

Sec. 4. Minnesota Statutes 1984, section 205.13, subdivision 1, is amended to read:

Subdivision 1. **AFFIDAVIT OF CANDIDACY.** Not more than ~~six~~ eight nor less than ~~four~~ six weeks before the municipal primary, or before the municipal general election if there is no municipal primary, an individual who is eligible and desires to ~~have his name placed on the official ballot as~~ become a candidate for an office to be voted for at the election shall file his an affidavit of candidacy with the municipal clerk. The affidavit shall be in substantially the same form as that in section 204B.06, subdivision 1. The municipal clerk shall also accept an application signed by not less than five voters and filed on behalf of an eligible voter in the municipality whom they desire to be a candidate, if service of a copy of the application has been made on the candidate and proof of filing fee, the clerk shall place the name of the candidate on the official ballot without partisan designation.

Approved May 6, 1985

#### CHAPTER 73 — H.F.No. 825

*An act relating to occupations and professions; regulating electricians; amending Minnesota Statutes 1984, sections 326.01, subdivisions 2, 5, 6b, and by adding a subdivision; 326.242, subdivisions 1, 2, 3, 6, and 9; 326.243; 326.244, subdivisions 1, 2, and 5; and 326.246.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1984, section 326.01, subdivision 2, is amended to read:

Subd. 2. **CLASS A MASTER ELECTRICIAN.** The term "Class A master electrician" means a person having the necessary qualifications, training, experience, and technical knowledge to install and repair and to properly plan, lay out, and supervise the installation of wiring, apparatus, and equipment for electric light, heat, power, and other purposes who is licensed as such by the state board of electricity.

Sec. 2. Minnesota Statutes 1984, section 326.01, subdivision 5, is amended to read:

Subd. 5. **ELECTRICAL CONTRACTOR.** The term "electrical contractor" means any a person, as herein defined, who firm, or corporation operating a business that undertakes or offers to undertake for another to plan for, lay out, supervise, and or install or to make additions, alterations, and or repairs in the

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installation of wiring, apparatus ~~and or~~ equipment for electric light, heat, ~~and or~~ power for a fixed sum, price, fee, percentage or other ~~with or without~~ compensation and who is licensed as such by the state board of electricity. An electrical contractor's license does not of itself qualify its holder to perform the electrical work authorized by holding any class of electrician's license.

Sec. 3. Minnesota Statutes 1984, section 326.01, subdivision 6b, is amended to read:

Subd. 6b. **CLASS A INSTALLER.** The term "Class A installer" means a person who has the necessary qualifications, training, experience, and technical knowledge to properly lay out and install electrical wiring, apparatus, and equipment for major electrical home appliances and such other electrical equipment as is determined by the state board of electricity pursuant to section 326.242, subdivision 3, on the load side of the main service on farmsteads or in any town or municipality with less than 1500 inhabitants, which is not contiguous to a city of the first class and does not contain an established business of a master electrician, and who is licensed as such by the state board of electricity.

Sec. 4. Minnesota Statutes 1984, section 326.01, is amended by adding a subdivision to read:

Subd. 6c. **CLASS B INSTALLER.** The term "Class B installer" means a person who has the necessary qualifications, training, experience, and technical knowledge to properly lay out and install electrical wiring, apparatus, and equipment on center pivot irrigation booms on the load side of the main service on farmsteads, and install other electrical equipment determined by the state board of electricity. A Class B installer must be licensed by the board of electricity.

Sec. 5. Minnesota Statutes 1984, section 326.242, subdivision 1, is amended to read:

Subdivision 1. **MASTER ELECTRICIAN.** Except as otherwise provided by law, no person shall, for another plan, install, repair, lay out, and or supervise the installation of wiring, apparatus, ~~and or~~ equipment for electrical light, heat, power, ~~and or~~ other purposes unless he is licensed by the board as a master electrician ~~or licensed electrical contractor~~.

