

ASSEMBLY BILL NO. 209—ASSEMBLYMEN PRICE, COLLINS, CHOWNING,
DE BRAGA, PARKS, GIUNCHIGLIANI, ARBERRY, OHRENSCHALL, GIBBONS,
WILLIAMS, VON TOBEL, SEGERBLOM, BUCKLEY, ANDERSON, CARPENTER
AND BACHE

FEBRUARY 11, 1999

Referred to Committee on Commerce and Labor

SUMMARY—Creates licensing board for electricians. (BDR 54-45)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to electricians; creating the board of electricians' examiners; prescribing the duties and powers of the board; providing for licensing and disciplinary actions; providing a penalty; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Title 54 of NRS is hereby amended by adding thereto a
2 new chapter to consist of the provisions set forth as sections 2 to 26,
3 inclusive, of this act.
4 **Sec. 2.** *As used in this chapter, unless the context otherwise requires,*
5 *the words and terms defined in sections 3 and 4 of this act have the*
6 *meanings ascribed to them in those sections.*
7 **Sec. 3.** *“Board” means the board of electricians’ examiners.*
8 **Sec. 4.** *“Licensed electrician” means a person licensed pursuant to*
9 *this chapter to install electrical wires, fixtures, appliances, apparatuses,*
10 *raceways and conduits.*
11 **Sec. 5.** 1. *The board of electricians’ examiners, consisting of five*
12 *members appointed by the governor, is hereby created.*
13 2. *The governor shall appoint:*
14 (a) *Four members who are licensed electricians; and*
15 (b) *One member who is a representative of the general public.*

1 **3. The members of the board must have been residents of this state**
2 **for not less than 5 years immediately preceding the date of their**
3 **appointment.**

4 **4. Three members of the board constitute a quorum.**

5 **5. The board shall meet at least four times a year and may meet at**
6 **other times at the call of a majority of the members.**

7 **6. A member of the board is not liable in a civil action for any act**
8 **that he performs in good faith in the execution of his duties pursuant to**
9 **this chapter.**

10 **Sec. 6. Before entering upon the duties of his office, each member of**
11 **the board shall take:**

12 **1. The constitutional oath of office; and**

13 **2. An oath that he is legally qualified to serve as a member of the**
14 **board.**

15 **Sec. 7. If a member of the board fails to attend the meetings of the**
16 **board or fails to attend to the business of the board, as determined**
17 **necessary in the discretion of the board, the board shall notify the**
18 **governor. The governor shall remove that member from the board and**
19 **appoint a person qualified pursuant to this chapter to replace him for the**
20 **remainder of the unexpired term.**

21 **Sec. 8. The board shall:**

22 **1. Review and evaluate applications for the licensing of electricians;**

23 **2. Determine the qualifications and fitness of applicants;**

24 **3. Issue, renew, reinstate, revoke, suspend and deny licenses, as**
25 **appropriate;**

26 **4. Investigate any complaints filed with the board concerning**
27 **electricians;**

28 **5. Impose any penalties that it determines are necessary for the**
29 **administration of the provisions of this chapter;**

30 **6. Employ attorneys, investigators and other professional consultants**
31 **and professional personnel necessary to the discharge of the duties of the**
32 **board;**

33 **7. Adopt a seal;**

34 **8. Adopt a code of ethics governing the practice of electricians;**

35 **9. Transact any other business necessary to carry out the provisions**
36 **of this chapter; and**

37 **10. Adopt regulations necessary to carry out the provisions of this**
38 **chapter.**

39 **Sec. 9. 1. The secretary and employees of the board are entitled to**
40 **receive a salary in the amount fixed by the board.**

41 **2. The members of the board, including the secretary, and the**
42 **employees of the board are entitled to receive a per diem allowance and**

1 *travel expenses at a rate fixed by the board, while engaged in the*
2 *business of the board. The rate must not exceed the rate provided for*
3 *state officers and employees generally.*

