

Violation of the terms of the order may be grounds for a new trial.

Sec. 7. [148A.06] LIMITATION PERIOD.

An action for sexual exploitation shall be commenced within five years after the cause of action arises.

Sec. 8. EFFECTIVE DATE; APPLICATION.

Sections 1 to 7 are effective August 1, 1986, and sections 1 to 7 apply to causes of action arising on or after that date.

Approved March 19, 1986

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CHAPTER 373—S.F.No. 1642

*An act relating to commerce; regulating electricians; amending Minnesota Statutes 1984, sections 326.01, by adding a subdivision; 326.245; 326.248; Minnesota Statutes 1985 Supplement, sections 326.01, subdivision 5; 326.242, subdivisions 1, 2, 6, and 12; 326.2421, subdivision 3; 326.244, subdivisions 2 and 5; and 326.246.*

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

Section 1. Minnesota Statutes 1985 Supplement, section 326.01, subdivision 5, is amended to read:

Subd. 5. **ELECTRICAL CONTRACTOR.** The term "electrical contractor" means a person, firm, or corporation operating a business that undertakes or offers to undertake ~~for another~~ to plan for, lay out, supervise, or install or to make additions, alterations, or repairs in the installation of wiring, apparatus or equipment for electric light, heat, or power 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. 2. Minnesota Statutes 1984, section 326.01, is amended by adding a subdivision to read:

Subd. 6e. **OWNER.** An owner is a natural person who physically performs electrical work on premises the person owns and actually occupies as a residence or owns and will occupy as a residence upon completion of construction.

Sec. 3. Minnesota Statutes 1985 Supplement, 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, or supervise the

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installation of wiring, apparatus, or equipment for electrical light, heat, power, or other purposes unless ~~he~~ the person is: (a) licensed by the board as a master electrician and (b)(i) the work is for a licensed electrical contractor and the person is an employee, partner, or officer of, or is the licensed electrical contractor, or (ii) the work is performed for the person's employer on electrical equipment, apparatus, or facilities owned or leased by the employer which is located within the limits of property which is owned or leased and operated and maintained by the employer.

(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) As of August 1, 1985, no new Class B master electrician's licenses shall be issued. An individual who has a Class B master electrician's license as of August 1, 1985 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. 4. Minnesota Statutes 1985 Supplement, 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 journeyman electrician 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) As of August 1, 1985, no new Class B journeyman electrician's licenses shall be issued. An individual who holds a Class B journeyman electrician's license as of August 1, 1985 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. 5. Minnesota Statutes 1985 Supplement, section 326.242, subdivision 6, is amended to read:

Subd. 6. **CONTRACTORS.** Except as otherwise provided by law, no per-

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son 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 or install or to make additions, alterations, or repairs in the installation of wiring apparatus and equipment for electrical light, heat, or power 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 \$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.

Each licensed electrical contractor shall have and maintain in effect 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 canceled 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. 6. Minnesota Statutes 1985 Supplement, section 326.242, subdivision 12, is amended to read:

Subd. 12. **EXEMPTIONS FROM LICENSING.** (a) A maintenance electrician who is supervised by a master electrician or an electrical engineer registered

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with the board and who is an employee of an employer and is engaged in the maintenance, and repair of electrical equipment, apparatus, and facilities owned or leased by his employer, and performed within the limits of property which is owned or leased and operated and maintained by said employer, shall not be required to hold or obtain a license under sections 326.241 to 326.248; or

(b) Employees of a licensed alarm and communication contractor are not required to hold a license under sections 326.241 to 326.248 while performing work authorized to be conducted by an alarm and communication contractor; or

(c) Employees of any electric, communications, or railway utility, or a telephone company as defined under section 237.01 or its employees, or of any independent contractor performing work on behalf of any such utility or telephone company, shall not be required to hold a license under sections 326.241 to 326.248:

1. While performing work on installations, materials, or equipment which are owned or leased, and operated and maintained by such utility or telephone company in the exercise of its utility or telephone function, and which

(i) are used exclusively for the generation, 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 or telephone company, and

(ii) are generally accessible only to employees of such utility or telephone company or persons acting under its control or direction, and

(iii) are not on the load side of the meter; or

2. While performing work on installations, materials, or equipment which are a part of the street lighting operations of such utility; or

3. While installing or performing work on outdoor area lights which are directly connected to a utility's 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; or

(d) An owner shall not be required to hold or obtain a license under sections 326.241 to 326.248.

Sec. 7. Minnesota Statutes 1985 Supplement, section 326.2421, subdivision 3, is amended to read:

Subd. 3. **ALARM AND COMMUNICATION CONTRACTOR'S LICENSES.** No person may lay out, install, maintain, or repair alarm and communication systems, unless the person is licensed as an alarm and communication contractor under this subdivision, or is a licensed electrical contractor under section 326.242, subdivision 6, or is an employee of the contractor. The board of

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electricity shall issue an alarm and communication contractor's license to any individual, corporation, partnership, sole proprietorship, or other business entity that provides adequate proof that a bond and insurance in the amounts required by section 326.242, subdivision 6, have been obtained by the applicant. The board may initially set license fees without rulemaking, pursuant to section 16A.128. Installation of alarm and communication systems are subject to inspection and inspection fees as provided in section 326.244, subdivision 1a.

Sec. 8. Minnesota Statutes 1985 Supplement, 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,

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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 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. 9. Minnesota Statutes 1985 Supplement, 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 sections 326.241 to 326.248:

1. When owned or leased, operated and maintained by any employer whose maintenance electricians are exempt from licensing under sections 326.241 to 326.248, 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 or telephone company in the exercise of its utility or telephone function; and

(i) are used exclusively for 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 or telephone company; and

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

(iii) are not on the load side of the meter; 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; or

5. When the installation, material, and equipment are alarm or communication systems laid out, installed, or maintained within residential units not larger than a duplex.

Sec. 10. Minnesota Statutes 1984, section 326.245, is amended to read:

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**326.245 MANUFACTURING OF ELECTRICAL APPARATUS; EXEMPT.**

Electrical components, apparatus or appliances being manufactured within the limits of property which is owned or leased by a manufacturer and such manufacturer's production employees shall not be covered by ~~Laws 1967, Chapter 602 sections 326.241 to 326.248.~~ Installation or repair of electrical appliance units, ~~exclusive of~~ except (a) electrical wiring to the unit, or (b) original wiring in or on the unit installed outside the limits of property which is owned or leased by a manufacturer shall not be covered by ~~Laws 1967, Chapter 602 sections 326.241, 326.242, and 326.244 to 326.248.~~

Sec. 11. Minnesota Statutes 1985 Supplement, 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 sections 326.241 to 326.248;

(2) to perform electrical work ~~for another~~ without a proper license for such work unless the work is exempt from licensing;

(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, or order of the board, or any city ordinance which pertains to powers given to political subdivisions under section 326.244, subdivision 4.

Sec. 12. Minnesota Statutes 1984, section 326.248, is amended to read:

**326.248 CITATION.**

~~Laws 1967, Chapter 602 Sections 326.241 to 326.248~~ shall be known as the Minnesota Electrical Act.

**Sec. 13. EFFECTIVE DATE.**

Sections 1 to 12 are effective the day following their final enactment.

Approved March 19, 1986

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