

# SENATE BILL No. 805

October 13, 1999, Introduced by Senators ROGERS and HAMMERSTROM and referred to the Committee on Human Resources, Labor, Senior Citizens and Veterans Affairs.

A bill to amend 1937 PA 306, entitled

"An act to promote the safety, welfare and educational interests of the people of the state of Michigan by regulating the construction, reconstruction and remodeling of certain public or private school buildings or additions thereto, by regulating the construction, reconstruction and remodeling of buildings leased or acquired for school purposes, and to define the class of buildings affected by this act; to prescribe the powers and duties of the superintendent of public instruction, the state fire marshal, architects, engineers and school board members with respect thereto; to prescribe penalties for the violation of this act; and to repeal all acts and parts of acts, general, local and special, inconsistent with or contrary to the provisions of this act,"

by amending section 1 (MCL 388.851) and by adding section 1b.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1. ~~No~~ A school building, public or private, or ANY  
2 additions, ~~thereto,~~ shall NOT be erected, remodeled, or recon-  
3 structed in ~~the~~ THIS state except ~~it be~~ in conformity with  
4 ALL OF the following provisions:

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1 (a) All plans and specifications for buildings shall be  
2 prepared by, and the construction supervised by, an architect or  
3 engineer who is registered in ~~the~~ THIS state. ~~of Michigan.~~  
4 ~~Before the construction, reconstruction or remodeling of any~~  
5 ~~school building or addition thereto is commenced, the written~~  
6 ~~approval of the plans and specifications by the superintendent of~~  
7 ~~public instruction or his authorized agent shall be obtained.~~  
8 ~~The superintendent of public instruction or his authorized agent~~  
9 ~~shall not issue such approval until he has secured in writing the~~  
10 ~~approval of the state fire marshal, or the appropriate municipal~~  
11 ~~official when certification as described in section 3 has been~~  
12 ~~made, relative to factors concerning fire safety and of the~~  
13 ~~health department having jurisdiction relative to factors affect-~~  
14 ~~ing water supply, sanitation and food handling.~~

15 The superintendent of public instruction shall publish an  
16 informative bulletin which shall set forth good school building  
17 planning procedures and interpret clearly the provisions of this  
18 act. ~~The bulletin shall be prepared in cooperation with the~~  
19 ~~state fire marshal and the state health commissioner and, insofar~~  
20 ~~as requirements for approval of plans are concerned, shall be~~  
21 ~~consistent with recognized good practice as evidenced by stan-~~  
22 ~~dards adopted by nationally recognized authorities in the fields~~  
23 ~~of fire protection and health.~~

24 (b) All walls, floors, partitions, and roofs shall be con-  
25 structed of fire-resisting materials such as stone, brick, tile,  
26 concrete, gypsum, steel, or similar fire-resisting material. All

1 steel members shall be protected by at least 3/4 of an inch of  
2 fire-resisting material.

3 (c) ~~No wood~~ WOOD lath or wood furring shall NOT be used IN  
4 THE CONSTRUCTION. These regulations shall not be construed as  
5 prohibiting the use of finished wood flooring, wood door and  
6 window frames, wood sash, or wood furring and grounds, for the  
7 purpose of installing wood trim, panelling, acoustical units, or  
8 similar facing materials on masonry walls, structural steel, or  
9 concrete ceiling members.

10 (d) Every room enclosing a heating unit shall be enclosed by  
11 walls of fire-resisting materials and shall be equipped with  
12 automatically closing fire doors. ~~; and said~~ ALL heating ~~unit~~  
13 UNITS shall not be located directly beneath any portion of a  
14 school building or addition ~~thereto which~~ THAT is constructed  
15 or reconstructed after the effective date of ~~this~~ THE act THAT  
16 ADDED SECTION 1B. This regulation shall not be construed to  
17 require the removal of an existing heating plant from beneath an  
18 existing building when an addition to ~~such~~ THE building is con-  
19 structed unless ~~the state superintendent of public instruction~~  
20 ~~or his authorized agent, acting jointly with~~ the state fire  
21 marshal ~~, shall so require~~ REQUIRES SUCH LOCATION in the inter-  
22 ests of the public safety. In any school where natural gas or  
23 any other kind of gas is used for heating purposes, the gas shall  
24 be chemically treated before being used in such a manner as to  
25 give a very distinguishable odor if any leak should develop in  
26 the heating system.

1 (e) In gymnasiums, fire-proofings may be omitted from the  
2 trusses and purlins if they are more than 16 feet off the main  
3 floor level. The architect or engineer shall provide adequate  
4 exits from all parts of school buildings. In all cases, there  
5 shall be at least 2 stairways and the distance from the door of  
6 any class or assembly room to a stairway or exit shall not exceed  
7 100 feet.

