

SUBSTITUTE FOR

HOUSE BILL NO. 5900

(As amended July 1, 2004)

A bill to amend 1956 PA 217, entitled
"Electrical administrative act,"
by amending section 3 (MCL 338.883), as amended by 1997 PA 120.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 3. (1) The ~~<<board~~ **<<department>>** shall grant licenses and
certificates
2 to qualified applicants, issue orders and promulgate rules
3 necessary for the enforcement and administration of this act, and
4 enforce and administer this act. The rules shall be promulgated
5 pursuant to the administrative procedures act of 1969, 1969 PA
6 306, 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.
11 (c) Electrical journeyman.

- 1 (d) Fire alarm contractor.
- 2 (e) Fire alarm specialty technician.
- 3 (f) Sign specialty contractor.
- 4 (g) Sign specialist.

5 ~~(3) Except as otherwise provided in subsection (9), the~~ **The**
 6 fee for initial licensure, apprentice electrician registration,
 7 or renewal of a license relating to electricians is as follows:

- 8 ~~(a) Electrical contractor.....\$75.00~~
- 9 **(a)** ~~(b)~~ Master electrician.....\$25.00
- 10 **(b)** ~~(c)~~ Electrical journeyman..... 20.00
- 11 **(c)** ~~(d)~~ Apprentice electrician..... 5.00

12 ~~(4) Except as otherwise provided in subsection (9), the~~ **The**
 13 fee for initial fire alarm specialty **technician** licensure, fire
 14 alarm specialty apprentice technician registration, or renewal of
 15 a ~~fire alarm specialty~~ license **or registration** is as follows:

- 16 ~~(a) Fire alarm contractor.....\$75.00~~
- 17 **(a)** ~~(b)~~ Fire alarm specialty technician.....\$25.00
- 18 **(b)** ~~(c)~~ Fire alarm specialty apprentice technician..... 5.00

19 ~~(5) Except as otherwise provided in subsection (9), the~~ **The**
 20 fee for initial sign ~~specialty~~ **specialist** licensure or renewal
 21 of a sign ~~specialty~~ **specialist** license is ~~as follows:~~ **\$20.00.**

- 22 ~~(a) Sign specialty contractor.....\$40.00~~
- 23 ~~(b) Sign specialist..... 20.00~~

24 ~~(6) Except as otherwise provided in subsection (9), 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 as described in subsection~~

1 ~~(3), (4), or (5).~~

2 **(6) —(7)—** An apprentice electrician or specialty apprentice
3 technician registration expires on August 31 of each year and is
4 renewable within 30 days after that date upon payment of a \$10.00
5 renewal fee. An applicant shall submit proof of a sponsoring
6 employer for initial or renewal registration.

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

16 **(8) —(9)—** ~~Beginning January 1, 1998, the~~ **The** license for an
17 electrical contractor, fire alarm contractor, and sign specialty
18 contractor expires December 31 ~~, 2000, and on December 31~~ **of**
19 ~~every third year. thereafter.~~ The license for an electrical
20 contractor, fire alarm contractor, and sign specialty contractor
21 is renewable not later than ~~March 1, 2001, and~~ on March 1 every
22 third year ~~thereafter~~ upon application and payment of \$200.00
23 by electrical contractors and fire alarm contractors and
24 application and payment of \$120.00 by sign specialty
25 contractors. In the case of a person applying for an initial or
26 reinstatement contractor's license at a time other than between
27 December 31 and March 1 of the year in which the department

1 issues renewal licenses, the department shall compute and charge
2 the 3-year license fee described in this subsection on a yearly
3 pro rata basis beginning in the year of the application until the
4 last year of the 3-year license cycle.

5 (9) Beginning the effective date of the amendatory act that
6 added this subsection, the department of labor and economic
7 growth shall issue an initial or renewal license for electrical
8 contractors, fire alarm contractors, and sign specialty
9 contractors not later than 90 days after the applicant files a
10 completed application. Receipt of the application is considered
11 the date the application is received by any agency or department
12 of the state of Michigan. If the application is considered
13 incomplete by the department of labor and economic growth, the
14 department of labor and economic growth shall notify the
15 applicant in writing, or make the information electronically
16 available, within 30 days after receipt of the incomplete
17 application, describing the deficiency and requesting the
18 additional information. The 90-day period is tolled upon
19 notification by the department of labor and economic growth of a
20 deficiency until the date the requested information is received
21 by the department of labor and economic growth. The
22 determination of the completeness of an application does not
23 operate as an approval of the application for the license and
24 does not confer eligibility of an applicant determined otherwise
25 ineligible for issuance of a license.

