

HOUSE BILL No. 5382

November 1, 2005, Introduced by Rep. LaJoy and referred to the Committee on Regulatory Reform.

A bill to amend 1956 PA 217, entitled
"Electrical administrative act,"
by amending section 3 (MCL 338.883), as amended by 2004 PA 275.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) The department shall grant licenses and
2 certificates to qualified applicants, issue orders and promulgate
3 rules necessary for the enforcement and administration of this act,
4 and enforce and administer this act. The rules shall be promulgated
5 pursuant to the administrative procedures act of 1969, 1969 PA 306,
6 MCL 24.201 to 24.328.

7 (2) The examination fee for licensure of the following is
8 \$25.00:

9 (a) Master electrician.

10 (b) Electrical contractor.

1 (c) Electrical journeyman.

2 (d) Fire alarm contractor.

3 (e) Fire alarm specialty technician.

4 (f) Sign specialty contractor.

5 (g) Sign specialist.

6 (3) The fee for initial licensure, apprentice electrician
7 registration, or renewal of a license relating to electricians is
8 as follows:

9 (a) Master electrician..... \$25.00

10 (b) Electrical journeyman..... 20.00

11 (c) Apprentice electrician..... 5.00

12 (4) The fee for initial fire alarm specialty technician
13 licensure, fire alarm specialty apprentice technician registration,
14 or renewal of a license or registration is as follows:

15 (a) Fire alarm specialty technician..... \$25.00

16 (b) Fire alarm specialty apprentice technician..... 5.00

17 (5) The fee for initial sign specialist licensure or renewal
18 of a sign specialist license is \$20.00.

19 (6) An apprentice electrician or specialty apprentice
20 technician registration expires on August 31 of each year and is
21 renewable within 30 days after that date upon payment of a \$10.00
22 renewal fee. An applicant shall submit proof of a sponsoring
23 employer for initial or renewal registration.

24 (7) Except as otherwise provided in subsection (8), a license
25 issued under this act expires on December 31 of each year and is
26 renewable not more than 60 days after that date upon application
27 and payment of the appropriate fee. After March 1 of each year or

1 after March 1 of the renewal year in the case of electrical
2 contractors, fire alarm contractors, and sign specialty
3 contractors, a license not renewed is void and may be reinstated
4 only upon application for reinstatement and payment of the
5 appropriate license fee for the appropriate class.

6 (8) The license for an electrical contractor, fire alarm
7 contractor, and sign specialty contractor expires December 31 of
8 every third year. The license for an electrical contractor, fire
9 alarm contractor, and sign specialty contractor is renewable not
10 later than on March 1 every third year upon application and payment
11 of \$200.00 by electrical contractors and fire alarm contractors and
12 application and payment of \$120.00 by sign specialty contractors.
13 In the case of a person applying for an initial or reinstatement
14 contractor's license at a time other than between December 31 and
15 March 1 of the year in which the department issues renewal
16 licenses, the department shall compute and charge the 3-year
17 license fee described in this subsection on a yearly pro rata basis
18 beginning in the year of the application until the last year of the
19 3-year license cycle.

20 (9) Beginning ~~the effective date of the amendatory act that~~
21 ~~added this subsection~~ **JULY 23, 2004**, the department of labor and
22 economic growth shall issue an initial or renewal license for
23 electrical contractors, fire alarm contractors, and sign specialty
24 contractors not later than 90 days after the applicant files a
25 completed application. Receipt of the application is considered the
26 date the application is received by any agency or department of the
27 state of Michigan. If the application is considered incomplete by

1 the department of labor and economic growth, the department of
2 labor and economic growth shall notify the applicant in writing, or
3 make the information electronically available, within 30 days after
4 receipt of the incomplete application, describing the deficiency
5 and requesting the additional information. The 90-day period is
6 tolled upon notification by the department of labor and economic
7 growth of a deficiency until the date the requested information is
8 received by the department of labor and economic growth. The
9 determination of the completeness of an application does not
10 operate as an approval of the application for the license and does
11 not confer eligibility of an applicant determined otherwise
12 ineligible for issuance of a license.

