

**SUBSTITUTE FOR
HOUSE BILL NO. 4844**

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~~ **\$100.00**:

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

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

| | | |
|----|---------------------------------|----------------------------------|
| 11 | (a) Master electrician..... | \$ 25.00 50.00 |
| 12 | (b) Electrical journeyman..... | 20.00 40.00 |
| 13 | (c) Apprentice electrician..... | 5.00 15.00 |

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

| | | |
|----|--|----------------------------------|
| 18 | (a) Fire alarm specialty technician..... | \$ 25.00 50.00 |
| 19 | (b) Fire alarm specialty apprentice | |
| 20 | technician..... | 5.00 15.00 |

21 (5) The fee for initial sign specialist licensure or renewal
 22 of a sign specialist license is ~~\$20.00~~ **\$40.00**.

23 (6) An apprentice electrician or specialty apprentice
 24 technician registration expires on August 31 of each year and is
 25 renewable within 30 days after that date upon payment of a ~~\$10.00~~

1 \$15.00 renewal fee. An applicant shall submit proof of a
2 sponsoring employer for initial or renewal registration.

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

12 (8) The license for an electrical contractor, fire alarm
13 contractor, and sign specialty contractor expires December 31 of
14 every third year. The license for an electrical contractor, fire
15 alarm contractor, and sign specialty contractor is renewable not
16 later than on March 1 every third year upon application and
17 payment of ~~\$200.00~~ \$300.00 by electrical contractors and fire
18 alarm contractors and application and payment of ~~\$120.00~~ \$200.00
19 by sign specialty contractors. In the case of a person applying
20 for an initial or reinstatement contractor's license at a time
21 other than between December 31 and March 1 of the year in which
22 the department issues renewal licenses, the department shall
23 compute and charge the 3-year license fee described in this
24 subsection on a yearly pro rata basis beginning in the year of
25 the application until the last year of the 3-year license cycle.

26 (9) ~~Beginning the effective date of the amendatory act that~~
27 ~~added this subsection~~ JULY 23, 2004, the department of labor and

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

20 (10) If the department of labor and economic growth fails to
21 issue or deny a license within the time required by this section,
22 the department of labor and economic growth shall return the
23 license fee and shall reduce the license fee for the applicant's
24 next renewal application, if any, by 15%. The failure to issue a
25 license within the time required under this section does not
26 allow the department to otherwise delay the processing of the
27 application, and that application, upon completion, shall be

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

6 (11) Beginning October 1, 2005, the director of the
7 department of labor and economic growth shall submit a report by
8 December 1 of each year to the standing committees and
9 appropriations subcommittees of the senate and house of
10 representatives concerned with occupational issues. The director
11 shall include all of the following information in the report
12 concerning the preceding 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 (9).

16 (b) The number of applications denied.

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

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

1 determine is designed to test the qualifications and competency
2 of applicants seeking licensure under this act.

3 (13) The examination for electrical journeymen and master
4 electricians shall include, but not be limited to, questions
5 designed to test an individual's knowledge of this act, any rules
6 promulgated under this act, the Stille-DeRossett-Hale single
7 state construction code act, and any code adopted pursuant to
8 section 4 of that act and any code adopted pursuant to section 8
9 of that act as well as the theory relative to those codes. In the
10 case of the examination for an electrical contractor's license,
11 the 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, and the administration and
15 enforcement procedures of any code adopted pursuant to section 8
16 or 9 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, as relating to
23 fire alarm systems. The board and department of labor and
24 economic growth, acting jointly, may require, as a condition for
25 licensure, certification of the applicant in the field of fire
26 alarm systems technology by the national institution for
27 certification in engineering technology or equivalent as

1 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. Copies of
12 examinations developed by a governmental subdivision shall be
13 presented for board approval and shall remain the property of the
14 governmental subdivision and shall be returned to that
15 governmental subdivision without having been copied or reproduced
16 in any manner.

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

22 **(18) BY JULY 1 OF EACH FISCAL YEAR, THE DEPARTMENT SHALL**
23 **MULTIPLY THE AMOUNT OF THE FEES IMPOSED UNDER THIS SECTION BY A**
24 **PERCENTAGE AMOUNT EQUAL TO THE AVERAGE PERCENTAGE WAGE AND SALARY**
25 **INCREASE GRANTED TO CLASSIFIED CIVIL SERVICE EMPLOYEES EMPLOYED**
26 **BY THE DEPARTMENT FOR THE FISCAL YEAR BEGINNING THE FOLLOWING**
27 **OCTOBER 1.**

1 (19) IF THE AMOUNT CALCULATED UNDER SUBSECTION (18) IS LESS
2 THAN 10% OF THE FEES IMPOSED UNDER THIS SECTION, THE DEPARTMENT
3 SHALL NOT INCREASE THE FEES.

4 (20) IF THE CUMULATIVE AMOUNT CALCULATED UNDER SUBSECTION
5 (18) SINCE THE MOST RECENT FEE INCREASE EQUALS AT LEAST 10% OF
6 THE FEES IMPOSED UNDER THIS SECTION, THE DEPARTMENT MAY INCREASE
7 THE AMOUNT OF FEES IMPOSED UNDER THIS SECTION BY THE CUMULATIVE
8 AMOUNT CALCULATED UNDER SUBSECTION (18).

9 (21) IF THE DEPARTMENT INCREASES FEES UNDER SUBSECTION (20),
10 THE INCREASE SHALL BE EFFECTIVE FOR THE FISCAL YEAR BEGINNING THE
11 FOLLOWING OCTOBER 1. THE INCREASED FEES SHALL BE USED BY THE
12 DEPARTMENT AS THE BASIS FOR CALCULATING FEE INCREASES IN
13 SUBSEQUENT FISCAL YEARS, AS PROVIDED IN SUBSECTIONS (18) AND
14 (20).

15 (22) BY JULY 1 OF EACH YEAR, THE DEPARTMENT SHALL PROVIDE TO
16 THE STATE BUDGET OFFICE, SENATE, HOUSE OF REPRESENTATIVES, AND
17 THE SENATE AND HOUSE FISCAL AGENCIES A COMPLETE SCHEDULE OF FEES
18 TO BE COLLECTED UNDER THIS SECTION, THE AMOUNT CALCULATED UNDER
19 SUBSECTION (18), AND THE AMOUNT OF THE FEE INCREASE UNDER
20 SUBSECTION (20). THE LEGISLATURE HAS 90 DAYS AFTER RECEIVING
21 NOTICE FROM THE DEPARTMENT IN WHICH TO ADOPT A RESOLUTION
22 REJECTING THE PROPOSED INCREASE IN FEES UNDER SUBSECTION (20).

23 (23) ~~(18)~~As used in this section, "completed application"
24 means an application complete on its face and submitted with any
25 applicable licensing fees as well as any other information,
26 records, approval, security, or similar item required by law or
27 rule from a local unit of government, a federal agency, or a

- 1 private entity but not from another department or agency of the
- 2 state of Michigan.