



# HOUSE BILL No. 5076

November 2, 1999, Introduced by Reps. Mans, Martinez, Cherry, O'Neil, Schermesser, Wojno, Frank, Pestka, Vaughn, Bogardus, Schauer, Minore, Baird, Switalski, Spade, Lockwood, Sheltroun, DeHart and Lemmons and referred to the Committee on Regulatory Reform.

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 1998 PA 42, 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:

Sec. 2. (1) As used in this act:

(a) "Agricultural or agricultural purposes" means of, or  
pertaining to, or connected with, or engaged in agriculture or  
tillage ~~which~~ THAT is characterized by the act or business of  
cultivating or using land and soil for the production of crops  
for the use of animals or humans, and includes, but is not  
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 persons with disabili-  
11 ties from having access to and free mobility in and around a  
12 building or 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 created in  
18 section 5 of 1966 PA 1, MCL 125.1355.

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

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

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

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

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

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

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

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

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

2 (o) "Director" means the director of labor or an authorized  
3 representative of the director.

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

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

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

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

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

26 (u) "Mobile home" means a vehicular, portable structure  
27 built on a chassis and designed to be used without a permanent

1 foundation as a dwelling when connected to required utilities and  
2 which is, or is intended to be, attached to the ground, to  
3 another structure, or to a utility system on the same premises  
4 for more than 30 consecutive days.

5 (v) "Other laws and ordinances" means other laws and ordi-  
6 nances, whether enacted by this state or by a county, city, vil-  
7 lage, or township and the rules issued ~~thereunder~~ UNDER THOSE  
8 LAWS AND ORDINANCES.

9 (w) "Owner" means the owner of the freehold of the premises  
10 or lesser estate in the premises, a mortgagee or vendee in pos-  
11 session, an assignee of rents, receiver, executor, trustee,  
12 lessee, or any other person, sole proprietorship, partnership,  
13 association, or corporation directly or indirectly in control of  
14 a building, structure, or real property or his or her duly autho-  
15 rized agent.

16 (x) "Person with disabilities" means an individual whose  
17 physical characteristics have a particular relationship to that  
18 individual's ability to be self-reliant in the individual's move-  
19 ment throughout and use of the building environment.

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

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

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

25        (2) Unless the context clearly indicates otherwise,  
 26 ~~references~~ A REFERENCE to this act, or to this act and the

1 code, ~~shall refer to~~ MEANS this act and rules promulgated  
2 pursuant to this act including the code.

3       Sec. 8. (1) This act and the code apply throughout the  
4 state, except that a governmental subdivision may elect to exempt  
5 itself from certain parts of this act and the code by adopting  
6 and enforcing a nationally recognized model building code or  
7 other nationally recognized model codes. It is not necessary for  
8 a governmental subdivision to elect to exempt itself from every  
9 part of the code promulgated by the commission in order to pre-  
10 serve its exemption election as to 1 or more nationally recog-  
11 nized model codes. A governmental subdivision may make this  
12 election by the passage of an ordinance adopting by reference or  
13 otherwise without amendment a nationally recognized model build-  
14 ing code or other nationally recognized model codes. A county  
15 ordinance adopted pursuant to this act shall be adopted by the  
16 county board of commissioners and shall be signed by the chair-  
17 person of the county board of commissioners and certified by the  
18 county clerk. A governmental subdivision that elects not to be  
19 governed by certain parts of this act and the code shall review  
20 and update its codes by amending its ordinance at least once  
21 every 3 years by adopting without amendment all changes to those  
22 codes and submitting a certified copy of the amended ordinance to  
23 the commission. However, a governmental subdivision adopting  
24 nationally recognized model codes may approve amendments to those  
25 codes by ordinance. The amendments ~~shall become effective~~ TAKE  
26 EFFECT 90 days after passage of the ordinance and 90 days after a  
27 certified copy of the ordinance is delivered to the commission,

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

10 (2) ~~Within 10 days after December 30, 1980~~ BY JANUARY 9,  
11 1981, the executive director shall provide a notice of intent  
12 form to all governmental subdivisions administering and enforcing  
13 a nationally recognized model code. This form shall set forth  
14 the date return receipt is required, which date shall not be less  
15 than 60 days after receipt. The chief elected official of the  
16 governmental subdivision that receives this notice shall indicate  
17 on the form the intention of the governmental subdivision as to  
18 whether it shall continue to administer and enforce its code and  
19 transmit this notice to the executive director within the pre-  
20 scribed period. If a governmental subdivision fails to submit a  
21 notice of intent to continue to administer and enforce its code  
22 within the date set forth in the notice, the executive director  
23 shall send a notice by registered mail to the clerk of that gov-  
24 ernmental subdivision. The registered notice shall indicate that  
25 the governmental subdivision has 15 additional days in which to  
26 submit a notice of intent to continue to administer and enforce  
27 its code. If the governmental subdivision does not respond by



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

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

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

19 (4) A governmental subdivision that has elected to assume  
20 responsibility for the administration and enforcement of this act  
21 and the code, and has submitted a notice of intent to continue to  
22 administer and enforce the code to the executive director  
23 ~~pursuant to~~ UNDER section 9, after December 30, 1980, may  
24 reverse that election and exempt itself ~~pursuant to~~ UNDER sub-  
25 section (1) by the passage of an ordinance adopting by reference  
26 or otherwise without amendment a nationally recognized model  
27 building code or other nationally recognized model codes.

