

HOUSE BILL No. 5036

July 18, 2007, Introduced by Reps. Hammel, Sak, LeBlanc, Meadows, Hammon, Clack, Bauer, Bennett, Bieda, Melton, Nofs, Rick Jones, Constan, Johnson, Gaffney, Coulouris, Polidori, Byrnes, Lahti, Stahl and Condino and referred to the Committee on Appropriations.

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 2c (MCL 29.2c), as amended by 2006 PA 189.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2c. (1) ~~To implement and enforce this act, the bureau may~~
2 ~~charge hospitals operation and maintenance inspection fees and may~~
3 ~~charge hospitals and schools plan review and construction~~
4 ~~inspection fees as provided in this section.~~ **THE STATE FIRE SERVICES**
5 **FUND IS CREATED IN THE STATE TREASURY. THE STATE TREASURER SHALL BE**
6 **THE CUSTODIAN OF THE FUND AND MAY INVEST THE SURPLUS OF THE FUND IN**
7 **INVESTMENTS AS, IN THE STATE TREASURER'S JUDGMENT, ARE IN THE BEST**
8 **INTERESTS OF THE FUND. MONEY IN THE FUND AT THE CLOSE OF EACH**
9 **FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE**
10 **GENERAL FUND. THE STATE FIRE MARSHAL SHALL SUPERVISE AND ADMINISTER**

1 THE FUND. FEES RECEIVED BY THE BUREAU AND MONEY COLLECTED UNDER
2 THIS ACT SHALL BE DEPOSITED IN THE FUND AND SHALL BE APPROPRIATED
3 BY THE LEGISLATURE FOR THE OPERATION OF THE BUREAU, INCLUDING
4 INDIRECT OVERHEAD EXPENSES.

5 ~~(2) Fees charged under subsection (1) shall be deposited in~~
6 ~~the general fund in a restricted account. The fees collected under~~
7 ~~this act and placed in the restricted account shall be used only to~~
8 ~~fund the services for which the fees were collected and shall~~
9 ~~remain in the restricted account at the end of the fiscal year.~~

10 THE STATE FIRE MARSHAL, AFTER APPROVAL OF THE BOARD AND FOLLOWING A
11 PUBLIC HEARING HELD BY THE BOARD, SHALL ESTABLISH REASONABLE FEES
12 TO BE CHARGED BY THE BUREAU FOR ACTS AND SERVICES PERFORMED BY THE
13 BUREAU INCLUDING, BUT NOT LIMITED TO, INSPECTIONS, REVIEW OF PLANS
14 AND SPECIFICATIONS, ISSUANCE OF CERTIFICATES OF ACCEPTABILITY,
15 TESTING AND EVALUATION OF NEW PRODUCTS, METHODS AND PROCESSES OF
16 CONSTRUCTION OR ALTERATION, INSPECTION OF CONSTRUCTION AND
17 ALTERATION, INSPECTION OF CONSTRUCTION UNDERTAKEN PURSUANT TO A
18 PERMIT, THE ISSUANCE OF CERTIFICATES OF USE AND OCCUPANCY, AND THE
19 HEARING OF APPEALS. THE FEES SHALL BEAR A REASONABLE RELATIONSHIP
20 TO THE COST OF THE SERVICE OR ACT, INCLUDING OVERHEAD. THE STATE
21 TREASURER SHALL NOTIFY THE STATE FIRE MARSHAL AND THE LEGISLATURE
22 OF INTEREST CREDITED AND THE BALANCE OF THE FUND AS OF SEPTEMBER 30
23 OF EACH YEAR.

24 (3) The fees ~~charged~~ ADOPTED AND IMPOSED under this section
25 shall be established in a fee schedule contained in each fiscal
26 year's appropriations act for the department.