(1) An applicant for a Class A master electrician's license shall (a) be a graduate of a four year electrical course in an accredited college or university; or (b) shall have had at least one year's experience, acceptable to the board, as a licensed journeyman; or (c) shall have had at least five years' experience, acceptable to the board, in planning for, laying out, supervising and installing wiring, apparatus, or equipment for electrical light, heat and power.

(2) ~~An applicant for a Class B master electrician's license shall have had at least three years of experience, acceptable to the board, in electrical work. No~~

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Class B master electrician's license shall be valid except in regard to single phase systems, not over 200 amperes in capacity, on farmsteads or in single family dwellings located in towns or municipalities with fewer than 2500 inhabitants. References herein to "master electrician" shall include "Class B master electrician" unless otherwise specified As of the effective date of this subdivision, no new Class B master electrician's licenses shall be issued. An individual who has a Class B master electrician's license as of the effective date of this subdivision may retain the license and exercise the privileges it grants, which include electrical work limited to single phase systems, not over 200 amperes in capacity, on farmsteads or single-family dwellings located in towns or municipalities with fewer than 2,500 inhabitants.

Sec. 6. Minnesota Statutes 1984, section 326.242, subdivision 2, is amended to read:

Subd. 2. **JOURNEYMAN ELECTRICIAN.** Except as otherwise provided by law, no person shall, for another, wire for, install, or repair electrical wiring, apparatus, or equipment, unless he is licensed by the board as a ~~master electrician or journeyman electrician or employed by a~~ licensed electrical contractor.

(1) An applicant for a Class A journeyman electrician's license shall have had at least four years of experience, acceptable to the board, in wiring for, installing, and repairing electrical wiring, apparatus, or equipment, provided however, that the board may by rule or regulation provide for the allowance of one year of experience credit for successful completion of a two-year post high school electrical course approved by the board.

(2) An applicant for a Class B journeyman electrician's license shall have had at least two years of experience, acceptable to the board, in wiring for, installing, and repairing electrical wiring, apparatus, or equipment; provided, however, that the board may by rule provide for the allowance of one year of experience credit for successful completion of a two-year post high school electrical course approved by the board. No Class B journeyman's license shall be valid except in regard to single phase systems, not over 200 amperes in capacity, on farmsteads or in single family dwellings located in towns or municipalities with fewer than 2500 inhabitants As of the effective date of this subdivision, no new Class B journeyman electrician's licenses shall be issued. An individual who holds a Class B journeyman electrician's license as of the effective date of this subdivision may retain the license and exercise the privileges it grants, which include electrical work limited to single phase systems, not over 200 amperes in capacity, on farmsteads or on single-family dwellings located in towns or municipalities with fewer than 2,500 inhabitants.

Sec. 7. Minnesota Statutes 1984, section 326.242, subdivision 3, is amended to read:

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Subd. 3. **CLASS A INSTALLER.** Notwithstanding the provisions of subdivisions 1, 2 and 6, any person holding a class A installer license may lay out and install electrical wiring, apparatus and equipment for major electrical home appliances on the load side of the main service on farmsteads and in any town or municipality with fewer than 1500 inhabitants, which is not contiguous to a city of the first class and does not contain an established business of a master electrician.

Subd. 3a. **CLASS B INSTALLER.** Notwithstanding the provisions of subdivisions 1, 2 and 6, any person holding a class B installer license may lay out and install electrical wiring, apparatus and equipment on center pivot irrigation booms on the load side of the main service on farmsteads, and install such other electrical equipment as is determined by the board.

Subd. 3b. **COURSEWORK OR EXPERIENCE.** An applicant for an a Class A or B installer license shall have completed a post high school course in electricity acceptable to the board or shall have had at least one year's experience, acceptable to the board ~~or shall have had at least one year's experience, acceptable to the board,~~ in electrical wiring.