4 **Sec. 10.** 1. *The secretary of the board shall receive and account for*
5 *all money paid to the board and deposit the money in a bank or a savings*
6 *and loan association located in this state.*

7 2. *The compensation and expenses of members and employees of the*
8 *board, and the expenses of administering the provisions of this chapter,*
9 *must be paid from the fees received by the board.*

10 3. *The board shall, before September 1 of each even-numbered year,*
11 *for the biennium ending June 30 of that year, submit to the governor a*
12 *written report of its activities. The report must include the results of the*
13 *annual audit of the fiscal records of the board.*

14 4. *The board shall provide a copy of the report to any person who*
15 *submits a written request to the board.*

16 **Sec. 11.** *The board shall maintain a record for each person who:*

17 1. *Applies for a license pursuant to this chapter. The record must*
18 *include:*

19 (a) *The name, age and place of residence of the applicant;*

20 (b) *The name and address of the employer of the applicant, if the*
21 *applicant is employed, or the address of the place of business of the*
22 *applicant, if he is self-employed;*

23 (c) *The date on which the board received the application;*

24 (d) *A description of the action taken by the board on the application*
25 *and the date on which the board took such action;*

26 (e) *If a license is issued to the applicant, the number of the license;*
27 *and*

28 (f) *Such other information as the board may require.*

29 2. *Is licensed pursuant to this chapter. The record must include:*

30 (a) *The name and address of the licensee; and*

31 (b) *Such other information as the board may require.*

32 **Sec. 12.** *An applicant for a license must:*

33 1. *Submit to the board a completed application and the fees required*
34 *pursuant to section 13 of this act; and*

35 2. *Pass an examination prescribed by the board.*

36 **Sec. 13.** 1. *The board shall, by regulation, establish fees for:*

37 (a) *The examination of an applicant for a license;*

38 (b) *The initial issuance of a license; and*

39 (c) *The renewal of a license.*

40 2. *The fees must be set in such an amount as to reimburse the board*
41 *for the cost of carrying out the provisions of this chapter.*

42 **Sec. 14.** *A license issued pursuant to this chapter:*

43 1. *Expires 3 years after it is issued by the board.*

1 2. *Must be serially numbered and contain:*

2 (a) *The number of the license;*

3 (b) *The designation “Licensed Electrician”;*

4 (c) *The name of the person licensed;*

5 (d) *The date of issuance;*

6 (e) *The seal of the board; and*

7 (f) *The signature of the secretary of the board.*

8 3. *Is a revocable privilege and the holder of such a license does not*
9 *acquire thereby any vested right.*

10 **Sec. 15.** *If an applicant for licensure pursuant to this chapter is a*
11 *natural person, his application must include his social security number.*
12 *The board shall keep the social security number of each applicant and*
13 *licensee in the record for the applicant or licensee, as appropriate,*
14 *created pursuant to section 11 of this act.*

15 **Sec. 16.** 1. *A natural person who applies for the issuance or*
16 *renewal of an electrician’s license pursuant to this chapter shall submit*
17 *to the board the statement prescribed by the welfare division of the*
18 *department of human resources pursuant to NRS 425.520. The statement*
19 *must be completed and signed by the applicant.*

20 2. *The board shall include the statement required pursuant to*
21 *subsection 1 in:*

22 (a) *The application or any other forms that must be submitted for the*
23 *issuance or renewal of the license; or*

24 (b) *A separate form prescribed by the board.*

25 3. *An electrician’s license may not be issued or renewed by the board*
26 *if the applicant is a natural person who:*

27 (a) *Fails to submit the statement required by subsection 1; or*

28 (b) *Indicates on the statement submitted pursuant to subsection 1 that*
29 *he is subject to a court order for the support of a child and is not in*
30 *compliance with the order or a plan approved by the district attorney or*
31 *other public agency enforcing the order for the repayment of the amount*
32 *owed pursuant to the order.*

33 4. *If the electrician’s license of a natural person has been suspended*
34 *or revoked pursuant to section 23 of this act, the board may not reinstate*
35 *the license if the person:*

