

HOUSE BILL No. 4124

January 25, 2007, Introduced by Rep. LaJoy and referred to the Committee on Government Operations.

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 **OF LABOR AND ECONOMIC GROWTH**
2 shall grant licenses and certificates to qualified applicants,
3 issue orders and promulgate rules necessary for the enforcement
4 and administration of this act, and enforce and administer this
5 act. The rules shall be promulgated pursuant to the
6 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
7 24.328.
- 8 (2) The examination fee for licensure of the following is
9 \$25.00:
- 10 (a) Master electrician.

1 (b) Electrical contractor.

2 (c) Electrical journeyman.

3 (d) Fire alarm contractor.

4 (e) Fire alarm specialty technician.

5 (f) Sign specialty contractor.

6 (g) Sign specialist.

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

10	(a) Master electrician.....	\$ 25.00
11	(b) Electrical journeyman.....	20.00
12	(c) Apprentice electrician.....	5.00

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

17	(a) Fire alarm specialty technician.....	\$ 25.00
18	(b) Fire alarm specialty apprentice technician...	5.00

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

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

1 (7) Except as otherwise provided in subsection (8), a
2 license issued under this act expires on December 31 of each year
3 and is renewable not more than 60 days after that date upon
4 application and payment of the appropriate fee. After March 1 of
5 each year or after March 1 of the renewal year in the case of
6 electrical contractors, fire alarm contractors, and sign
7 specialty contractors, a license not renewed is void and may be
8 reinstated only upon application for reinstatement and payment of
9 the appropriate license fee for the appropriate class.

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

24 (9) Beginning ~~the effective date of the amendatory act that~~
25 ~~added this subsection~~ **JULY 23, 2004**, the department of labor and
26 economic growth shall issue an initial or renewal license for
27 electrical contractors, fire alarm contractors, and sign

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

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

1 **AND ECONOMIC GROWTH** shall not discriminate against an applicant
2 in the processing of the application based upon the fact that the
3 license fee was refunded or discounted under this subsection.

4 (11) Beginning October 1, 2005, the director of the
5 department of labor and economic growth shall submit a report by
6 December 1 of each year to the standing committees and
7 appropriations subcommittees of the senate and house of
8 representatives concerned with occupational issues. The director
9 **OF THE DEPARTMENT OF LABOR AND ECONOMIC GROWTH** shall include all
10 of the following information in the report concerning the
11 preceding fiscal year:

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

15 (b) The number of applications denied.

16 (c) The number of applicants not issued a license within the
17 90-day time period and the amount of money returned to licensees
18 under subsection (10).

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

1 of applicants seeking licensure under this act.

2 (13) The examination for electrical journeymen and master
3 electricians shall include, but not be limited to, questions
4 designed to test an individual's knowledge of this act, any rules
5 promulgated under this act, the Stille-DeRossett-Hale single
6 state construction code act, **1972 PA 230, MCL 125.1501 TO**
7 **125.1531**, and any code adopted pursuant to section 4 of that act
8 and any code adopted pursuant to section ~~8~~**8A** of that act as well
9 as the theory relative to those codes. In the case of the
10 examination for an electrical contractor's license, the
11 examination shall include, but not be limited to, questions
12 designed to test an individual's knowledge of this act, any rules
13 promulgated under this act, the Stille-DeRossett-Hale single
14 state construction code act, **1972 PA 230, MCL 125.1501 TO**
15 **125.1531**, and the administration and enforcement procedures of
16 any code adopted pursuant to section ~~8 or 9~~**8A** of that act.

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

1 technology or equivalent as determined by the board.

2 (15) The board shall provide for an examination to be given
3 to an applicant seeking sign specialty licensure under this act.
4 The examinations for sign specialty licensure shall include, but
5 not be limited to, questions designed to test an individual's
6 knowledge of this act and any rules promulgated under this act
7 relating to electric signs and applicable sections of the code.

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

19 (17) The department of labor and economic growth shall
20 annually submit to the members of the legislature a comprehensive
21 report detailing the expenditure of the additional money
22 resulting from the 1989 amendatory act that increased the fees
23 contained in this section.

24 (18) As used in this section, "completed application" means
25 an application complete on its face and submitted with any
26 applicable licensing fees as well as any other information,
27 records, approval, security, or similar item required by law or

1 rule from a local unit of government, a federal agency, or a
2 private entity but not from another department or agency of the
3 state of Michigan.