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

26 (11) Beginning October 1, 2005, the director of the department
27 of labor and economic growth shall submit a report by December 1 of

1 each year to the standing committees and appropriations
2 subcommittees of the senate and house of representatives concerned
3 with occupational issues. The director **OF THE DEPARTMENT OF LABOR**
4 **AND ECONOMIC GROWTH** shall include all of the following information
5 in the report concerning the preceding fiscal year:

6 (a) The number of initial and renewal applications the
7 department received and completed within the 90-day time period
8 described in subsection (9).

9 (b) The number of applications denied.

10 (c) The number of applicants not issued a license within the
11 90-day time period and the amount of money returned to licensees
12 under subsection (10).

13 (12) The board shall provide for an examination to be given to
14 an applicant seeking licensure under this act for a specific class
15 of license. The board and department of labor and economic growth,
16 acting jointly, may develop an examination or contract for the use
17 of an examination developed by another governmental subdivision or
18 any other entity including, but not limited to, the national
19 assessment institute, which the department of labor and economic
20 growth and the board, acting jointly, review and determine is
21 designed to test the qualifications and competency of applicants
22 seeking licensure under this act.

23 (13) The examination for electrical journeymen and master
24 electricians shall include, but not be limited to, questions
25 designed to test an individual's knowledge of this act, any rules
26 promulgated under this act, the Stille-DeRossett-Hale single state
27 construction code act, **1972 PA 230, MCL 125.1501 TO 125.1531**, and

1 any code adopted pursuant to section 4 of that act and any code
2 adopted pursuant to section ~~8~~ **8A** of that act as well as the
3 theory relative to those codes. In the case of the examination for
4 an electrical contractor's license, the examination shall include,
5 but not be limited to, questions designed to test an individual's
6 knowledge of this act, any rules promulgated under this act, the
7 Stille-DeRossett-Hale single state construction code act, **1972 PA**
8 **230, MCL 125.1501 TO 125.1531**, and the administration and
9 enforcement procedures of any code adopted pursuant to section ~~8~~
10 ~~or 9~~ **8A** of that act.

11 (14) The board shall provide for an examination to be given to
12 an applicant seeking fire alarm specialty licensure under this act.
13 The examinations for fire alarm specialty licensure shall include
14 questions designed to test an individual's knowledge of this act,
15 any rules promulgated under this act, and the Stille-DeRossett-Hale
16 single state construction code act, **1972 PA 230, MCL 125.1501 TO**
17 **125.1531**, as relating to fire alarm systems. The board and
18 department of labor and economic growth, acting jointly, may
19 require, as a condition for licensure, certification of the
20 applicant in the field of fire alarm systems technology by the
21 national institution for certification in engineering technology or
22 equivalent as determined by the board.

23 (15) The board shall provide for an examination to be given to
24 an applicant seeking sign specialty licensure under this act. The
25 examinations for sign specialty licensure shall include, but not be
26 limited to, questions designed to test an individual's knowledge of
27 this act and any rules promulgated under this act relating to

1 electric signs and applicable sections of the code.

2 (16) Examinations shall be offered at locations throughout the
3 state as determined by the board. The department of labor and
4 economic growth in consultation with the board may designate a
5 person to give the examination at any location. **THE EXAMINATIONS**
6 **FOR ELECTRICAL JOURNEYMEN AND MASTER ELECTRICIANS SHALL BE OFFERED**
7 **WITHIN THE CITY OF DETROIT AT LEAST ONCE PER CALENDAR YEAR.** Copies
8 of examinations developed by a governmental subdivision shall be
9 presented for board approval and shall remain the property of the
10 governmental subdivision and shall be returned to that governmental
11 subdivision without having been copied or reproduced in any manner.

12 (17) The department of labor and economic growth shall
13 annually submit to the members of the legislature a comprehensive
14 report detailing the expenditure of the additional money resulting
15 from the 1989 amendatory act that increased the fees contained in
16 this section.

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