36 (a) *Fails to submit the statement required by subsection 1; or*

37 (b) *Indicates on the statement submitted pursuant to subsection 1 that*
38 *he is subject to a court order for the support of a child and is not in*
39 *compliance with the order or a plan approved by the district attorney or*
40 *other public agency enforcing the order for the repayment of the amount*
41 *owed pursuant to the order.*

42 5. *If an applicant indicates on the statement submitted pursuant to*
43 *subsection 1 that he is subject to a court order for the support of a child*

1 *and is not in compliance with the order or a plan approved by the district*
2 *attorney or other public agency enforcing the order for the repayment of*
3 *the amount owed pursuant to the order, the board shall advise the*
4 *applicant to contact the district attorney or other public agency enforcing*
5 *the order to determine the actions that the applicant may take to satisfy*
6 *the arrearage.*

7 *6. The board shall keep each statement submitted by an applicant*
8 *pursuant to subsection 1 in the record of the applicant created pursuant*
9 *to section 11 of this act.*

10 **Sec. 17.** *1. If the board receives a copy of a court order issued*
11 *pursuant to NRS 425.540 that provides for the suspension of all*
12 *professional, occupational and recreational licenses, certificates and*
13 *permits issued to a person who is the holder of an electrician's license,*
14 *the board shall deem the electrician's license issued to that person*
15 *pursuant to this chapter to be suspended at the end of the 30th day after*
16 *the date on which the court order was issued unless the board receives a*
17 *letter issued to the holder of the license by the district attorney or other*
18 *public agency pursuant to NRS 425.550 stating that the holder of the*
19 *license has complied with the subpoena or warrant or has satisfied the*
20 *arrearage pursuant to NRS 425.560.*

21 *2. The board shall reinstate an electrician's license that has been*
22 *suspended by a district court pursuant to NRS 425.540 if the board*
23 *receives a letter issued by the district attorney or other public agency*
24 *pursuant to NRS 425.550 to the person whose license was suspended*
25 *stating that the person whose license was suspended has complied with*
26 *the subpoena or warrant, or has satisfied the arrearage pursuant to NRS*
27 *425.560.*

28 **Sec. 18.** *1. The board, or any member thereof, may issue a*
29 *subpoena for the attendance of witnesses and the production of books*
30 *and papers.*

31 *2. The district court in and for the county in which a hearing*
32 *conducted by the board is to be held may compel the attendance of*
33 *witnesses, the giving of testimony and the production of books and*
34 *papers as required by a subpoena issued pursuant to subsection 1.*

35 *3. If a witness refuses to testify or produce any books or papers*
36 *required by the subpoena, the board may file a petition ex parte with the*
37 *district court, setting forth that:*

38 *(a) Notice has been given of the time and place for the attendance of*
39 *the witness or the production of the books and papers;*

40 *(b) The witness has been subpoenaed in the manner prescribed by this*
41 *chapter;*

1 (c) The witness has failed or refused to attend or produce the books or
2 papers required by the subpoena before the board in the cause or
3 proceeding named in the subpoena, or has refused to answer questions
4 propounded to him in the course of the hearing; and

5 (d) The board, therefore, requests an order of the court compelling the
6 witness to attend and testify or produce the books or papers before the
7 board.

8 4. The court, upon such a petition, shall enter an order directing the
9 witness to appear before the court at a time and place fixed by the court
10 in the order, and then and there to show cause why he has not attended
11 or testified, or produced the books or papers before the board. The time
12 may not be more than 10 days after the date of the order. A certified copy
13 of the order must be served upon the witness.

14 5. If the court determines that the subpoena was regularly issued by
15 the board, the court shall thereupon enter an order that the witness
16 appear before the board at the time and place fixed in the order, and
17 testify or produce the required books or papers. Failure to obey an order
18 of the court issued pursuant to this subsection constitutes contempt of
19 court.