8 (f) Provisions in subdivisions (b) to (e) may be waived in  
9 writing by the state fire marshal.

10 (G) COMPLIANCE WITH SECTION 1B.

11 SEC. 1B. (1) EXCEPT AS PROVIDED IN SUBSECTION (3), THE  
12 EXECUTIVE DIRECTOR OF THE BUREAU OF CONSTRUCTION CODES WITHIN THE  
13 DEPARTMENT OF LABOR IS RESPONSIBLE FOR THE ADMINISTRATION AND  
14 ENFORCEMENT OF THIS ACT AND THE STATE CONSTRUCTION CODE ACT OF  
15 1972, 1972 PA 230, MCL 125.1501 TO 125.1531, IN EACH SCHOOL  
16 BUILDING IN THIS STATE.

17 (2) EXCEPT AS PROVIDED IN SUBSECTION (3), THE BUREAU OF CON-  
18 STRUCTION CODES SHALL PERFORM FOR SCHOOL BUILDINGS ALL PLAN  
19 REVIEWS AND INSPECTIONS REQUIRED BY THE CODE AND SHALL BE THE  
20 ENFORCING AGENCY FOR THIS ACT. EXCEPT AS PROVIDED IN  
21 SUBSECTION (3), A SCHOOL BUILDING SHALL NOT BE CONSTRUCTED,  
22 REMODELED, OR RECONSTRUCTED IN THIS STATE AFTER THE EFFECTIVE  
23 DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION UNTIL WRITTEN  
24 APPROVAL OF THE PLANS AND SPECIFICATIONS IS OBTAINED FROM THE  
25 BUREAU OF CONSTRUCTION CODES INDICATING THAT THE SCHOOL BUILDING  
26 WILL BE DESIGNED AND CONSTRUCTED IN CONFORMANCE WITH THE CODE.  
27 THIS SUBSECTION DOES NOT APPLY TO ANY SCHOOL BUILDING FOR WHICH

1 CONSTRUCTION HAS COMMENCED BEFORE THE EFFECTIVE DATE OF THE  
2 AMENDATORY ACT THAT ADDED THIS SECTION.

3 (3) THE EXECUTIVE DIRECTOR SHALL DELEGATE THE RESPONSIBILITY  
4 FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS ACT TO THE APPLI-  
5 CABLE AGENCY IF BOTH THE SCHOOL BOARD AND THE GOVERNING BODY OF  
6 THE GOVERNMENTAL SUBDIVISION HAVE ANNUALLY CERTIFIED TO THE CON-  
7 STRUCTION CODE COMMISSION, IN A MANNER PRESCRIBED BY THE COMMIS-  
8 SION, THAT FULL-TIME CODE OFFICIALS, INSPECTORS, AND PLAN REVIEW-  
9 ERS REGISTERED UNDER THE BUILDING OFFICIALS AND INSPECTORS REGIS-  
10 TRATION ACT, 1986 PA 54, MCL 338.2301 TO 338.2313, WILL CONDUCT  
11 PLAN REVIEWS AND INSPECTIONS OF SCHOOL BUILDINGS.

12 (4) AS USED IN THIS SECTION:

13 (A) "CODE" MEANS THE STATE CONSTRUCTION CODE PROVIDED FOR IN  
14 SECTION 4 OF THE STATE CONSTRUCTION CODE ACT OF 1972, 1972 PA  
15 230, MCL 125.1504, OR A PART THEREOF OF LIMITED APPLICATION, AND  
16 INCLUDES A MODIFICATION OF OR AMENDMENT TO THE CODE.

17 (B) "COMMISSION" MEANS THE STATE CONSTRUCTION CODE COMMIS-  
18 SION CREATED BY SECTION 3 OF THE STATE CONSTRUCTION CODE ACT OF  
19 1972, 1972 PA 230, MCL 125.1503.

20 (C) "CONSTRUCTION" MEANS THE CONSTRUCTION, ERECTION, RECON-  
21 STRUCTION, ALTERATION, CONVERSION, DEMOLITION, REPAIR, MOVING, OR  
22 EQUIPPING OF BUILDINGS OR STRUCTURES.

23 (D) "EXECUTIVE DIRECTOR" MEANS THE DIRECTOR OF THE BUREAU OF  
24 CONSTRUCTION CODES AS SET FORTH UNDER SECTION 7 OF THE STATE CON-  
25 STRUCTION CODE ACT OF 1972, 1972 PA 230, MCL 125.1507.