1 However, that action shall not take effect until 90 days after  
2 passage of an ordinance to that effect. Before the effective  
3 date of this action and the effective date of the ordinance, a  
4 governmental subdivision that proposes to adopt an ordinance to  
5 this effect shall file the proposed ordinance for approval  
6 ~~pursuant to~~ UNDER subsection (1) with the commission. The com-  
7 mission shall review the proposed ordinance. If the commission  
8 does not approve or disapprove the proposed ordinance within 90  
9 days after it is filed with the commission, the proposed ordi-  
10 nance shall be considered approved unless the governmental subdi-  
11 vision grants the commission additional time to consider the pro-  
12 posed ordinance. A structure commenced under an effective code  
13 shall be completed under that code. A governmental subdivision  
14 that elects to exempt itself in accordance with this subsection  
15 may exercise the option to make itself subject to this act and  
16 the code ~~pursuant to~~ UNDER section 9(1). However, the exercise  
17 of this election to be subject to this act and the code shall not  
18 take effect until 6 months after passage of an ordinance to that  
19 effect.

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

1 itself ~~pursuant to~~ UNDER subsection (1) not later than 3 years  
2 after its administration and enforcement of the code. ~~However,~~  
3 ~~that~~ THE exemption shall not take effect until 1 year after pas-  
4 sage of an ordinance to that effect.

5       (6) A governmental subdivision that before December 30,  
6 1980, has not administered and enforced either this act and the  
7 code or another nationally recognized model code may elect to  
8 exempt itself from certain parts of this act and the code  
9 ~~pursuant to~~ UNDER subsection (1) by the passage of an ordinance  
10 to that effect. A governmental subdivision that makes this elec-  
11 tion after December 30, 1980 shall submit, in addition to the  
12 ordinance, an application to the commission for approval to  
13 administer and enforce that code within its jurisdiction. This  
14 application shall be made on the proper form ~~to be~~ provided by  
15 the commission. The standards for approval shall include, but  
16 not be limited to, the certification by the governmental subdivi-  
17 sion that the enforcing agency is qualified by experience or  
18 training to administer and enforce that nationally recognized  
19 model code and all related acts and rules, that agency personnel  
20 are provided as necessary, administrative services are provided,  
21 plan review services are provided, and timely field inspection  
22 services shall be provided. The executive director shall seek  
23 additional information if the executive director considers it  
24 necessary. The commission shall render a decision on the appli-  
25 cation for approval to administer and enforce that code that has  
26 been adopted and transmit its findings to that governmental  
27 subdivision within 90 days of receipt of the application. The

1 commission shall document its reasons if the commission  
2 disapproves an application. A governmental subdivision that  
3 receives a disapproval may resubmit its application for  
4 approval. Upon receipt of approval from the commission for the  
5 administration and enforcement of that adopted code, the govern-  
6 mental subdivision shall administer and enforce that code within  
7 its jurisdiction pursuant to the provisions of its approved  
8 application.

9       (7) The state construction code ~~or any of its sections~~  
10 shall take effect 6 months after the code's initial  
11 promulgation. The 6-month delay does not apply to rules promul-  
12 gated to implement sections 13a, 13b, 13C, 19, and 21 and the  
13 requirements of barrier free design and energy conservation of  
14 this act and code. A governmental subdivision may not exempt  
15 itself from the requirements of this section ~~—~~ OR section 8A,  
16 9(8) or (10), ~~or section~~ 9a, 10, 13a, 13b, 13C, 14, 15, 20,  
17 21a, 22(1), 23, or 23a. The 6-month delay does not apply to  
18 amendments to the code or any of the code's sections after the  
19 initial promulgation. A governmental subdivision that elects to  
20 exempt itself from this act and the code may do so within 6  
21 months after the promulgation of the code in the manner provided  
22 in subsection (1), except that any amendments the governmental  
23 subdivision adopts at that time are subject to review by the com-  
24 mission as set forth in subsection (1) within 120 days after a  
25 copy of the adopted amendments is delivered to the commission by  
26 certified mail with return 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, 13C, 19, 21, 21a, and  
 21 23a, subsection ~~-(13)~~ (12), and other provisions of this act and  
 22 code directly relating to the provisions of sections 8A, 10, 13a,  
 23 13b, 13C, 19, 21, 21a, and 23a, subsection ~~-(13)~~ (12), and pro-  
 24 visions of the code relating to the requirements of barrier free  
 25 design, energy conservation, and, except as provided in subsec-  
 26 tion ~~-(11)~~ (10), for plans submitted for approval after  
 27 January 1, 1994 the type and number of plumbing fixtures for men

1 and women required in an assembly building with an occupancy of  
2 more than 150 are effective throughout the state without local  
3 modifications notwithstanding the exception of subsections (1) to  
4 ~~-(9)-~~ (8). The standards for premanufactured housing shall not  
5 be less than the standards required for nonpremanufactured hous-  
6 ing, except that mobile homes shall be considered to have com-  
7 plied with this requirement by compliance with the state code  
8 provisions adopting a nationally recognized mobile home code. As  
9 used in this subsection, "assembly building" means a theater,  
10 sports arena, stadium, food service establishment with or without  
11 a liquor license, exhibition hall, library, recreation center,  
12 passenger terminal, and outdoor assembly structure which includes  
13 an outdoor grandstand, bleacher, colosseum, stadium, amusement  
14 park 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 UNDER THE FIRE PREVENTION CODE, 1941 PA 207,  
12 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~~ DOES NOT repeal,  
 2 amend, supersede, or otherwise affect the powers and duties  
 3 presently exercised under part 55 ~~(air pollution)~~ of the natu-  
 4 ral resources and environmental protection act, ~~Act No. 451 of~~  
 5 ~~the Public Acts of 1994, being sections 324.5501 to 324.5542 of~~  
 6 ~~the 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.