20 **Sec. 19.** A witness who appears by order of the board or of the court
21 pursuant to section 18 of this act is entitled to receive for attendance the
22 same fees and mileage allowed by law to a witness in a civil case. The
23 amount must be paid by the party who requested the subpoena. If a
24 witness who has not been required to attend at the request of a party is
25 subpoenaed by the board, his fees and mileage must be paid from the
26 money of the board.

27 **Sec. 20.** 1. The board may, in any hearing before it, cause the
28 depositions of witnesses to be taken in the manner prescribed for
29 depositions in civil actions in this state.

30 2. The district court in and for the county in which any hearing is
31 held by the board shall, upon application of the board, issue a
32 commission to another state for the taking of evidence in that state for
33 use in any proceeding before the board.

34 **Sec. 21.** The grounds for initiating disciplinary action pursuant to
35 this chapter are:

36 1. Unprofessional conduct.

37 2. Conviction of:

38 (a) A felony;

39 (b) Any offense involving moral turpitude; or

40 (c) A violation of any federal or state law regulating the possession,
41 distribution or use of any controlled substance as defined in chapter 453
42 of NRS or dangerous drugs as defined in chapter 454 of NRS.

43 3. Fraud or deception in:

1 (a) Applying for the issuance or renewal of a license;

2 (b) Undergoing the initial examination; or

3 (c) Rendering services as a licensed electrician.

4 4. Allowing the unauthorized use of a license issued pursuant to this
5 chapter.

6 5. Professional incompetence.

7 6. Habitual drunkenness.

8 **Sec. 22. 1.** The board or any of its members who become aware of
9 any ground for initiating disciplinary action against a licensed
10 electrician in this state shall, and any other person who is so aware may,
11 file a written complaint with the board.

12 2. The complaint must specifically:

13 (a) Set forth the relevant facts; and

14 (b) Charge one or more grounds for initiating disciplinary action.

15 3. As soon as practicable after the filing of the complaint, the board
16 shall fix a date for a hearing on the matter. The date must not be later
17 than 30 days after the date on which the complaint is filed with the
18 board, except that the date may be extended upon agreement of both the
19 licensee and the board.

20 4. The secretary of the board shall:

21 (a) Notify the person that a complaint against him has been filed;

22 (b) Inform him of the date, time and place set for the hearing; and

23 (c) Include a copy of the complaint with the notice.

24 5. The notice and complaint may be served on the person by delivery
25 to him personally or by registered or certified mail to him at his last
26 known address.

27 **Sec. 23. 1.** If the board finds the person guilty as charged in the
28 complaint, it may:

29 (a) Place the person on probation for a specified period or until
30 further order of the board;

31 (b) Administer to the person a public or private reprimand;

32 (c) Suspend the license of the person to practice as an electrician for a
33 specified period or until further order of the board;

34 (d) Revoke the license of the person to practice as an electrician;

35 (e) Impose a fine of not more than \$5,000, which must be deposited
36 with the state treasurer for credit to the state general fund; or

37 (f) Take any combination of the actions authorized by paragraphs (a)
38 to (e), inclusive.

39 2. The order of the board may contain such other terms, provisions
40 or conditions as the board deems proper.

41 3. If the board revokes or suspends a license for a specified period,
42 the holder of the license may apply for a rehearing within 10 days after
43 the date on which the license is revoked or suspended.

1 **4. A person whose license has been revoked pursuant to this section**
2 **may not apply for reinstatement of his license before 1 year after the date**
3 **his license is revoked. The board may accept or reject such an**
4 **application and may require the successful completion of an examination**
5 **as a condition of reinstatement.**

6 **Sec. 24. 1. Any records or information obtained during the course**
7 **of an investigation by the board and any record of the investigation are**
8 **confidential until the investigation is completed. Upon completion of the**
9 **investigation, the information and records are public records, only if:**

10 **(a) Disciplinary action is imposed by the board as a result of the**
11 **investigation; or**

