

ONE HUNDRED FIFTH LEGISLATURE - FIRST SESSION - 2017
COMMITTEE STATEMENT
LB363

Hearing Date: Monday January 30, 2017
Committee On: Business and Labor
Introducer: Hansen
One Liner: Change the Conveyance Safety Act

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

Vote Results:
Aye: 4 Senators Chambers, Crawford, Hansen, Howard
Nay: 3 Senators Albrecht, Halloran, Lowe
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:

Matt Hansen
Steve Simpson
Bob Sackett
Kevin Sullivan

Representing:

Introducer
Elevator Contractors Local 28
Complete Access
Elevator Industry Work Preservation Fund (EIWPF)

Opponents:

John Albin
Kathy Kay

Representing:

Commissioner, Nebraska Department of Labor
League of Human Dignity

Neutral:

Representing:

Summary of purpose and/or changes:

Sec. 1. adds a labor representative involved in the elevator industry to the Conveyance Advisory Committee, to be appointed by the Governor. Once members of the general public's terms have expired, the Governor will 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. It also removes the reference to a thirty day license.

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. It also expands the Act's applicability of conveyances in private residences statewide, as opposed to previously being limited to residences located in counties that have a population of more than 100,000 inhabitants at the time of installation.

Sec. 4. allows property owners to request inspection for conveyances used exclusively for agricultural purposes. It 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. The bill 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, 2018 through December 31, 2018. Then, those inspection and licensure requirements become effective statewide beginning January 1, 2019 as noted in Sec. 8.

Sec. 7. repeals thirty day licenses.

Sec. 8. operative date of January 1, 2019.

Sec. 9. repealer.

Sec. 10. repealer.

Explanation of amendments:

The amendment replaces the bill. The amendment removes the Conveyance Safety Act's applicability to stairway chair lifts and platform lifts in private residences, as previously proposed by LB 363, Sections 3 and 4. The amendment expands the Act's applicability to now include stairway chair lifts and platform lifts (except those in private residences) which had previously been excluded. It also removes the addition of a labor representative to the Conveyance Advisory Committee as previously proposed in LB 363 Section 1.

Details of the bill are as follows:

Sec. 1. states that once members of the general public's terms have expired serving on the Conveyance Advisory Committee, the Governor will 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. removes the reference to a thirty day license.

Sec. 3. expands the Act's applicability to include conveyances as listed in 48-2507 in private residences statewide, as opposed to previously being limited to residences located in counties that have a population of more than 100,000 inhabitants at the time of installation.

Sec. 4. allows property owners to request inspection for conveyances used exclusively for agricultural purposes. It expands the Act's applicability to include stairway chair lifts and platform lifts, except it does not apply to stairway chair lifts and platform lifts in private residences. The bill expands the Act's applicability to all counties within the state for conveyances in private residences (except stairway chair lifts and platform lifts).

Sec. 5. remains unchanged from LB 363 as introduced. It makes the licensure requirement to wire, replace, remove or dismantle an existing conveyance statewide.

Sec. 6. remains unchanged from LB 363 as introduced. It 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, 2018 through December 31, 2018. Then, those inspection and licensure requirements become effective statewide beginning January 1, 2019 as noted in Sec. 8.

Sec. 7. remains unchanged from LB 363 as introduced. It repeals thirty day licenses.

Sec. 8. remains unchanged from LB 363 as introduced. It provides an operative date of January 1, 2019.

Sec. 9. repealer.

Sec. 10. repealer.

Joni Albrecht, Chairperson