

LEGISLATIVE BILL 863

Passed over the Governor's veto April 8, 1988.

Introduced by Hall, 7; Withem, 14

AN ACT relating to boilers; to amend sections 48-719 and 48-720, Revised Statutes Supplement, 1987; to define a term; to create an advisory board; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 48-719, Revised Statutes Supplement, 1987, be amended to read as follows:

48-719. Sections 48-719 to 48-738 and sections 3 to 7 of this act shall be known and may be cited as the Boiler Inspection Act.

Sec. 2. That section 48-720, Revised Statutes Supplement, 1987, be amended to read as follows:

48-720. As used in the Boiler Inspection Act, unless the context otherwise requires:

(1) Board shall mean the Boiler Safety Code Advisory Board;

(2) Boiler shall mean a closed vessel in which water or other liquid is heated, steam or vapor is generated, steam or vapor is superheated, or any combination thereof, under pressure or vacuum, for internal or external use to itself, by the direct application of heat. Boiler shall include fired units for heating or vaporizing liquids other than water only when such units are separate from processing systems and complete within themselves; and

(3) ~~(2)~~ Commissioner shall mean the Commissioner of Labor.

Sec. 3. There is hereby created the Boiler Safety Code Advisory Board. The board shall consist of seven members appointed by the Governor with the approval of the Legislature. Within thirty days after the effective date of this act, the Governor shall appoint three members for terms of two years and four members for terms of four years. Each succeeding member of the board shall be appointed for a term of four years, except that a member appointed to fill a vacancy shall serve for the unexpired term. If the Legislature is not in session when members of the board are

appointed, such members shall take office and act as appointees until the next session of the Legislature.

Sec. 4. The membership of the board shall consist of one member who represents owners and users of boilers and has experience with boilers, one member who represents sellers of boilers, one member who represents the crafts involved in the construction, repair, or operation of boilers, one member who represents the insurance industry, one member who is a licensed professional engineer with experience with boilers, one member who represents the interest of public safety, and one member who represents the public. The state boiler inspector shall be a nonvoting member of the board.

Sec. 5. The members of the board shall meet in January of each year and shall elect a chairperson from their members. Other meetings of the board shall be held when called with at least seven days notice to all members by the chairperson of the board or pursuant to a call signed by four other members. Four members of the board shall constitute a quorum for the transaction of business.

Sec. 6. Each board member shall be paid the sum of fifty dollars per day while actually engaged in the business of the board. The members of the board shall be paid their mileage and expenses in attending meetings of the board and carrying out their official duties as provided in sections 81-1174 to 81-1177 for state employees.

Sec. 7. It shall be the duty of the board to hold hearings and advise the commissioner on rules and regulations for methods of testing equipment and construction and installation of new equipment covered by the Boiler Inspection Act.

Sec. 8. That original sections 48-719 and 48-720, Revised Statutes Supplement, 1987, are repealed.