26 (10) If the department of labor and economic growth fails to
27 issue or deny a license within the time required by this section,

1 the department of labor and economic growth shall return the
2 license fee and shall reduce the license fee for the applicant's
3 next renewal application, if any, by 15%. The failure to issue a
4 license within the time required under this section does not
5 allow the department to otherwise delay the processing of the
6 application, and that application, upon completion, shall be
7 placed in sequence with other completed applications received at
8 that same time. The department shall not discriminate against an
9 applicant in the processing of the application based upon the
10 fact that the license fee was refunded or discounted under this
11 subsection.

12 (11) Beginning October 1, 2005, the director of the
13 department of labor and economic growth shall submit a report by
14 December 1 of each year to the standing committees and
15 appropriations subcommittees of the senate and house of
16 representatives concerned with occupational issues. The director
17 shall include all of the following information in the report
18 concerning the preceding fiscal year:

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

22 (b) The number of applications denied.

23 (c) The number of applicants not issued a license within the
24 90-day time period and the amount of money returned to licensees
25 under subsection (10).

26 (12) ~~—(10)—~~ The board shall provide for an examination to be
27 given to an applicant seeking licensure under this act for a

1 specific class of license. The board and department of ~~consumer~~
 2 ~~and industry services~~ **labor and economic growth**, acting jointly,
 3 may develop an examination or contract for the use of an
 4 examination developed by another governmental subdivision or any
 5 other entity including, but not limited to, the national
 6 assessment institute, which the department of ~~consumer and~~
 7 ~~industry services~~ **labor and economic growth** and the board,
 8 acting jointly, review and determine is designed to test the
 9 qualifications and competency of applicants seeking licensure
 10 under this act.

11 (13) ~~(11)~~ The examination for electrical journeymen and
 12 master electricians shall include, but not be limited to,
 13 questions designed to test an individual's knowledge of this act,
 14 any rules promulgated under this act, the **Stille-DeRossett-Hale**
 15 **single** state construction code act, ~~of 1972,~~ and any code
 16 adopted pursuant to section 4 of that act and any code adopted
 17 pursuant to section 8 of that act as well as the theory relative
 18 to those codes. In the case of the examination for an electrical
 19 contractor's license, the examination shall include, but not be
 20 limited to, questions designed to test an individual's knowledge
 21 of this act, any rules promulgated under this act, the
 22 **Stille-DeRossett-Hale single** state construction code act, ~~of~~
 23 ~~1972,~~ and the administration and enforcement procedures of any
 24 code adopted pursuant to section 8 or 9 of that act.

25 (14) ~~(12)~~ The board shall provide for an examination to be
 26 given to an applicant seeking fire alarm specialty licensure
 27 under this act. The examinations for fire alarm specialty

1 licensure shall include questions designed to test an
2 individual's knowledge of this act, any rules promulgated under
3 this act, and the **Stille-DeRossett-Hale single** state construction
4 code act, ~~of 1972,~~ as relating to fire alarm systems. The
5 board and department of ~~consumer and industry services~~ **labor**
6 **and economic growth**, acting jointly, may require, as a condition
7 for licensure, certification of the applicant in the field of
8 fire alarm systems technology by the national institution for
9 certification in engineering technology or equivalent as
10 determined by the board.

11 (15) ~~(13)~~ The board shall provide for an examination to be
12 given to an applicant seeking sign specialty licensure under this
13 act. The examinations for sign specialty licensure shall
14 include, but not be limited to, questions designed to test an
15 individual's knowledge of this act and any rules promulgated
16 under this act relating to electric signs and applicable sections
17 of the code.

18 (16) ~~(14)~~ Examinations shall be offered at locations
19 throughout the state as determined by the board. The department
20 of ~~consumer and industry services~~ **labor and economic growth** in
21 consultation with the board may designate a person to give the
22 examination at any location. Copies of examinations developed by
23 a governmental subdivision shall be presented for board approval
24 and shall remain the property of the governmental subdivision and
25 shall be returned to that governmental subdivision without having
26 been copied or reproduced in any manner.

27 (17) ~~(15)~~ The department of ~~consumer and industry~~

1 ~~services-~~ **labor and economic growth** shall annually submit to the
2 members of the legislature a comprehensive report detailing the
3 expenditure of the additional money resulting from the 1989
4 amendatory act that increased the fees contained in this
5 section.

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