Subd. 3c. **BOND.** Every installer, as a condition of his license, shall give bond to the state in the sum of \$1,000 conditioned upon the faithful and lawful performance of all work contracted for or entered upon by him within the state of Minnesota, and such bond shall be for the benefit of persons injured or suffering financial loss by reason of failure of such performance. Such bond shall be in lieu of all other license bonds to any political subdivision of the state. Such bond shall be written by a corporate surety licensed to do business in the state of Minnesota.

Sec. 8. Minnesota Statutes 1984, section 326.242, subdivision 6, is amended to read:

Subd. 6. **CONTRACTORS.** Except as otherwise provided by law, no person other than an employee of a licensed electrical contractor as defined by section 326.01, subdivision 5, shall undertake or offer to undertake for another to plan for, lay out, supervise and or install or to make additions, alterations, and or repairs in the installation of wiring apparatus and equipment for electrical light, heat, and or power ~~for a fixed sum, price, fee, percentage, or other similar with or without~~ compensation unless he shall obtain an electrical contractor's license. Such license shall be issued by the board upon the contractor's giving bond to the state in the penal sum of ~~\$2,000~~ \$5,000 conditioned upon the faithful and lawful performance of all work entered upon by him within the state of Minnesota and such bond shall be for the benefit of persons injured or suffering financial loss by reason of failure of such performance. The bond shall be filed with the board and shall be in lieu of all other license bonds to any political subdivision. Such bond shall be written by a corporate surety licensed to do business in the state of Minnesota.

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Each licensed electrical contractor shall have and maintain in effect public liability insurance (including products liability insurance) with limits of at least \$50,000 per person and \$100,000 per occurrence and property damage insurance with limits of at least \$10,000 general liability insurance, which includes premises and operations insurance and products and completed operations insurance, with limits of at least \$100,000 per occurrence, \$300,000 aggregate limit for bodily injury, and property damage insurance with limits of at least \$25,000 or a policy with a single limit for bodily injury and property damage of \$300,000 per occurrence and \$300,000 aggregate limits. Such insurance shall be written by an insurer licensed to do business in the state of Minnesota and each licensed electrical contractor shall maintain on file with the board a certificate evidencing such insurance which provides that such insurance shall not be cancelled without the insurer first giving 15 days written notice to the board of such cancellation.

No contractor shall engage in business unless he is or has in his employ a licensed Class A master or Class B master electrician, who shall be responsible for the performance of all electrical work in accordance with the requirements of this Act, and the classes of work for which the licensed electrical contractor is authorized shall be limited to those for which such Class A master, or Class B master employed by him is licensed. When an electrical contractor's license is held by an individual, partnership, or corporation and the individual, one of the partners, or an officer of the corporation, respectively, is not the responsible master electrician of record, all requests for inspection shall be signed by the responsible master electrician of record. The application for an electrical contractor's license must include a verified statement that the designated responsible master electrician is a full-time employee of the individual, partnership, or corporation which is applying for an electrical contractor's license. For purposes of this subdivision, a full-time employee of a licensed electrical contractor is an individual who is not employed in any capacity as a licensed electrician by any other electrical contractor.

Sec. 9. Minnesota Statutes 1984, section 326.242, subdivision 9, is amended to read:

Subd. 9. **DENIAL, SUSPENSION, AND REVOCATION OF LICENSES.** The board may revoke, suspend, or refuse to renew any license issued hereunder. The board of electricity may by order deny, suspend, revoke, or refuse to renew a license, or may censure a licensee if the board finds (1) that the order is in the public interest and (2) that the applicant or licensee:

(a) has filed an application for a license which is incomplete in any material respect or contains any statement which, in light of the circumstances under which it is made, is false or misleading with respect to any material fact;

(b) has engaged in any fraudulent, deceptive, or dishonest practice;

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(c) has been convicted within the past five years of a misdemeanor involving a violation of the Minnesota electrical act; or

(d) has violated or failed to comply with sections 326.241 to 326.248 or any rule or order adopted under these sections. A violation need not be willful.