12 **(b) The person regarding whom the investigation was made submits a**
13 **written request to the board asking that the information and records be**
14 **made public records.**

15 **2. This section does not prohibit the board from providing any such**
16 **records or information to another licensing board or any agency,**
17 **including a law enforcement agency, that is investigating a person**
18 **licensed pursuant to this chapter.**

19 **Sec. 25. 1. A person shall not:**

20 **(a) Practice as an electrician; or**

21 **(b) Hold himself out as qualified to practice as an electrician,**
22 **without first obtaining a license as provided by this chapter.**

23 **2. A person who violates any provision of this section is guilty of a**
24 **misdemeanor.**

25 **Sec. 26. 1. A violation of this chapter by a person unlawfully**
26 **representing himself as an electrician may be enjoined by a district court**
27 **upon petition by the board. In any such proceeding, it is not necessary to**
28 **show that a person is or was individually injured.**

29 **2. If a person is found guilty of misrepresenting himself as an**
30 **electrician, the court shall enjoin him from making such representations**
31 **until he has been licensed pursuant to this chapter. The procedure in**
32 **such a proceeding must be the same as for any other application for an**
33 **injunction.**

34 **3. The remedy of an injunction is in addition to any applicable**
35 **criminal prosecution and punishment.**

36 **Sec. 27.** Chapter 624 of NRS is hereby amended by adding thereto a
37 new section to read as follows:

38 **The board shall not issue any license that authorizes a person to install**
39 **any electrical wires, fixtures, appliances, apparatuses, raceways or**
40 **conduits.**

41 **Sec. 28.** NRS 624.215 is hereby amended to read as follows:

42 624.215 1. For the purpose of classification, the contracting business
43 includes the following branches:

- 1 (a) General engineering contracting.
- 2 (b) General building contracting.
- 3 (c) Specialty contracting.

4 General engineering contracting and general building contracting are
5 mutually exclusive branches.

6 2. A general engineering contractor is a contractor whose principal
7 contracting business is in connection with fixed works, including
8 irrigation, drainage, water supply, water power, flood control, harbors,
9 railroads, highways, tunnels, airports and airways, sewers and sewage
10 disposal systems, bridges, inland waterways, pipelines for transmission of
11 petroleum and other liquid or gaseous substances, refineries, chemical
12 plants and industrial plants requiring a specialized engineering knowledge
13 and skill, power plants, piers and foundations and structures or work
14 incidental thereto.

15 3. A general building contractor is a contractor whose principal
16 contracting business is in connection with the construction or remodeling
17 of buildings or structures for the support, shelter and enclosure of persons,
18 animals, chattels or movable property of any kind, requiring in their
19 construction the use of more than two unrelated building trades or crafts,
20 upon which he is a prime contractor and where the construction or
21 remodeling of a building is the primary purpose. Unless he holds the
22 appropriate specialty license, a general building contractor may only
23 contract to perform specialty contracting if he is a prime contractor on a
24 project. A general building contractor shall not perform specialty
25 contracting in plumbing, ~~electrical,~~ refrigeration and air conditioning, or
26 fire protection without a license for the specialty ~~issued pursuant to this~~
27 ~~chapter.~~ A person who exclusively constructs or repairs mobile homes,
28 manufactured homes or commercial coaches is not a general building
29 contractor.

30 4. A specialty contractor is a contractor whose operations as such are
31 the performance of construction work requiring special skill and whose
32 principal contracting business involves the use of specialized building
33 trades or crafts.

34 5. This section does not prevent the board from establishing,
35 broadening, limiting or otherwise effectuating classifications in a manner
36 consistent with established custom, usage and procedure found in the
37 building trades. The board is specifically prohibited from establishing
38 classifications in such a manner as to determine or limit craft jurisdictions.

39 **Sec. 29.** NRS 624.330 is hereby amended to read as follows:

40 624.330 This chapter does not apply to:

- 41 1. Work done exclusively by an authorized representative of the
42 United States Government, the State of Nevada, or an incorporated city,

1 county, irrigation district, reclamation district, or other municipal or
2 political corporation or subdivision of this state.

