

HOUSE BILL No. 5823

August 15, 2012, Introduced by Rep. Pscholka and referred to the Committee on Appropriations.

A bill to amend 1956 PA 217, entitled
"Electrical administrative act,"
by amending section 3 (MCL 338.883), as amended by 2008 PA 371.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) The department of ~~energy, labor, and economic~~
2 ~~growth~~ **LICENSING AND REGULATORY AFFAIRS** shall grant licenses and
3 certificates **UNDER THIS ACT** to qualified applicants, issue orders
4 and promulgate rules necessary for the enforcement and
5 administration of this act, and enforce and administer this act.
6 The rules shall be promulgated pursuant to the administrative
7 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

8 (2) The examination fee for licensure of **ANY OF** the
9 following is ~~\$25.00 if paid after September 30, 2012 and~~ \$100.00:

1 ~~if paid on or before September 30, 2012:~~

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

9 (3) The fee for ~~initial licensure,~~ **AN INITIAL LICENSE, AN**
 10 apprentice electrician registration, or renewal of a license
 11 relating to electricians is as follows:

12 ~~—— (a) If paid after September 30, 2012:~~

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

16 ~~—— (b) If paid on or before September 30, 2012:~~

17	(A) (i)	Master electrician.....	\$50.00
18	(B) (ii)	Electrical journeyman.....	40.00
19	(C) (iii)	Apprentice electrician.....	15.00

20 (4) The fee for **AN** initial fire alarm specialty technician
 21 ~~licensure,~~ **LICENSE, A** fire alarm specialty apprentice technician
 22 registration, or renewal of a license or registration is as
 23 follows:

24 ~~—— (a) If paid after September 30, 2012:~~

1 ~~(i)~~ Fire alarm specialty technician..... \$25.00
 2 ~~(ii)~~ Fire alarm specialty apprentice
 3 technician..... 5.00

4 ~~—— (b) If paid on or before September 30, 2012.~~

5 **(A)** ~~(i)~~ Fire alarm specialty technician..... \$50.00
 6 **(B)** ~~(ii)~~ Fire alarm specialty apprentice
 7 technician..... 15.00

8 (5) The fee for **AN** initial sign specialist ~~license~~ **LICENSE**
 9 or renewal of a sign specialist license is ~~\$20.00 if paid after~~
 10 ~~September 30, 2012 and \$40.00. if paid on or before September 30,~~
 11 ~~2012.~~

12 (6) An apprentice electrician or specialty apprentice
 13 technician registration expires on August 31 of each year and is
 14 renewable within 30 days after that date ~~upon payment of~~ **IF** a
 15 renewal fee of ~~\$10.00 if paid after September 30, 2012 and a~~
 16 ~~\$15.00 renewal fee if~~ **IS** paid. ~~on or before September 30, 2012.~~
 17 An applicant shall submit proof of a sponsoring employer for
 18 initial or renewal registration.

19 (7) Except as otherwise provided in subsection (8), a
 20 license issued under this act expires on December 31 of each year
 21 and is renewable not more than 60 days after that date ~~upon~~ **IF AN**
 22 application **IS SUBMITTED** and ~~payment of~~ the appropriate fee **IS**
 23 **PAID**. After March 1 of each year or after March 1 of the renewal
 24 year in the case of electrical contractors, fire alarm
 25 contractors, ~~and~~ **OR** sign specialty contractors, a license **THAT IS**

1 not renewed is void and may **ONLY** be reinstated ~~only upon~~ **IF AN**
 2 application for reinstatement **IS SUBMITTED** and ~~payment of the~~
 3 ~~appropriate license fee for the appropriate class~~ **IS PAID.**