The board of electricity may adopt rules further specifying and defining actions and omissions that constitute fraudulent, deceptive, or dishonest practices, and establishing standards of conduct for licensees.

Sec. 10. Minnesota Statutes 1984, section 326.243, is amended to read:

#### 326.243 SAFETY STANDARDS.

All electrical wiring, apparatus and equipment for electric light, heat and power shall comply with the rules and regulations of the department of public service, the commissioner of commerce, or the department of labor and industry, as applicable, and be installed in conformity with accepted standards of construction for safety to life and property. For the purposes of this chapter, the regulations and safety standards stated at the time the work is done in the then most recently published edition of the National Electrical Code as adopted by the National Fire Protection Association, Inc. and approved by the United States of America American National Standards Institute, and the National Electrical Safety Code as issued by the National Bureau of Standards published by the Institute of Electrical and Electronics Engineers, Inc. and approved by the American National Standards Institute, shall be prima facie evidence of accepted standards of construction for safety to life and property; provided further, that in the event a Minnesota building code is formulated pursuant to section 16B.61, containing approved methods of electrical construction for safety to life and property, compliance with said methods of electrical construction of said Minnesota building code shall also constitute compliance with this section, and provided further, that nothing herein contained shall prohibit any political subdivision from making and enforcing more stringent requirements than set forth herein and such requirements shall be complied with by all licensed electricians working within the jurisdiction of such political subdivisions.

Sec. 11. Minnesota Statutes 1984, section 326.244, subdivision 1, is amended to read:

Subdivision 1. **REQUIRED INSPECTION.** Except in cities of the first and second class and such other where any political subdivisions as have inspection subdivision has by ordinance provided for electrical inspection similar to that herein provided, every new electrical installation in any construction, remodeling, replacement, or repair, except minor repair work as the same is defined by the board by rule or regulation, shall be inspected by the board for compliance with accepted standards of construction for safety to life and property.

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Sec. 12. Minnesota Statutes 1984, section 326.244, subdivision 2, is amended to read:

Subd. 2. **PROCEDURE.** (a) At or before commencement of any installation required to be inspected by the board, the electrical contractor, installer, special electrician, or owner making the installation shall submit to the board a request for inspection, in a form prescribed by the board, together with the fees required for the installation. For purposes of this subdivision, an owner is a person who physically performs all the electrical work on premises he or she owns and actually occupies as his or her residence or that he or she will own and actually occupy as his or her residence upon completion of construction.

(b) The fees required are a handling fee and an inspection fee. The handling fee shall be set by the board in an amount sufficient to pay the cost of printing and handling the form requesting an inspection. The inspection fee shall be set by the board in an amount sufficient to pay the actual costs of the inspection and the board's costs in administering the inspection. All fees shall be set pursuant to the procedure of sections 14.01 to 14.70.

(c) All handling fees shall be deposited in the general fund. All inspection fees collected pursuant to this section shall be deposited by the board in a special revenue bookkeeping account of the treasury and are appropriated to the board for the purpose of compensating contract inspectors for inspections performed, for transfer to the general fund of the portion of the fee representing inspection administration costs, and for making refunds.

(d) If the inspector finds that the installation is not in compliance with accepted standards of construction for safety to life and property as required by section 326.243, the inspector shall by written order condemn the installation or noncomplying portion thereof, or order service to the installation disconnected, and shall send a copy of the order to the board. If the installation or the noncomplying part will seriously and proximately endanger human life and property, the order of the inspector, when approved by the inspector's superior, shall require immediate condemnation or disconnection. In all other cases, the order of the inspector shall permit a reasonable opportunity for the installation to be brought into compliance with accepted standards of construction for safety to life and property prior to the effective time established for condemnation or disconnection.

