

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

A Bill

Act 894 of 1999
SENATE BILL 868

5 By: Senators Bradford, B. Walker, Hoofman, Scott, Ross
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For An Act To Be Entitled

9 "AN ACT TO EXEMPT INDUSTRY EMPLOYEES FROM MANDATORY
10 LICENSING OF ELECTRICIANS FOR WORK ON INDUSTRIAL
11 SITES; TO CLARIFY LICENSING REQUIREMENTS; AND FOR
12 OTHER PURPOSES. "

Subtitle

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14 "TO EXEMPT INDUSTRY EMPLOYEES FROM
15 MANDATORY LICENSING OF ELECTRICIANS FOR
16 WORK ON INDUSTRIAL SITES; TO CLARIFY
17 LICENSING REQUIREMENTS. "
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code 17-28-102 is hereby amended to read as
24 follows:

25 "17-28-102. Construction and exemptions.

26 (a) The provisions of this chapter shall not apply to:

27 (1) The construction, installation, maintenance, repair, or
28 renovation by any public utility, as that term is defined by § 23-1-101(4)(A),
29 by any rural electric association or cooperative, or by any municipally owned
30 utility, of any transmission or distribution lines or facilities incidental to
31 their business and covered under other nationally recognized safety standards,
32 or to any other such activity when performed by any duly authorized employee,
33 agent, contractor, or subcontractor of any such public utility, association,
34 cooperative, or municipally owned utility;

35 (2) The construction, installation, maintenance, repair, or
36 renovation by any industry, as that term is defined in this section, of any

1 electric conductors or equipment or facilities incidental to their business
 2 and covered under other nationally recognized safety standards, or to any
 3 other such activity when performed by any duly authorized employee of any such
 4 industry.

5 ~~(2)~~(3) The construction, installation, maintenance, repair and
 6 renovation of telephone equipment, computer systems, or satellite systems by a
 7 person, firm, or corporation engaged in the telecommunications or information
 8 systems industry when such activities involve low-voltage work exclusively for
 9 communication of data, voice, or for other signaling purposes; including fire
 10 alarm systems, security systems and environmental control systems that are not
 11 an integral part of a telecommunications system;

12 ~~(3)~~(4) The construction, installation, maintenance, repair or
 13 renovation of any nonresidential farm building or structure;

14 ~~(4)~~(5) The construction and manufacture of manufactured homes
 15 covered by the federal Manufactured Home Construction and Safety Standards
 16 Act, 42 U.S.C. § 4501 et seq.

17 (b) Nothing in this chapter shall be construed to require an individual
 18 to hold a license before doing electrical work on his primary residence except
 19 as otherwise required by state law, regulations, or local ordinances. The
 20 exemption from compliance with the licensing standards shall not be referred
 21 to in any way, and shall not be any evidence of the lack of negligence or the
 22 exercise of due care by a party at a trial of any civil action to recover
 23 damages by any party.

24 (c) Any holder of a state-issued heating, ventilation, air conditioning
 25 and refrigeration or HVACR license may run line voltage power wiring, in
 26 compliance with the state electric code, from a disconnect box to an outdoor
 27 HVACR unit within a distance not to exceed ten feet (10') from any point of
 28 the HVACR equipment without obtaining an electrician's license as required by
 29 this chapter.

30 (d) Nothing in this chapter shall be construed as repealing, modifying,
 31 or affecting in any way the provisions of § 17-25-101 et seq.

32 (e) Nothing in this chapter shall be construed to require an employee
 33 of a hospital to hold a license in order to perform minor repairs or make
 34 minor alterations to existing electrical facilities during the normal
 35 performance of his duties with a hospital licensed by the Arkansas Department
 36 of Health.

1 (f) For the purposes of this chapter, the term 'industry' means
 2 manufacturing, processing and refining facilities, and warehouses,
 3 distribution facilities, repair and maintenance facilities, agricultural
 4 facilities, and corporate and management offices located on industrial sites."

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 6 SECTION 2. Arkansas Code 17-28-301(d) is amended to read as follows:

7 "(d) The board shall be authorized to issue a temporary license as a
 8 master electrician, ~~or journeyman electrician, residential master electrician,~~
 9 ~~and residential journeyman electrician,~~ which shall be valid for no more than
 10 six (6) months, ~~provided the applicant has not previously been issued a~~
 11 ~~temporary license,~~ and be renewable one (1) time only for industry projects as
 12 defined in this chapter, upon submission by the applicant of the following:

13 (1) A temporary license fee in the amount established by § 17-25-304(a);

14 (2) A completed application on a form furnished and approved by the
 15 board; and

16 (3) Evidence that the applicant holds a current license of the same
 17 classification issued by another state or have otherwise met the experience
 18 qualifications required under this chapter for the type of license being
 19 applied for."

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 21 SECTION 3. All provisions of this act of a general and permanent nature
 22 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 23 Revision Commission shall incorporate the same in the Code.

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 25 SECTION 4. If any provision of this act or the application thereof to
 26 any person or circumstance is held invalid, such invalidity shall not affect
 27 other provisions or applications of the act which can be given effect without
 28 the invalid provision or application, and to this end the provisions of this
 29 act are declared to be severable.

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 31 SECTION 5. All laws and parts of laws in conflict with this act are
 32 hereby repealed.

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 34 SECTION 6. EMERGENCY CLAUSE. It is hereby found and determined by the
 35 Eighty-second General Assembly that Act 1289 of 1997 is making it difficult or
 36 impossible for industry to hire new employees to perform electrical work due

1 to a severe shortage in licensed journeyman and master electricians in
2 Arkansas. Therefore, an emergency is declared to exist and this act being
3 immediately necessary for the preservation of the public peace, health and
4 safety shall become effective on the date of its approval by the Governor. If
5 the bill is neither approved nor vetoed by the Governor, it shall become
6 effective on the expiration of the period of time during which the Governor
7 may veto the bill. If the bill is vetoed by the Governor and the veto is
8 overridden, it shall become effective on the date the last house overrides the
9 veto.

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12 APPROVED: 3/29/1999
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