

# SENATE BILL No. 1137

March 14, 2006, Introduced by Senators CLARKE, PRUSI, GEORGE, KUIPERS, GARCIA, BARCIA and SCHAUER and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

A bill to amend 1984 PA 192, entitled  
"Forbes mechanical contractors act,"  
by amending section 3 (MCL 338.973).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 3. (1) There is created within the department a board of  
2 mechanical rules ~~which~~ **THAT** consists of the state fire marshal or  
3 the state fire marshal's designee, who shall be a permanent member,  
4 and 14 residents of the state to be appointed by the governor with  
5 the advice and consent of the senate. Appointed members shall be  
6 not less than 18 years of age and qualified in their respective  
7 fields. Of the members first appointed, 4 members shall have a term  
8 of 1 year, 3 members shall have a term of 2 years, 3 members shall

1 have a term of 3 years, and 4 members shall have a term of 4 years.  
2 Appointed members of the board shall include 1 person from the  
3 general public; a member of organized labor representing the  
4 mechanical trades; a professional mechanical engineer registered in  
5 this state; a representative of an energy-producing public utility  
6 of the state; a representative from each of the work  
7 classifications set forth in section 6(3); and 2 chief mechanical  
8 inspectors of governmental subdivisions, 1 of whom enforces the  
9 building officials and code administrators building code, and 1 of  
10 whom enforces the international conference of building officials  
11 building code. Except for the initial members, a member of the  
12 board shall be appointed for a term of 2 years, except that a  
13 vacancy shall be filled for the unexpired portion of the term. A  
14 member of the board may be removed from office by the governor in  
15 accordance with section 10 of article V of the state constitution  
16 of 1963. A member of the board who has a pecuniary interest in a  
17 matter shall disclose that interest before the board takes action  
18 in the matter, which disclosure shall be made a matter of record in  
19 the board's official proceedings. Each member of the board, except  
20 the ~~state fire marshal or the state fire marshal's~~ **DIRECTOR OF**  
21 **THE DEPARTMENT OF LABOR AND ECONOMIC GROWTH OR HIS OR HER** designee,  
22 shall receive per diem compensation and actual expenses incurred by  
23 the member in the performance of his or her duties as a member of  
24 the board. Annually, the legislature shall fix the per diem  
25 compensation of a member of the board. Travel or other expenses  
26 incurred by a member of a board in the performance of an official  
27 function shall be payable by the department pursuant to the

1 standardized travel regulations of the department of management and  
2 budget. A member of the board shall not serve more than 2  
3 consecutive terms.

4 (2) The board shall hold an organizational meeting within 60  
5 days after the effective date of this act. At the first meeting of  
6 each year, the board shall elect from its membership a chairperson,  
7 vice-chairperson, and secretary. The chairperson, vice-chairperson,  
8 and secretary shall be elected from those members appointed to the  
9 board by the governor, except that the board members who are chief  
10 mechanical inspectors ~~shall not be~~ **ARE NOT** eligible for election  
11 as chairperson or vice-chairperson of the board.

12 Enacting section 1. This amendatory act does not take effect  
13 unless Senate Bill No. 1133

14 of the 93rd Legislature is enacted into law.