

HOUSE BILL No. 4382

March 24, 2015, Introduced by Rep. Afendoulis 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 2012 PA 313.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) The department of licensing and regulatory
2 affairs shall grant licenses and certificates under this act to
3 qualified applicants, issue orders and promulgate rules necessary
4 for the enforcement and administration of this act, and enforce
5 and administer this act. The rules shall be promulgated pursuant
6 to the administrative procedures act of 1969, 1969 PA 306, MCL
7 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, 2015 and \$100.00:~~
10 ~~if paid on or before September 30, 2015.~~

11 (a) Master electrician.

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

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

10 ~~———— (a) If paid after September 30, 2015+:~~

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

14 ~~———— (b) If paid on or before September 30, 2015+:~~

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

18 (4) The fee for an initial fire alarm specialty technician
 19 license, a fire alarm specialty apprentice technician
 20 registration, or renewal of a license or registration is as
 21 follows:

22 ~~———— (a) If paid after September 30, 2015+:~~

23	(i)	Fire alarm specialty technician.....	\$25.00
24	(ii)	Fire alarm specialty apprentice	

1 technician..... 5.00

2 ~~(b) If paid on or before September 30, 2015.~~

3 (A) ~~(i)~~ Fire alarm specialty technician..... \$50.00

4 (B) ~~(ii)~~ Fire alarm specialty apprentice

5 technician..... 15.00

6 (5) The fee for an initial sign specialist license or
7 renewal of a sign specialist license is ~~\$20.00 if paid after~~
8 ~~September 30, 2015 and \$40.00. if paid on or before September 30,~~
9 ~~2015.~~

10 (6) An apprentice electrician or specialty apprentice
11 technician registration expires on August 31 of each year and is
12 renewable within 30 days after that date if a renewal fee is
13 paid. The amount of the fee is ~~\$10.00 if paid after September 30,~~
14 ~~2015 and \$15.00. if paid on or before September 30, 2015.~~ An
15 applicant shall submit proof of a sponsoring employer for initial
16 or renewal registration.

17 (7) Except as otherwise provided in subsection (8), a
18 license issued under this act expires on December 31 of each year
19 and is renewable not more than 60 days after that date if an
20 application is submitted and the appropriate fee is paid. After
21 March 1 of each year or after March 1 of the renewal year in the
22 case of electrical contractors, fire alarm contractors, or sign
23 specialty contractors, a license that is not renewed is void and
24 may only be reinstated if an application for reinstatement is
25 submitted and the appropriate license fee for the appropriate

1 class is paid.

2 (8) A license for an electrical contractor, fire alarm
3 contractor, or sign specialty contractor expires December 31 of
4 every third year. A license for an electrical contractor, fire
5 alarm contractor, or sign specialty contractor is renewable not
6 later than on March 1 every third year by submitting an
7 application and paying 1 of the following amounts:

8 (a) A fee of ~~\$200.00 if paid after September 30, 2015 and~~
9 ~~\$300.00 if paid on or before September 30, 2015 by FOR~~ electrical
10 contractors and fire alarm contractors.

11 (b) A fee of ~~\$120.00 if paid after September 30, 2015 and~~
12 ~~\$200.00 if paid on or before September 30, 2015 by FOR~~ sign
13 specialty contractors.

14 (9) If a person applying for an initial or reinstatement
15 contractor's license at a time other than between December 31 and
16 March 1 of the year in which the department issues renewal
17 licenses, the department of licensing and regulatory affairs
18 shall compute and charge the 3-year license fee described in
19 subsection (8) on a yearly pro rata basis beginning in the year
20 of the application until the last year of the 3-year license
21 cycle.

22 (10) The department of licensing and regulatory affairs
23 shall issue an initial or renewal license for an electrical
24 contractor, fire alarm contractor, or sign specialty contractor
25 not later than 90 days after the applicant files a completed
26 application. The date of filing of the application is considered
27 the date the application is received by any agency or department

1 of this state. If the application is considered incomplete by the
2 department of licensing and regulatory affairs, the department of
3 licensing and regulatory affairs shall notify the applicant in
4 writing, or make the information electronically available to the
5 applicant, within 30 days after the date of filing of the
6 incomplete application, describing the deficiency and requesting
7 the additional information. The 90-day period is tolled from the
8 date of notification by the department of licensing and
9 regulatory affairs of a deficiency until the date the requested
10 information is received by the department of licensing and
11 regulatory affairs. The determination of the completeness of an
12 application does not operate as an approval of the application
13 for the license and does not confer eligibility of an applicant
14 determined otherwise ineligible for issuance of a license.

