



**House
Legislative
Analysis
Section**

Olds Plaza Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

EXEMPTED ELECTRICAL WORK

House Bill 5130 as introduced
Revised First Analysis (3-9-92)

Sponsor: Rep. Joseph Young, Jr.
Committee: State Affairs

THE APPARENT PROBLEM:

The Electrical Administrative Act (Public Act 217 of 1956) requires that electrical contractors be licensed (either by the state or by the local municipality) and prohibits, with certain exceptions, people from doing any electrical wiring unless they are electrical journeymen working for a licensed electrical contractor. The exceptions to this prohibition include homeowners installing or repairing electrical equipment in their own homes; "minor" repair work (as defined in the act, which means electrical wiring that costs under \$100; work done under state or local elevator inspection agency permit on elevators, dumbwaiters, escalators or "man lifts"; certain work done by utility companies (both electric and telephone) on their own equipment and wiring; and certain kinds of work done on motion picture and theatrical equipment in buildings with approved facilities for entertainment or educational use.

When the Electrical Administrative Act (P.A. 217 of 1956) was amended last session (by P.A. 246 of 1990, enrolled House Bill 5168), representatives of mechanical contractors and plumbers requested an exemption from the act's licensing requirements for maintenance, alteration, or upgrading of electrical systems they work on in conjunction with their areas of expertise, as defined in the relevant parts of the state construction code. These exemptions were not included in the legislation that passed, and the mechanical contractors and plumbers have again requested legislation exempting them from the act's licensing requirements.

THE CONTENT OF THE BILL:

The bill would amend the Electrical Administrative Act (Public Act 217 of 1956) to exempt certain kinds of work on existing mechanical systems defined in the mechanical and plumbing codes of the state Construction Code Act (Public Act 230 of 1972) done by licensed plumbing contractors and by certain classes of mechanical contractors and their

employees licensed under the Forbes Mechanical Contractor Act (Public Act 192 of 1984).

MCL 338.887

FISCAL IMPLICATIONS:

According to the Department of Labor, the bill would have no fiscal impact. (9-25-91)

ARGUMENTS:

For:

Conspicuous by its absence in the areas of electrical work exempted from the license requirements of the Electrical Administrative Act is the whole area known as "control wiring," that is, wiring and electrical equipment which is integral to make heating, ventilating, air conditioning, or energy management systems operate safely and efficiently. For as long as mechanical contractors have been installing and servicing furnaces, boilers, air conditioners, and ventilators, these contractors have performed the control wiring in these systems. This work is included in the mechanical portion of the job specifications and is included in most collective bargaining agreements entered into by the mechanical, sheet metal, or temperature control contractors. Although this work currently is not exempted under the act, industry practice for over fifty years shows that this work is not the work of electrical contractors or their employees. What is more, the industry's record over these years proves that public health and safety are properly protected. This area should be included in the list of exemptions in the act.

Against:

Public Act 246 of 1990 amended the Electrical Administrative Act to require, among other things, that there be an electrical journeyman supervising

House Bill 5130 (3-9-92)

each electrical apprentice on a job site. It is inconsistent to suggest that an apprentice, who may have years of experience, cannot do this kind of "control" wiring without the supervision of a journeyman electrician, while plumbers and mechanical contractors who may have had no experience with this kind of wiring should be allowed to do so without any kind of supervision.

Response:

As noted above, mechanical contractors (who are regulated under the Forbes Mechanical Contractor Act) and plumbers (who are regulated under their own plumbing law, Public Act 266 of 1929) have been doing their own "control wiring" when installing and servicing furnaces, boilers, air conditioners, and ventilators for decades with an exemplary safety record. The bill would specify that only certain classifications of mechanical contractors would be exempted, and would continue to require that mechanical contractors and plumbers be licensed under their respective acts, so there should be no problems with public health and safety by adding this exemption.

POSITIONS:

The Michigan Chapter of the National Electrical Contractors Association supports the bill. (9-25-91)

The Michigan Heating, Ventilation, and Air Conditioning Contractors Association supports the bill. (9-25-91)

The Michigan Chapter of the Sheet Metal and Air Conditioning Contractors National Association supports the bill. (9-25-91)

The Associated Builders and Contractors of Michigan oppose the bill. (9-25-91)