

ONE HUNDRED FOURTH LEGISLATURE - FIRST SESSION - 2015
COMMITTEE STATEMENT
LB306

Hearing Date: Monday February 09, 2015
Committee On: Business and Labor
Introducer: Nordquist
One Liner: Change the Conveyance Safety Act

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 5 Senators Johnson, Harr, Crawford, Chambers, Ebke
Nay: 2 Senators Bloomfield, McCollister
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:

Senator Jeremy Nordquist
Bob Sackett
Steve Simpson
Craig Clabaugh

Representing:

Introducer
Self
Elevator Constructors #28
Otis Elevator

Opponents:

John Albin
Jim Pappas

Representing:

Nebraska Department of Labor
League of Human Dignity

Neutral:

Representing:

Summary of purpose and/or changes:

Sec. 1. adds to the Conveyance Advisory Committee a labor representative involved in the elevator industry, to be appointed by the Governor. Once members of the general public's terms have expired, LB 306 directs the Governor to appoint members from three different counties to represent urban, suburban and rural interests.

Sec. 2. allows the committee to recommend legislative changes to the Conveyance Safety Act to the commissioner.

Sec. 3. addresses when platform lifts and stairway chair lifts are within the scope of the Act. The committee amendment revises the language so there is no inconsistency between Sections 3 and 4. Conveyances in private residences are subject to inspection upon a transfer of ownership for Douglas, Sarpy and Lancaster counties. The committee amendment also addresses this inconsistency between Sections 3 and 4 to reflect the intent that licensed elevator mechanics are to be used for construction, operation, inspection, maintenance and repair statewide.

Sec. 4. allows property owners to request inspection for conveyances used exclusively for agricultural purposes. This section also addresses when platform lifts and stairway chair lifts are not within the scope of the Act. The committee amendment revises the language to be consistent with Section 3. LB 306 strikes language making conveyances in residences in counties of 100,000 or less inhabitants not applicable to the Act.

Sec. 5. makes the licensure requirement to wire, replace, remove or dismantle an existing conveyance statewide.

Explanation of amendments:

The committee amendment provides more specificity for the Governor's appointments of the general public to represent urban, suburban and rural interests. The amendment remedies conflicting sections addressing when the Act applies to stairway chair lifts and platform lifts and the scope of the licensure requirements. It also includes a notice provision of the new inspection and licensure requirements to those conveyance owners not currently under the law for a one year period. Then, the statewide licensure requirements become effective January 1, 2017.

Details:

Sec. 1. adds to the Conveyance Advisory Committee a labor representative involved in the elevator industry, to be appointed by the Governor. Once members of the general public's terms have expired, AM 875 directs the Governor to appoint members from three different counties: one who resides in a county encompassing a city of the metropolitan class (Douglas), one residing in a county with a population between 100,000 and 400,000 (Lancaster or Sarpy), and one residing in a county with less than 100,000 inhabitants (remaining counties).

Sec. 2. allows the committee to recommend legislative changes to the Conveyance Safety Act to the commissioner.

Sec. 3. expands the Act's applicability to include platform lifts and stairway chair lifts in private residences when the conveyance is installed or when there is a transfer of ownership of the private residence.

Sec. 4. allows property owners to request inspection for conveyances used exclusively for agricultural purposes. AM 875 clarifies the Act does not apply to stairway chair lifts and platform lifts, except when they are installed in private residences or there is a transfer of ownership of that private residence. AM 875 expands the Act's applicability to all counties within the state.

Sec. 5. makes the licensure requirement to wire, replace, remove or dismantle an existing conveyance statewide.

Sec. 6. provides notice of the new inspection and licensure requirements to those conveyance owners not currently under the law for a one year period of January 1, 2016 through December 31, 2016. Then, those inspection and licensure requirements become effective statewide beginning January 1, 2017 as noted in Sec. 8.

Sec. 7. repeals 30 day licenses.

Sec. 8. operative date of January 1, 2017.

Sec. 9. repealer.

Sec. 10. repealer.

Burke Harr, Chairperson