15 (11) If the department of licensing and regulatory affairs
16 fails to issue or deny a license within the time required by this
17 section, the department of licensing and regulatory affairs shall
18 return the license fee and shall reduce the license fee for the
19 applicant's next renewal application, if any, by 15%. The failure
20 to issue a license within the time required under this section
21 does not allow the department of licensing and regulatory affairs
22 to otherwise delay the processing of the application, and the
23 department shall place that application, when completed, in
24 sequence with other completed applications received at that same
25 time. The department of licensing and regulatory affairs shall
26 not discriminate against an applicant in the processing of the
27 application based on the fact that the license fee was refunded

1 or discounted under this subsection.

2 (12) The director of the department of licensing and
3 regulatory affairs shall submit a report by December 1 of each
4 year to the standing committees and appropriations subcommittees
5 of the senate and house of representatives concerned with
6 occupational issues. The director shall include all of the
7 following information in the report concerning the preceding
8 fiscal year:

9 (a) The number of initial and renewal applications the
10 department received and completed within the 90-day time period
11 described in subsection (10).

12 (b) The number of applications denied by the department.

13 (c) The number of applicants that were not issued a license
14 within the 90-day time period and the amount of money returned to
15 licensees under subsection (11).

16 (13) The board shall provide for the examinations required
17 under sections 3b to 3k. The board and department of licensing
18 and regulatory affairs, acting jointly, may develop an
19 examination or contract for the use of an examination developed
20 by another governmental subdivision or any other entity,
21 including, but not limited to, the national assessment institute,
22 that the department of licensing and regulatory affairs and the
23 board, acting jointly, review and determine is designed to test
24 the qualifications and competency of applicants seeking a license
25 under this act. All of the following apply to the examinations
26 described in this subsection:

27 (a) The examination for electrical journeymen under section

1 3d and master electricians under section 3c shall include, but
2 not be limited to, questions designed to test an individual's
3 knowledge of this act, any rules promulgated under this act, the
4 Stille-DeRossett-Hale single state construction code act, any
5 code adopted under section 4 of that act, MCL 125.1504, any code
6 adopted under section 8a of that act, MCL 125.1508a, and the
7 theory relative to those codes.

8 (b) The examination for electrical contractors under section
9 3b shall include, but not be limited to, questions designed to
10 test an individual's knowledge of this act, any rules promulgated
11 under this act, the Stille-DeRossett-Hale single state
12 construction code act, and the administration and enforcement
13 procedures of any code adopted under section 8a of that act, MCL
14 125.1508a.

15 (c) The examination for fire alarm specialty licenses under
16 section 3f, 3g, or 3h shall include questions designed to test an
17 individual's knowledge of this act, any rules promulgated under
18 this act, and the Stille-DeRossett-Hale single state construction
19 code act, as relating to fire alarm systems. The board and
20 department of licensing and regulatory affairs, acting jointly,
21 may require, as a condition for licensure, certification of the
22 applicant in the field of fire alarm systems technology by the
23 national institution for certification in engineering technology
24 or equivalent certification as determined by the board.

25 (d) The examination for sign specialty licenses under
26 section 3j or 3k shall include, but not be limited to, questions
27 designed to test an individual's knowledge of this act and any

1 rules promulgated under this act relating to electric signs and
2 applicable sections of the code.

3 (e) Examinations shall be offered at locations throughout
4 the state as determined by the board. The department of licensing
5 and regulatory affairs in consultation with the board may
6 designate a person to give the examination at any location.
7 Copies of examinations developed by a governmental subdivision
8 shall be presented for board approval, shall remain the property
9 of the governmental subdivision, and shall be returned to that
10 governmental subdivision without having been copied or reproduced
11 in any manner.

12 (14) The department of licensing and regulatory affairs
13 shall annually submit to the members of the legislature a
14 comprehensive report detailing the expenditure of the additional
15 money resulting from the 1989 amendatory act that increased the
16 fees contained in this section.

17 (15) The department of licensing and regulatory affairs
18 shall waive any fee otherwise required under this section if the
19 person responsible for paying the fee meets any of the following:

20 (a) If the person is an individual, he or she is, and
21 provides proof satisfactory to the department that he or she is,
22 an honorably discharged veteran of the armed forces of the United
23 States.

24 (b) If the person is a nonprofit corporation organized on a
25 membership or directorship basis, a majority of the members or
26 directors, as applicable, are, and the person provides proof
27 satisfactory to the department that a majority of the members or

1 directors are, honorably discharged veterans of the armed forces
2 of the United States.

3 (c) If the person is not an individual or a nonprofit
4 corporation described in subdivision (b), a majority of the
5 shares or other ownership interests of the person are, and the
6 person provides proof satisfactory to the department that those
7 interests are, held by 1 or more honorably discharged veterans of
8 the armed forces of the United States.

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

15 Enacting section 1. This amendatory act takes effect October
16 1, 2015.