

**SUBSTITUTE FOR
SENATE BILL NO. 1224**

A bill to amend 1988 PA 440, entitled
"Asbestos workers accreditation act,"
by amending sections 11 and 14 (MCL 338.3411 and 338.3414), as
amended by 1998 PA 133.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11. (1) A person desiring to sponsor a training course
2 or refresher training course for those disciplines required to be
3 accredited under this act may apply for department approval on
4 forms supplied by the department. The department shall approve a
5 training course or a refresher training course that meets the
6 requirements for the course as prescribed by section 6.

7 (2) An applicant desiring to sponsor a training course shall
8 submit for each course all of the following information and fees
9 to the department:

10 (a) The course sponsor's name, address, and telephone

1 number.

2 (b) A list of any states that currently approve the training
3 course, including information as to whether the training course
4 has been approved by the United States environmental protection
5 agency.

6 (c) The course curriculum.

7 (d) A letter from the training course sponsor clearly
8 indicating compliance of the course with the requirements of this
9 act for all of the following:

10 (i) The length of training in days.

11 (ii) The amount and type of hands-on training.

12 (iii) The length, format, and passing score of the
13 examination.

14 (iv) The topics covered in the course.

15 (e) A copy of all course materials, including student
16 manuals, instructor notebooks, handouts, and all other materials
17 that the department may request.

18 (f) A detailed statement about the development of the
19 examination used in the course.

20 (g) The names and qualifications of course instructors.

21 (h) A description and example of the certificate of
22 successful course completion issued to students who attend the
23 course and pass the examination that satisfies the requirements
24 of the asbestos model accreditation plan.

25 (i) An initial application fee of \$400.00 and, after the
26 initial year, an annual renewal fee of \$200.00. If the
27 application is for renewal, the application and annual fee shall

1 be submitted not earlier than 90 days before the course expires
2 but not later than 30 days before the course expires. An
3 application for renewal that is submitted later than the time
4 period specified in this subdivision shall be treated by the
5 director as an initial application for course renewal — and
6 shall require payment of the initial application fee, rather than
7 the renewal fee.

8 (3) An applicant desiring to sponsor a refresher training
9 course in a discipline required to be accredited under this act
10 shall supply all of the following information to the department:

11 (a) The length of training.

12 (b) The topics covered in the course.

13 (c) A copy of all course materials.

14 (d) The names and qualifications of course instructors.

15 (e) A description and an example of the certificate of
16 successful completion of the training course that satisfies the
17 requirements of the asbestos model accreditation plan.

18 (4) Within 60 calendar days after receipt of the appropriate
19 fee and a ~~complete~~ **completed** application from a person desiring
20 to sponsor training courses as specified in this section, the
21 department shall make a determination as to the approval or
22 denial of the application and shall notify the applicant in
23 writing of its determination. **Receipt of the application is**
24 **considered the date the application is received by any agency or**
25 **department of the state of Michigan.**

26 (5) The instructor of a course offered under this section
27 shall have academic credentials or field experience, or both, in

1 asbestos abatement.

2 (6) Beginning the effective date of the amendatory act that
3 added this subsection, the department shall issue an initial or
4 renewal license within the time period prescribed by subsection
5 (4). If the application is considered incomplete by the
6 department, the department shall notify the applicant in writing,
7 or make the information electronically available, within 15 days
8 after receipt of the incomplete application, describing the
9 deficiency and requesting the additional information. The 60-day
10 period described in subsection (4) is tolled upon notification by
11 the department of a deficiency until the date the requested
12 information is received by the department. The determination of
13 the completeness of an application does not operate as an
14 approval of the application for the license and does not confer
15 eligibility of an applicant determined otherwise ineligible for
16 issuance of a license.

17 (7) If the department fails to issue or deny a license within
18 the time required by subsection (4), the department shall return
19 the license fee and shall reduce the license fee for the
20 applicant's next renewal application, if any, by 15%. The
21 failure to issue a license within the time required under this
22 section does not allow the department to otherwise delay the
23 processing of the application, and that application, upon
24 completion, shall be placed in sequence with other completed
25 applications received at that same time. The department shall
26 not discriminate against an applicant in the processing of the
27 application based upon the fact that the license fee was refunded

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1 or discounted under this subsection.

2 (8) Beginning October 1, 2005, the director of the department
3 shall submit a report by December 1 of each year to the standing
4 committees and appropriations subcommittees of the senate and
5 house of representatives concerned with occupational issues. The
6 director shall include all of the following information in the
7 report concerning the preceding fiscal year:

8 (a) The number of initial and renewal applications the
9 department received and completed within the 60-day time period
10 described in subsection (4).

11 (b) The number of applications denied.

12 (c) The number of applicants not issued a license within the
13 <<60-day>> time period and the amount of money returned to licensees
14 and registrants under subsection (7).

15 (9) As used in this section, "completed application" means an
16 application complete on its face and submitted with any
17 applicable licensing fees as well as any other information,
18 records, approval, security, or similar item required by law or
19 rule from a local unit of government, a federal agency, or a
20 private entity but not from another department or agency of the
21 state of Michigan.

22 Sec. 14. (1) A person desiring accreditation or
23 reaccreditation from the director under section 13 shall submit
24 to the department an application for accreditation or
25 reaccreditation on forms provided by the department. The
26 applicant shall include, with the application, payment of the
27 annual fee designated in subsection (3), **subject to any refund or**

1 discount prescribed under section 11(7).

2 (2) If the application is for reaccreditation, the
 3 application and annual fee shall be submitted not earlier than 90
 4 days before the accreditation expires but not later than 30 days
 5 before the accreditation expires. An application for
 6 reaccreditation that is submitted later than the time period
 7 specified in this subsection shall be treated by the director as
 8 an initial application for accreditation, and shall require
 9 payment of the accreditation fee, rather than the reaccreditation
 10 fee.

11 (3) The fee schedule for accreditation or reaccreditation is
 12 as follows:

13		Accreditation	Reaccreditation
14	(a) Asbestos inspectors	\$150.00	\$75.00
15	(b) Asbestos management planners	\$150.00	\$75.00
16	(c) Asbestos abatement project		
17	designers	\$150.00	\$75.00
18	(d) Asbestos abatement		
19	contractors and		
20	supervisors	\$50.00	\$25.00
21	(e) Asbestos abatement workers	\$50.00	\$25.00

22 (4) Failure to submit the annual fee as part of the
 23 application for accreditation constitutes just cause for the
 24 director to deny issuance to a person of a certificate of
 25 accreditation or reaccreditation under section 13.

26 (5) All fees collected by the department under subsection (1)

1 shall be deposited in the asbestos abatement fund created in
2 section 220 of the asbestos abatement contractors licensing act,
3 1986 PA 135, MCL 338.3220.