on a~~
18 ~~membership or directorship basis, a majority of the members or~~
19 ~~directors, as applicable, are, and the person provides proof~~
20 ~~satisfactory to the department that a majority of the members or~~
21 ~~directors are, honorably discharged veterans of the armed forces~~
22 ~~of the United States.~~

23 ~~—— (c) If the person is not an individual or a nonprofit~~
24 ~~corporation described in subdivision (b), a majority of the~~
25 ~~shares or other ownership interests of the person are, and the~~
26 ~~person provides proof satisfactory to the department that those~~
27 ~~interests are, held by 1 or more honorably discharged veterans of~~

1 ~~the armed forces of the United States.~~

2 (13) As used in this section, "completed application" means
3 an application that is complete on its face and submitted with
4 any applicable licensing fees and any other information, records,
5 approval, security, or similar item required by law or rule from
6 a local unit of government, a federal agency, or a private entity
7 but not from another department or agency of this state.