4 (8) ~~The A~~ license for an electrical contractor, fire alarm
 5 contractor, ~~and OR~~ sign specialty contractor expires December 31
 6 of every third year. ~~The A~~ license for an electrical contractor,
 7 fire alarm contractor, ~~and OR~~ sign specialty contractor is
 8 renewable not later than on March 1 every third year ~~upon~~ **IF AN**
 9 application **IS SUBMITTED** and ~~payment of \$200.00 if paid after~~
 10 ~~September 30, 2012 and \$300.00 if~~ **IS** paid ~~on or before September~~
 11 ~~30, 2012 by THE electrical contractors and CONTRACTOR OR fire~~
 12 ~~alarm contractors and CONTRACTOR OR AN~~ application and ~~payment of~~
 13 ~~\$120.00 if paid after September 30, 2012~~ **IS SUBMITTED** and \$200.00
 14 ~~if~~ **IS** paid ~~on or before September 30, 2012 by A sign specialty~~
 15 ~~contractors. In the case of CONTRACTOR. IF~~ a person **IS** applying
 16 for an initial or reinstatement contractor's license at a time
 17 other than between December 31 and March 1 of the year in which
 18 the department issues renewal licenses, the department **OF**
 19 **LICENSING AND REGULATORY AFFAIRS** shall compute and charge the 3-
 20 year license fee described in this subsection on a yearly pro
 21 rata basis beginning in the year of the application until the
 22 last year of the 3-year license cycle.

23 (9) ~~Beginning July 23, 2004, the THE~~ department of energy,
 24 labor, and economic growth **LICENSING AND REGULATORY AFFAIRS** shall
 25 issue an initial or renewal license for **AN** electrical
 26 ~~contractors, CONTRACTOR, fire alarm contractors, and CONTRACTOR,~~
 27 **OR** sign specialty ~~contractors~~ **CONTRACTOR** not later than 90 days

1 after the applicant files a completed application. ~~Receipt~~ **THE**
 2 **DATE OF FILING** of the application is considered the date the
 3 application is received by any agency or department of the ~~the~~ **THIS**
 4 state. ~~of Michigan.~~ If the application is considered incomplete
 5 by the department of ~~energy, labor, and economic growth,~~
 6 **LICENSING AND REGULATORY AFFAIRS**, the department ~~of energy,~~
 7 ~~labor, and economic growth~~ shall notify the applicant in writing,
 8 or make the information electronically available **TO THE**
 9 **APPLICANT**, within 30 days after ~~receipt~~ **THE DATE OF FILING** of the
 10 incomplete application, describing the deficiency and requesting
 11 the additional information. The 90-day period is tolled ~~upon~~ **FROM**
 12 **THE DATE OF** notification by the department ~~of energy, labor, and~~
 13 ~~economic growth~~ **LICENSING AND REGULATORY AFFAIRS** of a deficiency
 14 until the date the requested information is received by the
 15 department. ~~of energy, labor, and economic growth.~~ The
 16 determination of the completeness of an application does not
 17 operate as an approval of the application for the license and
 18 does not confer eligibility of an applicant determined otherwise
 19 ineligible for issuance of a license.

20 (10) If the department of ~~energy, labor, and economic growth~~
 21 **LICENSING AND REGULATORY AFFAIRS** fails to issue or deny a license
 22 within the time required by this section, the department ~~of~~
 23 ~~energy, labor, and economic growth~~ shall return the license fee
 24 and shall reduce the license fee for the applicant's next renewal
 25 application, if any, by 15%. The failure to issue a license
 26 within the time required under this section does not allow the
 27 department of ~~energy, labor, and economic growth~~ **LICENSING AND**

1 **REGULATORY AFFAIRS** to otherwise delay the processing of the
 2 application, and **THE DEPARTMENT SHALL PLACE** that application,
 3 ~~upon completion, shall be placed~~ **WHEN COMPLETED**, in sequence with
 4 other completed applications received at that same time. The
 5 department of ~~energy, labor, and economic growth~~ **LICENSING AND**
 6 **REGULATORY AFFAIRS** shall not discriminate against an applicant in
 7 the processing of the application based ~~upon~~ **ON** the fact that the
 8 license fee was refunded or discounted under this subsection.

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

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

20 (b) The number of applications denied **BY THE DEPARTMENT**.

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

24 (12) The board shall provide for ~~an examination to be given~~
 25 ~~to an applicant seeking licensure under this act for a specific~~
 26 ~~class of license.~~ **THE EXAMINATIONS REQUIRED UNDER SECTIONS 3B TO**
 27 **3K.** The board and department of ~~energy, labor, and economic~~

~~growth, LICENSING AND REGULATORY AFFAIRS, acting jointly, may~~
 develop an examination or contract for the use of an examination
 developed by another governmental subdivision or any other entity
 including, but not limited to, the national assessment institute,
~~which THAT the department of energy, labor, and economic growth~~
 and the board, acting jointly, review and determine is designed
 to test the qualifications and competency of applicants seeking
~~licensure~~ **A LICENSE** under this act.

