AN ACT

ENTITLED, An Act to revise certain provisions relating to the State Electrical Commission.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 36-16-4 be amended to read as follows:

36-16-4. The Governor shall appoint one member of the State Electrical Commission who shall be involved in the education of electrical engineers or electricians. This member shall serve without compensation.

Section 2. That § 36-16-9 be amended to read as follows:

36-16-9. All money coming into the custody of the commission shall be paid by the commission to the state treasurer on or before the tenth day after receipt of the money. The state treasurer shall credit the money to the South Dakota electrical commission fund. The money in the South Dakota electrical commission fund is continuously appropriated to the commission for the purpose of paying the expense of administering and enforcing the provisions of this chapter. However, the total expense incurred may not exceed the total money collected by the commission under the provisions of this chapter.

Section 3. That § 36-16-13 be amended to read as follows:

36-16-13. Any person, partnership, company, corporation or association that for a fixed sum, price, fee, percentage or other consideration, undertakes or offers to undertake with another to plan, lay out, supervise, install, make additions, make alterations, or make repairs, in the installation of wiring, apparatus or equipment for electric lights, heat or power, shall apply to the State Electrical Commission for a license. A license shall be issued in the class specified in § 36-16-2 for which application has been made upon qualifying under this chapter and the rules of the commission and satisfactorily passing such examinations as shall be required by the commission.

The commission shall promulgate rules, pursuant to chapter 1-26, establishing fees for the

examination and the application. The commission may charge, or may authorize a third party that administers the examination, to charge each participant an examination fee not to exceed one hundred fifty dollars per occurrence of examination or reexamination. The application fee may not exceed fifty dollars per occurrence.

Each holder of or applicant for a license under this chapter shall notify the commission in writing, within thirty days after its occurrence, of any issuance, denial, revocation, or suspension of a certificate, license, or permit by another state, change of address or employment, or any conviction of a felony.

Section 4. That § 36-16-16 be amended to read as follows:

36-16-16. The following persons are not required to hold an electrician's license:

(1) Employees of utilities engaged in the manufacture and distribution of electrical energy, when engaged in work directly pertaining to the manufacture and distribution of electrical energy or persons or companies when engaged in work pertaining directly to such services, if the work is designed, supervised, or installed by a person qualified in the work being done. This exemption shall terminate at the first point of service attachment, except for the installing or testing of electric meters and measuring devices and the maintenance of their service;

(2) Employees of telephone, telegraph, radio and television communication services and pipelines or persons or companies when engaged in work pertaining directly to such services, if the work is designed, supervised or installed by a person qualified in the work being done;

(3) Electrical work and equipment in mines, ships, railways, rolling stock or automotive equipment, and in packing plants supervised and regulated by the Department of Agriculture;

(4) Replacement of lamps and connection of portable electrical devices to suitable receptacles which have been permanently installed;

(5) Radio and appliance service repair departments;

(6) Maintenance on oil burners and space heaters where installation of same has been effected by a Class B or journeyman electrician in accordance with this chapter;

(7) Architects, designers, and engineers engaged in the planning and laying out of electrical work;

(8) Employees of electrical utilities engaged in the installation and maintenance of utility street lighting, traffic signal devices or electric utility-owned security lights or persons or companies when engaged in work pertaining directly to such services, if the work is designed, supervised, or installed by a person qualified in the work being done; or

(9) Employees of alarm and communications companies or services when wiring an alarm or communications system when the system is classified as power limited class 2 or class 3 signaling circuits, power limited fire protective signaling circuits, class 2 or class 3 alarm circuits, or communications circuits or systems, as covered by articles 725, 760, 770, 800, 810, 820 of the National Electrical Code as it was approved by the American National Standards Institute and in effect on January 1, 1989, or persons or companies when engaged in work pertaining directly to such services, if the work is designed, supervised, or installed by a person qualified in the work being done.

Section 5. That § 36-16-30 be amended to read as follows:

36-16-30. The State Electrical Commission may promulgate rules, pursuant to chapter 1-26, to establish and collect installation inspection fees for: new residential installations, based on ampere capacity not to exceed three hundred dollars plus circuits; service connections on other installations, based on ampere capacity not to exceed three hundred seventy-five dollars plus circuits; circuit

installations or alterations, based on ampere capacity not to exceed fifty dollars; remodeling work for each opening or connection not to exceed three dollars each and one dollar and fifty cents for each additional opening or connection, lighting fixture not to exceed three dollars for the first forty fixtures and not to exceed one dollar and fifty cents for each additional lighting fixture, motor or special equipment not to exceed eighteen dollars; apartment buildings per unit not to exceed fifty dollars; outdoor or area lighting per lighting standard not to exceed sixty dollars; field irrigation systems not to exceed one hundred dollars plus three dollars per motor; mobile home service and feeders not to exceed eighty dollars per unit; recreational vehicle service not to exceed twenty dollars per unit; swimming pools not to exceed two hundred dollars; each late correction order or wiring permit procedure not to exceed one hundred fifty dollars; carnivals and seasonal dwellings for each generator or transformer and reinspection of each unit not to exceed thirty dollars; wiring permits not to exceed fifteen dollars; modular homes and structures manufactured out-of-state not to exceed one hundred fifty dollars per day plus travel and living expenses.

An Act to revise certain provisions relating to the State Electrical Commission.

I certify that the attached Act originated in the

SENATE as Bill No. 27

_____
Secretary of the Senate

_____
President of the Senate

Attest:

_____
Secretary of the Senate

_____
Speaker of the House

Attest:

_____
Chief Clerk

Senate Bill No. 27
File No. ____
Chapter No. _____

Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby approved this _____ day of _____ , A.D., 20___

_____
Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____ , 20___
at _____ o'clock __ M.

_____
Secretary of State

By _____
Asst. Secretary of State