

HOUSE BILL No. 4040

January 21, 2015, Introduced by Rep. Kosowski and referred to the Committee on Regulatory Reform.

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending sections 3 and 3d (MCL 338.883 and 338.883d), section 3 as amended by 2012 PA 313 and section 3d as amended by 2012 PA 379.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) The department of licensing and regulatory
2 affairs shall grant licenses and **REGISTRATION** certificates under
3 this act to qualified applicants, issue orders and promulgate
4 rules necessary for the enforcement and administration of this
5 act, and enforce and administer this act. The rules shall be
6 promulgated pursuant to the administrative procedures act of
7 1969, 1969 PA 306, MCL 24.201 to 24.328.

1 (2) The examination fee for licensure of any of the
2 following is \$25.00 if paid after September 30, 2015 and \$100.00
3 if paid on or before September 30, 2015:

- 4 (a) Master electrician.
- 5 (b) Electrical contractor.
- 6 (c) Electrical journeyman.
- 7 (d) Fire alarm contractor.
- 8 (e) Fire alarm specialty technician.
- 9 (f) Sign specialty contractor.
- 10 (g) Sign specialist.

11 (3) The fee for an initial license, an apprentice
12 electrician registration, or renewal of a license relating to
13 electricians is as follows:

14 (a) If paid after September 30, 2015:

15	(i)	Master electrician.....	\$25.00
16	(ii)	Electrical journeyman.....	20.00
17	(iii)	Apprentice electrician.....	5.00

18 (b) If paid on or before September 30, 2015:

19	(i)	Master electrician.....	\$50.00
20	(ii)	Electrical journeyman.....	40.00
21	(iii)	Apprentice electrician.....	15.00

22 (4) The fee for an initial fire alarm specialty technician
23 license, a fire alarm specialty apprentice technician
24 registration, or renewal of a license or registration is as
25 follows:

1 (a) If paid after September 30, 2015:

2 (i) Fire alarm specialty technician..... \$25.00

3 (ii) Fire alarm specialty apprentice
4 technician..... 5.00

5 (b) If paid on or before September 30, 2015:

6 (i) Fire alarm specialty technician..... \$50.00

7 (ii) Fire alarm specialty apprentice
8 technician..... 15.00

9 (5) The fee for an initial sign specialist license or
10 renewal of a sign specialist license is \$20.00 if paid after
11 September 30, 2015 and \$40.00 if paid on or before September 30,
12 2015.

13 (6) An apprentice electrician or specialty apprentice
14 technician registration expires on August 31 of each year and is
15 renewable within 30 days after that date if a renewal fee is
16 paid. The amount of the fee is \$10.00 if paid after September 30,
17 2015 and \$15.00 if paid on or before September 30, 2015. An
18 applicant shall submit proof of a sponsoring employer for initial
19 or renewal registration.

20 (7) Except as otherwise provided in subsection (8), a
21 license issued under this act expires on December 31 of each year
22 and is renewable not more than 60 days after that date if an
23 application is submitted and the appropriate fee is paid. After
24 March 1 of each year or after March 1 of the renewal year in the

1 case of electrical contractors, fire alarm contractors, or sign
2 specialty contractors, a license that is not renewed is void and
3 may only be reinstated if an application for reinstatement is
4 submitted and the appropriate license fee for the appropriate
5 class is paid.

6 (8) A license for an electrical contractor, fire alarm
7 contractor, or sign specialty contractor expires December 31 of
8 every third year. A license for an electrical contractor, fire
9 alarm contractor, or sign specialty contractor is renewable not
10 later than on March 1 every third year by submitting an
11 application and paying 1 of the following amounts:

12 (a) A fee of \$200.00 if paid after September 30, 2015 and
13 \$300.00 if paid on or before September 30, 2015 by electrical
14 contractors and fire alarm contractors.

15 (b) A fee of \$120.00 if paid after September 30, 2015 and
16 \$200.00 if paid on or before September 30, 2015 by sign specialty
17 contractors.

18 (9) If a person applying for an initial or reinstatement
19 contractor's license at a time other than between December 31 and
20 March 1 of the year in which the department issues renewal
21 licenses, the department of licensing and regulatory affairs
22 shall compute and charge the 3-year license fee described in
23 subsection (8) on a yearly pro rata basis beginning in the year
24 of the application until the last year of the 3-year license
25 cycle.

26 (10) The department of licensing and regulatory affairs
27 shall issue an initial or renewal license for an electrical

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

19 (11) If the department of licensing and regulatory affairs
20 fails to issue or deny a license within the time required by this
21 section, the department of licensing and regulatory affairs shall
22 return the license fee and shall reduce the license fee for the
23 applicant's next renewal application, if any, by 15%. The failure
24 to issue a license within the time required under this section
25 does not allow the department of licensing and regulatory affairs
26 to otherwise delay the processing of the application, and the
27 department shall place that application, when completed, in

1 sequence with other completed applications received at that same
2 time. The department of licensing and regulatory affairs shall
3 not discriminate against an applicant in the processing of the
4 application based on the fact that the license fee was refunded
5 or discounted under this subsection.

