

SENATE BILL No. 142

January 29, 2009, Introduced by Senators JANSEN, BASHAM, BIRKHOLZ, GARCIA, KAHN, RICHARDVILLE and PAPPAGEORGE and referred to the Committee on Economic Development and Regulatory Reform.

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 5 (MCL 338.885), as amended by 1998 PA 302, and by adding section 4.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 4. (1) SUBJECT TO SUBSECTION (4), THE BOARD AND
2 DEPARTMENT MAY LICENSE, WITHOUT EXAMINATION, APPLICANTS LICENSED
3 UNDER THE LAWS OF OTHER STATES HAVING REQUIREMENTS FOR LICENSING
4 CATEGORIES OR CLASSES OF ELECTRICIANS THAT THE BOARD DETERMINES ARE
5 EQUIVALENT TO THE REQUIREMENTS OF THIS STATE, CONDITIONAL UPON THAT
6 STATE OFFERING RECIPROCITY.

7 (2) BEGINNING THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT
8 ADDED THIS SECTION, THE DEPARTMENT AND BOARD SHALL MAKE APPROPRIATE

1 WRITTEN OR ELECTRONIC INQUIRIES TO ALL STATES THAT LICENSE
2 ELECTRICIANS IN ANY OR ALL OF THE CATEGORIES OR CLASSES DESCRIBED
3 IN THIS ACT REGARDING THE EXECUTION OF RECIPROCAL AGREEMENTS WITH
4 THIS STATE FOR THE GRANTING OF LICENSES, WITHOUT EXAMINATION AND
5 WITHOUT FURTHER TRAINING OR EXPERIENCE, TO APPLICANTS HOLDING A
6 LICENSE IN THIS STATE. ON A QUARTERLY BASIS, THE DEPARTMENT SHALL
7 SUBMIT A WRITTEN OR ELECTRONIC REPORT TO THE STANDING COMMITTEES
8 AND APPROPRIATION SUBCOMMITTEES OF THE SENATE AND HOUSE OF
9 REPRESENTATIVES CONCERNED WITH OCCUPATIONAL ISSUES, DETAILING THE
10 EFFORTS MADE BY THE DEPARTMENT IN CONTACTING OTHER STATES REGARDING
11 THE EXECUTION OF RECIPROCAL AGREEMENTS REQUIRED BY THIS SUBSECTION.

12 (3) THE DEPARTMENT MAY ENTER INTO A RECIPROCAL AGREEMENT
13 MEETING THE STANDARDS DESCRIBED IN THIS SECTION. A RECIPROCAL
14 AGREEMENT DESCRIBED IN SUBSECTION (2) SHALL CONTAIN THOSE
15 PROVISIONS RECOMMENDED BY THE BOARD AND APPROVED BY DEPARTMENT BUT
16 SHALL PROVIDE THAT THE OTHER STATE DOES AT LEAST THE FOLLOWING:

17 (A) ISSUES AN ELECTRICIAN IDENTIFICATION CARD WITH AN
18 EXPIRATION DATE PRINTED ON THE CARD AS WELL AS ANY CATEGORY OR
19 CLASS LIMITATION.

20 (B) IS AVAILABLE TO VERIFY THE LICENSE STATUS FOR ENFORCEMENT
21 PURPOSES.

22 (C) HAS DISQUALIFICATION, SUSPENSION, AND REVOCATION STANDARDS
23 FOR LICENSES.

24 (D) REQUIRES APPLICANTS FOR LICENSURE TO SUBMIT TO A CRIMINAL
25 HISTORY RECORDS CHECK PURSUANT TO APPLICABLE STATE AND FEDERAL LAW.

26 (E) REQUIRES THAT THE ELECTRICIAN POSSESS A LICENSE IN GOOD
27 STANDING FROM HIS OR HER HOME STATE.

