

Act No. 197
Public Acts of 2006
Approved by the Governor
June 16, 2006
Filed with the Secretary of State
June 19, 2006
EFFECTIVE DATE: June 19, 2006

**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006**

Introduced by Senators Clarke, Prusi, George, Kuipers, Garcia, Barcia and Schauer

ENROLLED SENATE BILL No. 1137

AN ACT to amend 1984 PA 192, entitled "An act to regulate the use, installation, alteration, and servicing of specified heating, cooling, ventilating, and refrigerating equipment and systems; to create a board of mechanical rules; to provide for the licensing of installing contractors and of servicing contractors of heating, cooling, ventilating, and refrigerating equipment and systems; to prescribe fees; to provide for the promulgation of rules; and to prescribe penalties," by amending section 3 (MCL 338.973).

The People of the State of Michigan enact:

Sec. 3. (1) There is created within the department a board of mechanical rules that consists of the state fire marshal or the state fire marshal's designee, who shall be a permanent member, and 14 residents of the state to be appointed by the governor with the advice and consent of the senate. Appointed members shall be not less than 18 years of age and qualified in their respective fields. Appointed members of the board shall include 1 person from the general public; a member of organized labor representing the mechanical trades; a professional mechanical engineer registered in this state; a representative of an energy-producing public utility of the state; a representative from each of the work classifications set forth in section 6(3); and 2 chief mechanical inspectors of governmental subdivisions, 1 of whom enforces the building officials and code administrators building code, and 1 of whom enforces the international conference of building officials building code. A member of the board appointed by the governor before January 1, 2007 shall be appointed for a term of 2 years, except that a vacancy shall be filled for the unexpired portion of the term. A member of the board appointed by the governor after December 31, 2006 shall be appointed for a term of 4 years, except that a vacancy shall be filled for the unexpired portion of the term. A member of the board may be removed from office by the governor in accordance with section 10 of article V of the state constitution of 1963. A member of the board who has a pecuniary interest in a matter shall disclose that interest before the board takes action in the matter, which disclosure shall be made a matter of record in the board's official proceedings. Each member of the board, except the state fire marshal or the state fire marshal's designee, shall receive reimbursement for actual expenses incurred by the member in the performance of his or her duties as a member of the board, subject to available appropriations. Travel or other expenses incurred by a member of a board in the performance of an official function shall be payable by the department pursuant to the standardized travel regulations of the department of management and budget, subject to available appropriations. A member of the board shall not serve more than 2 consecutive terms.

(2) At the first meeting of each year, the board shall elect from its membership a vice-chairperson and secretary. The vice-chairperson and secretary shall be elected from those members appointed to the board by the governor, except that the board members who are chief mechanical inspectors are not eligible for election as vice-chairperson of the board. After December 31, 2006, the governor shall designate 1 member of the board to serve as chairperson at the pleasure of the governor.

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

(a) Senate Bill No. 1133.

(b) House Bill No. 5860.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Sam E. Randall

Clerk of the House of Representatives

Approved _____

Governor