3 2. An officer of a court when acting within the scope of his office.

4 3. Work done exclusively by a public utility operating pursuant to the
5 regulations of the public utilities commission of Nevada on construction,
6 maintenance and development work incidental to its own business.

7 4. An owner of property who is building or improving a residential
8 structure on the property for his own occupancy and not intended for sale.
9 The sale or offering for sale of the newly built structure within 1 year after
10 its completion creates a rebuttable presumption for the purposes of this
11 section that the building of the structure was performed with intent to sell.

12 5. An owner of a complex containing not more than four
13 condominiums, townhouses, apartments or cooperative units, the managing
14 officer of the owner or an employee of the managing officer, who performs
15 work to repair or maintain that property the value of which is less than
16 \$500, including labor and materials, unless:

17 (a) A building permit is required to perform the work;

18 (b) The work is of a type performed by a plumbing, ~~electrical,~~
19 refrigeration, heating or air-conditioning contractor;

20 (c) The work is of a type performed by a contractor licensed in a
21 classification prescribed by the board that significantly affects the health,
22 safety and welfare of members of the general public;

23 (d) The work is performed as a part of a larger project:

24 (1) The value of which is \$500 or more; or

25 (2) For which contracts of less than \$500 have been awarded to
26 evade the provisions of this chapter; or

27 (e) The work is performed by a person who is licensed pursuant to this
28 chapter or by an employee of such a person.

29 6. The sale or installation of any finished product, material or article of
30 merchandise which is not actually fabricated into and does not become a
31 permanent fixed part of the structure.

32 7. The construction, alteration, improvement or repair of personal
33 property.

34 8. The construction, alteration, improvement or repair financed in
35 whole or in part by the Federal Government and carried on within the
36 limits and boundaries of a site or reservation, the title of which rests in the
37 Federal Government.

38 9. An owner of property, the primary use of which is as an agricultural
39 or farming enterprise, building or improving a structure on the property for
40 his own use or occupancy and not intended for sale or lease.

41 10. An owner of property who builds or improves a structure upon his
42 property and who contracts solely with a managing contractor licensed
43 pursuant to the provisions of this chapter for the building or improvement,

1 if the owner is and remains financially responsible for the building or
2 improving of all buildings and structures built by the owner upon his
3 property pursuant to the exemption of this subsection.

4 **Sec. 30.** NRS 218.825 is hereby amended to read as follows:

5 218.825 1. Each of the boards and commissions created by the
6 provisions of chapters 623 to 625A, inclusive, ~~chapters~~ 628 to 644,
7 inclusive, ~~and chapters~~ 654 and 656 of NRS *and sections 2 to 26,*
8 *inclusive, of this act* shall engage the services of a certified public
9 accountant or public accountant, or firm of either of such accountants, to
10 audit all ~~of~~ its fiscal records once each year for the preceding fiscal year
11 or once every other year for the 2 preceding fiscal years. The cost of the
12 audit must be paid by the board or commission audited.

13 2. A report of each such audit must be filed by the board or
14 commission with the legislative auditor and the director of the budget on or
15 before December 1 of each year in which an audit is conducted. All audits
16 must be conducted in accordance with generally accepted auditing
17 standards and all financial statements must be prepared in accordance with
18 generally accepted principles of accounting for special revenue funds.

19 3. The legislative auditor shall audit the fiscal records of any such
20 board or commission whenever directed to do so by the legislative
21 commission. When the legislative commission directs such an audit, it
22 shall also determine who is to pay the cost of the audit.

23 **Sec. 31.** NRS 353A.010 is hereby amended to read as follows:

24 353A.010 As used in this chapter, unless the context otherwise
25 requires:

26 1. "Agency" means every agency, department, division, board,
27 commission or similar body, or elected officer, of the executive branch of
28 the state, except:

29 (a) A board or commission created by the provisions of chapters 623 to
30 625, inclusive, 628 to 644, inclusive, 654 and 656 of NRS ~~H~~, *and*
31 *sections 2 to 26, inclusive, of this act.*

32 (b) The University and Community College System of Nevada.

