

SUBSTITUTE FOR
SENATE BILL NO. 1137

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~~
8 ~~term of 1 year, 3 members shall have a term of 2 years, 3 members~~

1 ~~shall have a term of 3 years, and 4 members shall have a term of 4~~
 2 ~~years.~~ Appointed members of the board shall include 1 person from
 3 the 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~~ A member of the
 12 board **APPOINTED BY THE GOVERNOR BEFORE JANUARY 1, 2007** shall be
 13 appointed for a term of 2 years, except that a vacancy shall be
 14 filled for the unexpired portion of the term. **A MEMBER OF THE BOARD**
 15 **APPOINTED BY THE GOVERNOR AFTER DECEMBER 31, 2006 SHALL BE**
 16 **APPOINTED FOR A TERM OF 4 YEARS, EXCEPT THAT A VACANCY SHALL BE**
 17 **FILLED FOR THE UNEXPIRED PORTION OF THE TERM.** A member of the board
 18 may be removed from office by the governor in accordance with
 19 section 10 of article V of the state constitution of 1963. A member
 20 of the board who has a pecuniary interest in a matter shall
 21 disclose that interest before the board takes action in the matter,
 22 which disclosure shall be made a matter of record in the board's
 23 official proceedings. Each member of the board, except the state
 24 fire marshal or the state fire marshal's designee, shall receive
 25 ~~per diem compensation and~~ **REIMBURSEMENT FOR** actual expenses
 26 incurred by the member in the performance of his or her duties as a
 27 member of the board, **SUBJECT TO AVAILABLE APPROPRIATIONS.**

1 ~~Annually, the legislature shall fix the per diem compensation of a~~
2 ~~member of the board.~~ Travel or other expenses incurred by a member
3 of a board in the performance of an official function shall be
4 payable by the department pursuant to the standardized travel
5 regulations of the department of management and budget, **SUBJECT TO**
6 **AVAILABLE APPROPRIATIONS.** A member of the board shall not serve
7 more than 2 consecutive terms.

8 (2) ~~The board shall hold an organizational meeting within 60~~
9 ~~days after the effective date of this act.~~ At the first meeting of
10 each year, the board shall elect from its membership a
11 ~~chairperson,~~ vice-chairperson ~~,~~ and secretary. The ~~chairperson,~~
12 vice-chairperson ~~,~~ and secretary shall be elected from those
13 members appointed to the board by the governor, except that the
14 board members who are chief mechanical inspectors ~~shall not be~~
15 **ARE NOT** eligible for election as ~~chairperson or~~ vice-chairperson
16 of the board. **AFTER DECEMBER 31, 2006, THE GOVERNOR SHALL DESIGNATE**
17 **1 MEMBER OF THE BOARD TO SERVE AS CHAIRPERSON AT THE PLEASURE OF**
18 **THE GOVERNOR.**

19 Enacting section 1. This amendatory act does not take effect
20 unless all of the following bills of the 93rd Legislature are
21 enacted into law:

22 (a) Senate Bill No. 1133.

23 (b) House Bill No. 5860.