(e) Copies of each condemnation or disconnection order shall be served personally or by mail upon the property owner, and the electrical contractor, installer, or special electrician making the installation, and other persons as the board by rule or regulation may direct. An aggrieved party may appeal any condemnation or disconnection order by filing with the board a notice of appeal within ten days after (1) service upon the aggrieved party of the condemnation or disconnection order, if this service is required, or (2) filing of the order with the board, whichever is later. The appeal shall proceed and the order of the

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inspector shall have the effect the order, by its terms, and the rules of the board provides. The board shall adopt rules providing procedures for the conduct of appeals, including provisions for the stay of enforcement of the order of the inspector pending such appeal when justified by the circumstances.

Sec. 13. Minnesota Statutes 1984, section 326.244, subdivision 5, is amended to read:

Subd. 5. **EXEMPTIONS FROM INSPECTIONS.** Installations, materials, or equipment shall not be subject to inspection under Laws 1967, Chapter 602:

1. When owned or leased, operated and maintained by any employer whose maintenance electricians are exempt from licensing under Laws 1967, Chapter 602, ~~except any electrical installations in any new construction or major remodeling~~ while performing electrical maintenance work only as defined by board rule; or

2. When owned or leased, and operated and maintained by any electric, communications or railway utility in the exercise of its utility function; and

(i) are used in connection with the generations, transformation, distribution, transmission, or metering of electric current, or the operation of railway signals, or the transmission of intelligence, and do not have as a principal function the consumption or use of electric current by or for the benefit of any person other than such utility; and

(ii) are generally accessible only to employees of such utility or persons acting under its control or direction; or

3. When used in the street lighting operations of an electric utility; or

4. When used as outdoor area lights which are owned and operated by an electric utility and which are connected directly to its distribution system and located upon the utility's distribution poles, and which are generally accessible only to employees of such utility or persons acting under its control or direction.

Sec. 14. Minnesota Statutes 1984, section 326.246, is amended to read:

**326.246 CRIMES.**

It is a misdemeanor knowingly and willfully to commit, or to order, instruct, or direct another to commit, any of the following acts:

(1) To make a false statement in any license application, request for inspection, certificate or other lawfully authorized or required form or statement provided by Laws 1967, Chapter 602;

(2) To perform electrical work for another without a proper license for such work;

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- (3) To fail to file a request for inspection when required;
- (4) To interfere with, or refuse entry to, an inspector lawfully engaged in the performance of his duties; and
- (5) To violate any lawful statute, rule, regulation or order of the board, or any city ordinance which pertains to powers given to political subdivisions under section 326.244, subdivision 4.

Approved May 6, 1985

CHAPTER 74 — H.F.No. 831

*An act relating to crimes; prescribing the powers of the governor and the commissioner of corrections with respect to extradition under treaty; amending Minnesota Statutes 1984, section 243.515.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1984, section 243.515, is amended to read:

**243.515 TRANSFER UNDER TREATY; EXTRADITION UNDER TREATY.**

Whenever a treaty is in force between the United States and a foreign country providing for the transfer or exchange of convicted offenders to the country of which they are citizens or nationals, and for the extradition of persons residing in the territory of the United States who have been charged with or convicted of crime committed within the territory of that foreign country, the governor may, on behalf of the state and subject to the terms of the appropriate treaty, authorize the commissioner of corrections to: (a) consent to the transfer or exchange of offenders, and, (b) deliver any inmate of a state correctional facility for whom an extradition demand has been made pursuant to this subdivision to the custody of the appropriate officials of the United States for surrender to the proper officials of that foreign country. The commissioner of corrections shall take any other action necessary to implement the participation of this state in the treaty.

The extradition of any convicted offender from the custody of the commissioner of corrections shall not diminish the effect of any sentence pursuant to which the offender was committed to the custody of the commissioner of corrections. The sentence shall continue to run during the time that the offender is in the custody of the appropriate officials of the United States or the foreign country to which extradited. The offender shall not be subject to return to the territory of the United States and to the custody of the commissioner of corrections pursuant to this section unless there remains an unserved portion of the Minnesota sentence.

Approved May 6, 1985

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