33 (c) The public employees' retirement system.

34 (d) The state industrial insurance system.

35 (e) The housing division of the department of business and industry.

36 (f) The Colorado River commission.

37 2. "Director" means the director of the department of administration.

38 3. "Internal accounting and administrative control" means a method
39 through which agencies can safeguard assets, check the accuracy and
40 reliability of their accounting information, promote efficient operations
41 and encourage adherence to prescribed managerial policies.

1 **Sec. 32.** The state contractors' board shall notify each person who is
2 licensed to practice electrical contracting or engineering pursuant to
3 chapter 624 of NRS of the licensing requirements for electrical contractors
4 as set forth in this act.

5 **Sec. 33.** Notwithstanding the provisions of section 12 of this act, the
6 board of electricians' examiners shall, without examination, license as an
7 electrician any person who appears before the board on or before July 1,
8 2000, who:

9 1. Is licensed in good standing in this state to perform electrical
10 contracting pursuant to the regulations adopted by the state contractors'
11 board;

12 2. Provides evidence satisfactory to the board of electricians'
13 examiners that he has the required experience and training; and

14 3. Submits to the board of electricians' examiners:

15 (a) A completed application; and

16 (b) The fees required pursuant to section 13 of this act.

17 **Sec. 34.** Notwithstanding the provisions of section 25 of this act, a
18 person who wishes to practice as an electrician is not required to be
19 licensed pursuant to the provisions of this act before July 1, 2000.

20 **Sec. 35.** 1. As soon as practicable, the governor shall appoint to
21 terms beginning on October 1, 1999, to the board of electricians'
22 examiners:

23 (a) One member whose term expires on September 30, 2000;

24 (b) Two members whose terms expire on September 30, 2001; and

25 (c) Two members whose terms expire on September 30, 2002.

26 2. Notwithstanding the provisions of section 5 of this act, the governor
27 shall appoint as the initial representatives of electricians to the board of
28 electricians' examiners persons who are eligible for licensing pursuant to
29 this act.

30 **Sec. 36.** Sections 15, 16 and 17 of this act expire by limitation on the
31 date on which the provisions of 42 U.S.C. § 666 requiring each state to
32 establish procedures under which the state has authority to withhold or
33 suspend, or to restrict the use of professional, occupational and recreational
34 licenses of persons who:

35 1. Have failed to comply with a subpoena or warrant relating to a
36 proceeding to determine the paternity of a child or to establish or enforce
37 an obligation for the support of a child; or

38 2. Are in arrears in the payment for the support of one or more
39 children,

40 are repealed by the Congress of the United States.

41 **Sec. 37.** 1. Notwithstanding any other provision of this act and
42 except as otherwise provided in this section, if, on October 1, 1999, there
43 are any disciplinary actions pending against an electrician before the state

1 contractors' board, the state contractors' board retains jurisdiction over the
2 matter until the matter is resolved.

3 2. The state contractors' board shall not accept any complaint and,
4 except as otherwise provided in subsection 1, is divested of jurisdiction
5 over all matters concerning electricians on or after October 1, 1999. The
6 state contractors' board shall forward any complaint about an electrician
7 that the state contractors' board receives on or after October 1, 1999, to the
8 board of electricians' examiners.

9 3. Upon the agreement of the state contractors' board and the board of
10 electricians' examiners, the state contractors' board may forward to the
11 board of electricians' examiners any complaint filed with the state
12 contractors' board against an electrician before October 1, 1999, if the state
13 contractors' board has not taken any action on the complaint.

14 **Sec. 38.** 1. This section and sections 32 and 35 of this act become
15 effective on July 1, 1999.

16 2. Sections 1 to 31, inclusive, 33, 34, 36 and 37 of this act become
17 effective on October 1, 1999.