6 (12) The director of the department of licensing and
7 regulatory affairs shall submit a report by December 1 of each
8 year to the standing committees and appropriations subcommittees
9 of the senate and house of representatives concerned with
10 occupational issues. The director shall include all of the
11 following information in the report concerning the preceding
12 fiscal year:

13 (a) The number of initial and renewal applications the
14 department received and completed within the 90-day time period
15 described in subsection (10).

16 (b) The number of applications denied by the department.

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

20 (13) The board shall provide for the examinations required
21 under sections 3b to 3k. The board and department of licensing
22 and regulatory affairs, acting jointly, may develop an
23 examination or contract for the use of an examination developed
24 by another governmental subdivision or any other entity,
25 including, but not limited to, the ~~national assessment institute,~~
26 **NATIONAL ASSESSMENT INSTITUTE**, that the department of licensing
27 and regulatory affairs and the board, acting jointly, review and

1 determine is designed to test the qualifications and competency
2 of applicants seeking a license under this act. All of the
3 following apply to the examinations described in this subsection:

4 (a) The examination for electrical journeymen under section
5 3d and master electricians under section 3c shall include, but
6 not be limited to, questions designed to test an individual's
7 knowledge of this act, any rules promulgated under this act, the
8 Stille-DeRossett-Hale single state construction code act, any
9 code adopted under section 4 of that act, MCL 125.1504, any code
10 adopted under section 8a of that act, MCL 125.1508a, and the
11 theory relative to those codes.

12 (b) The examination for electrical contractors under section
13 3b shall include, but not be limited to, questions designed to
14 test an individual's knowledge of this act, any rules promulgated
15 under this act, the Stille-DeRossett-Hale single state
16 construction code act, and the administration and enforcement
17 procedures of any code adopted under section 8a of that act, MCL
18 125.1508a.

19 (c) The examination for fire alarm specialty licenses under
20 section 3f, 3g, or 3h shall include questions designed to test an
21 individual's knowledge of this act, any rules promulgated under
22 this act, and the Stille-DeRossett-Hale single state construction
23 code act, as relating to fire alarm systems. The board and
24 department of licensing and regulatory affairs, acting jointly,
25 may require, as a condition for licensure, certification of the
26 applicant in the field of fire alarm systems technology by the
27 ~~national institution for certification in engineering technology~~

1 **NATIONAL INSTITUTION FOR CERTIFICATION IN ENGINEERING TECHNOLOGY**
2 or equivalent certification as determined by the board.

3 (d) The examination for sign specialty licenses under
4 section 3j or 3k shall include, but not be limited to, questions
5 designed to test an individual's knowledge of this act and any
6 rules promulgated under this act relating to electric signs and
7 applicable sections of the code.

8 (e) Examinations shall be offered at locations throughout
9 the state as determined by the board. The department of licensing
10 and regulatory affairs in consultation with the board may
11 designate a person to give the examination at any location.
12 Copies of examinations developed by a governmental subdivision
13 shall be presented for board approval, shall remain the property
14 of the governmental subdivision, and shall be returned to that
15 governmental subdivision without having been copied or reproduced
16 in any manner.

17 (14) The department of licensing and regulatory affairs
18 shall annually submit to the members of the legislature a
19 comprehensive report detailing the expenditure of the additional
20 money resulting from the 1989 amendatory act that increased the
21 fees contained in this section.

22 (15) The department of licensing and regulatory affairs
23 shall waive any fee otherwise required under this section if the
24 ~~person responsible for paying the fee meets any of the~~
25 **following: APPLICANT IS AN INDIVIDUAL WHO SERVED IN THE ARMED**
26 **FORCES AND HE OR SHE PROVIDES TO THE DEPARTMENT A FORM DD214,**
27 **FORM DD215, OR ANY OTHER FORM THAT IS SATISFACTORY TO THE**

1 DEPARTMENT THAT DEMONSTRATES HE OR SHE WAS SEPARATED FROM THAT
2 SERVICE WITH AN HONORABLE CHARACTER OF SERVICE OR UNDER HONORABLE
3 CONDITIONS (GENERAL) CHARACTER OF SERVICE.