~~———— (13) ALL OF THE FOLLOWING APPLY TO THE EXAMINATIONS~~
DESCRIBED IN THIS SUBSECTION:

(A) The examination for electrical journeymen **UNDER SECTION**
3D and master electricians **UNDER SECTION 3C** shall include, but
 not be limited to, questions designed to test an individual's
 knowledge of this act, any rules promulgated under this act, the
 Stille-DeRossett-Hale single state construction code act, ~~and any~~
~~code adopted pursuant to~~ **UNDER** section 4 of that act, ~~and MCL~~
125.1504, any code adopted ~~pursuant to~~ **UNDER** section 8a of that
 act, ~~as well as MCL 125.1508A, AND~~ the theory relative to those
 codes. ~~In the case of the~~

(B) ~~THE~~ examination for ~~an electrical contractor's license,~~
~~the examination~~ **CONTRACTORS UNDER SECTION 3B** shall include, but
 not be limited to, questions designed to test an individual's
 knowledge of this act, any rules promulgated under this act, the
 Stille-DeRossett-Hale single state construction code act, and the
 administration and enforcement procedures of any code adopted
~~pursuant to~~ **UNDER** section 8a of that act, **MCL 125.1508A.**

(C) ~~(14) The board shall provide for an examination to be~~

~~1 given to an applicant seeking FOR fire alarm specialty licensure~~
~~2 under this act. The examinations for fire alarm specialty~~
~~3 licensure~~ **LICENSES UNDER SECTION 3F, 3G, OR 3H** shall include
 4 questions designed to test an individual's knowledge of this act,
 5 any rules promulgated under this act, and the Stille-DeRossett-
 6 Hale single state construction code act, as relating to fire
 7 alarm systems. The board and department of ~~energy, labor, and~~
~~8 economic growth,~~ **LICENSING AND REGULATORY AFFAIRS**, acting
 9 jointly, may require, as a condition for licensure, certification
 10 of the applicant in the field of fire alarm systems technology by
 11 the national institution for certification in engineering
 12 technology or equivalent **CERTIFICATION** as determined by the
 13 board.

14 **(D)** ~~(15) The board shall provide for an examination to be~~
~~15 given to an applicant seeking sign specialty licensure under this~~
~~16 act. The examinations for sign specialty licensure~~ **LICENSES UNDER**
 17 **SECTION 3J OR 3K** shall include, but not be limited to, questions
 18 designed to test an individual's knowledge of this act and any
 19 rules promulgated under this act relating to electric signs and
 20 applicable sections of the code.

21 **(E)** ~~(16) Examinations shall be offered at locations~~
 22 throughout the state as determined by the board. The department
 23 of ~~energy, labor, and economic growth~~ **LICENSING AND REGULATORY**
 24 **AFFAIRS** in consultation with the board may designate a person to
 25 give the examination at any location. Copies of examinations
 26 developed by a governmental subdivision shall be presented for
 27 board approval, ~~and~~ shall remain the property of the governmental

1 subdivision, and shall be returned to that governmental
2 subdivision without having been copied or reproduced in any
3 manner.

4 (13) ~~(17) The department of energy, labor, and economic~~
5 ~~growth~~ **LICENSING AND REGULATORY AFFAIRS** shall annually submit to
6 the members of the legislature a comprehensive report detailing
7 the expenditure of the additional money resulting from the 1989
8 amendatory act that increased the fees contained in this section.

9 (14) ~~(18) As used in this section, "completed application"~~
10 means an application **THAT IS** complete on its face and submitted
11 with any applicable licensing fees ~~as well as~~ **AND** any other
12 information, records, approval, security, or similar item
13 required by law or rule from a local unit of government, a
14 federal agency, or a private entity but not from another
15 department or agency of ~~the~~ **THIS** state. ~~of Michigan.~~