

LEGISLATIVE BILL 812

Approved by the Governor April 10, 1978

Introduced by Appropriations Committee, Warner, 25, Chmn.; Bereuter, 24; S. Marsh, 29; Savage, 10; Fowler, 27; Rumery, 42; Goodrich, 20, Cope, 36

AN ACT to amend sections 71-1559 and 71-4305, Reissue Revised Statutes of Nebraska, 1943, relating to public health and welfare; to increase fees; and to repeal the original sections.
Be it enacted by the people of the State of Nebraska,

Section 1. That section 71-1559, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-1559. Every manufactured housing unit, including those produced by any technical community college, manufactured more than six months after July 10, 1976 which is sold, offered for sale, or leased in this state shall bear a seal issued by the department certifying that the construction and the structural, plumbing, heating, and electrical systems of such manufactured housing unit have been installed in compliance with the standards adopted by the department, applicable at the time of manufacture. The department shall establish a compliance assurance program consisting of an application form and a compliance assurance manual. Such manual shall identify and list all those procedures which the manufacturer and the inspection agency propose to implement to assure that the finished manufactured housing unit conforms to the approved building system and the applicable codes adopted by the department. The compliance assurance program requirements shall apply to all inspection agencies, whether department or independent third party, and shall define their duties and responsibilities in the process of inspecting, monitoring, and issuing seals for manufactured housing units. The department shall issue the seal only after ascertaining that the manufacturer is in full compliance with the compliance assurance program through inspections by the department, or authorized third party inspection agency, at the plant. Such inspections shall be of an unannounced frequency such that the required level of code compliance performance is implemented and maintained throughout all areas of plant and site operations that affect regulatory aspects of the construction. Each seal issued by the department shall remain the property of the

department and may be revoked by the department in the event of violation of the conditions of issuance. A fee of not ~~less than ten dollars nor~~ more than twenty sixty dollars, as determined by departmental regulation, shall be charged for each seal issued by the department. Inspection fees shall be paid for all departmental inspections of manufacturing plants located outside of the State of Nebraska. Such fees shall consist of a reimbursement by the manufacturer of actual departmental travel and inspection expenses only and shall be paid prior to any issuance of seals. All fees collected under sections 71-1555 to 71-1567 shall be paid into the state treasury and credited by the State Treasurer to the Manufactured Housing Cash Fund, which fund is hereby created. Such fund shall be used by the department for the purpose of administering the provisions of sections 71-1555 to 71-1567.

Sec. 2. That section 71-4305, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-4305. (1) The Department of Health shall make at least one inspection every year of each swimming pool to determine that such swimming pool complies with the minimum sanitary and safety requirements.

(2) The owner and operator of any swimming pool shall submit such operation and analytical records as may be requested at any time by the Department of Health to determine the sanitary and safety condition of the swimming pool.

(3) The Department of Health may charge the owners or operators of swimming pools an inspection fee for each inspection made under the provisions of this section or section 71-4306. Such fee shall be fifty dollars for inspection of Class A swimming pools and twenty-five forty dollars for Class B swimming pools. The distinction between Class A and Class B swimming pools shall be prescribed by regulation by the Department of Health. All fees collected under this section shall be deposited in the Department of Health Cash Fund. The Department of Health shall not charge a municipal corporation an inspection fee for an inspection of a swimming pool owned by such municipal corporation.

Sec. 3. That original sections 71-1559 and 71-4305, Reissue Revised Statutes of Nebraska, 1943, are repealed.