4 ~~—— (a) If the person is an individual, he or she is, and~~
5 ~~provides proof satisfactory to the department that he or she is,~~
6 ~~an honorably discharged veteran of the armed forces of the United~~
7 ~~States.~~

8 ~~—— (b) If the person is a nonprofit corporation organized on a~~
9 ~~membership or directorship basis, a majority of the members or~~
10 ~~directors, as applicable, are, and the person provides proof~~
11 ~~satisfactory to the department that a majority of the members or~~
12 ~~directors are, honorably discharged veterans of the armed forces~~
13 ~~of the United States.~~

14 ~~—— (c) If the person is not an individual or a nonprofit~~
15 ~~corporation described in subdivision (b), a majority of the~~
16 ~~shares or other ownership interests of the person are, and the~~
17 ~~person provides proof satisfactory to the department that those~~
18 ~~interests are, held by 1 or more honorably discharged veterans of~~
19 ~~the armed forces of the United States.~~

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

26 Sec. 3d. (1) The department of licensing and regulatory
27 affairs shall issue an electrical journeyman's license to any

1 individual who is at least 20 years of age and who does all of
2 the following:

3 (a) Files a completed application form provided by the
4 department of licensing and regulatory affairs.

5 (b) Pays the examination fee required under section 3 and
6 passes an examination provided for by the board and the
7 department of licensing and regulatory affairs.

8 (c) Pays the license fee required under section 3.

9 (d) Meets either of the following:

10 (i) Has at least 8,000 hours of experience obtained over a
11 period of at least 4 years related to electrical construction or
12 maintenance of buildings or electrical wiring or equipment under
13 the direct supervision of an individual licensed under this act.

14 (ii) While on active duty as a member of the armed forces,
15 served as an interior electrician or in an equivalent job
16 classification; ~~was honorably discharged from that military~~
17 ~~service in the 1-year period preceding the date the license~~
18 ~~application is filed;~~ **PROVIDES TO THE DEPARTMENT A FORM DD214,**
19 **FORM DD215, OR ANY OTHER FORM THAT IS SATISFACTORY TO THE**
20 **DEPARTMENT THAT DEMONSTRATES HE OR SHE WAS SEPARATED FROM**
21 **MILITARY SERVICE WITH AN HONORABLE CHARACTER OF SERVICE OR UNDER**
22 **HONORABLE CONDITIONS (GENERAL) CHARACTER OF SERVICE;** and has, and
23 provides with his or her application an affidavit signed by a
24 commanding officer, supervisor, or military superior with direct
25 knowledge of the applicant's service that states that he or she
26 has, at least 8,000 hours of entry-level experience in and basic
27 knowledge of each of the following:

1 (A) General knowledge of the electrical trade, including
2 terminology and the ability to make practical calculations.

3 (B) The determination of system and circuit grounding and
4 design and use requirements for grounding, including choosing
5 proper size grounding conductors.

6 (C) Knowledge of circuit classifications and ratings and
7 design and use requirements for circuits, including branch
8 circuit loads.

9 (D) The determination of ampacity, type of insulation, usage
10 requirements, methods of installation, protection, support, and
11 termination.

12 (E) Knowledge regarding the installation of motors and
13 control circuits.

14 (F) The calculation of electrical loads and determination of
15 proper size, rating, and type of service and feeder conductors.

16 (G) Knowledge regarding fuses, circuit breakers, and all
17 types of protective devices for conductors and equipment.

18 (H) Knowledge of all types of raceways and their uses,
19 including determining proper size, conductor fill, support, and
20 methods of installation.

21 (I) Knowledge of circuits and equipment characterized by
22 usage and electrical power limitations, including differentiating
23 them from electric light and power circuits.

24 (J) Knowledge of all types and applications of lighting
25 fixtures, ratings, requirements for occupancies, special
26 provisions, and clearances.

27 (2) If an applicant who otherwise meets the requirements of

1 subsection (1) (d) (ii) has not attained 8,000 hours of entry-level
2 experience or does not have basic knowledge in each of the areas
3 described in subsection (1) (d) (ii) (A) to (J), he or she may
4 provide with his or her application an affidavit signed by a
5 commanding officer, supervisor, or military superior with direct
6 knowledge of the applicant's service that states the amount of
7 experience the applicant has attained and of which of the areas
8 described in subsection (1) (d) (ii) (A) to (J) the applicant has
9 basic knowledge, and the department may in its discretion grant
10 the applicant credit toward the 8,000-hour experience requirement
11 of subsection (1) (d) (i) based on the applicant's experience.

12 (3) If an applicant fails to pass the electrical journeyman
13 examination 2 times within a period of 2 years, the applicant is
14 ineligible to sit for another examination until a period of at
15 least 1 year after the date of failure of the second examination,
16 at which time he or she must present to the board proof of the
17 successful completion of a course on code, electrical
18 fundamentals, or electrical theory, approved by the board, in
19 order to again become eligible to sit for an examination.

20 (4) As a condition of renewal of an electrical journeyman's
21 license, the electrical journeyman shall demonstrate the
22 successful completion of a course, approved by the board,
23 concerning any update or change in the code within 12 months
24 after the update or change in that code. This requirement applies
25 only during or after those years that the code is updated or
26 changed.

27 (5) As used in this section **AND SECTION 3**, "armed forces"

1 means that term as defined in section 2 of the veteran right to
2 employment services act, 1994 PA 39, MCL 35.1092.

3 Enacting section 1. This amendatory act takes effect 90 days
4 after the date it is enacted into law.