1 (F) ALLOWS FOR UNLIMITED OR LIMITED LICENSURE, DEPENDING ON
2 THE CATEGORIES OR CLASSES FOR WHICH APPLICANTS CAN BE QUALIFIED
3 UNDER THE LAW OF THIS STATE AND THE OTHER STATE LAWS, INCLUDING
4 DEVELOPING CATEGORIES AND CLASSES IN ALTERNATIVE AND RENEWABLE
5 ENERGY SYSTEMS.

6 (4) NOTWITHSTANDING SUBSECTION (1), THE DEPARTMENT SHALL ISSUE
7 A LICENSE, WITHOUT EXAMINATION AND PURSUANT TO THE RECIPROCAL
8 AGREEMENT EXECUTED BY THE DEPARTMENT AND THE REGULATORY AGENCY OF
9 ANOTHER STATE, TO A PERSON LICENSED UNDER THE LAW OF THAT OTHER
10 STATE APPLYING FOR LICENSURE IN THIS STATE. UNDER SUCH
11 CIRCUMSTANCES, SUBSECTION (1) DOES NOT APPLY BUT DOES APPLY TO AN
12 APPLICANT LICENSED UNDER THE LAWS OF ANOTHER STATE IF NO RECIPROCAL
13 AGREEMENT IS EXECUTED BETWEEN THE DEPARTMENT AND THE REGULATORY
14 AGENCY OF THAT OTHER STATE.

15 (5) BEGINNING THE EFFECTIVE DATE OF ANY RECIPROCAL AGREEMENT
16 EXECUTED UNDER THIS SECTION, THE DEPARTMENT SHALL REPORT ANNUALLY
17 NOT LATER THAN JULY 1 OF EACH YEAR TO THE STANDING COMMITTEES AND
18 APPROPRIATION SUBCOMMITTEES OF THE SENATE AND HOUSE OF
19 REPRESENTATIVES CONCERNED WITH OCCUPATIONAL ISSUES ON THE NUMBER OF
20 LICENSES ISSUED TO OUT-STATE APPLICANTS PURSUANT TO EACH PARTICULAR
21 RECIPROCAL AGREEMENT AND SHALL REPORT ANY INFORMATION IN THE
22 POSSESSION OF THE DEPARTMENT REGARDING THE NUMBER OF LICENSES
23 ISSUED TO MICHIGAN RESIDENTS IN OTHER STATES UNDER A RECIPROCAL
24 AGREEMENT EXECUTED UNDER THIS SECTION.

25 Sec. 5. (1) Except as otherwise provided in section 7, a
26 person, firm, or corporation shall not install any electric wiring,
27 devices, appliances, or appurtenances for the generation,

1 distribution, and utilization of electrical energy, within or on
2 any building, structures, or properties, without being licensed. In
3 a municipality where inspection service is provided, a permit shall
4 be obtained from the board or municipality having jurisdiction. If
5 the electric wiring, devices, appliances, or appurtenances are
6 installed without compensation by a person licensed under this act
7 for or on behalf of a charitable organization, the permit required
8 under this subsection may be obtained by the owner of the property
9 on which the work is performed.

10 (2) The charitable organization exception under subsection (1)
11 applies only to the reconstruction, renovation, or remodeling of
12 1- to 4-family dwellings.

13 (3) Except as otherwise provided in section 7, a person, firm,
14 or corporation shall not erect, install, alter, repair, service, or
15 maintain fire alarm system wiring, devices, appliances, or
16 equipment within a building or structure without being licensed
17 under this act.

18 (4) Except as otherwise provided in section 7, a person, firm,
19 or corporation shall not install, connect, repair, or maintain
20 electric signs and related wiring without being licensed under this
21 act.

22 ~~—— (5) Notwithstanding any other provisions of this act and upon~~
23 ~~proper application and payment of the appropriate fees, the board~~
24 ~~and department of labor shall issue a license without examination~~
25 ~~to a person desiring sign specialty licensure who is licensed,~~
26 ~~registered, or otherwise regulated in another state if the board~~
27 ~~determines that the standards in the other state meet or exceed the~~

1 ~~standards imposed in this act.~~

2 (5) ~~(6)~~As used in this section, "charitable organization"
3 means a not for profit tax-exempt religious, educational, or humane
4 organization.