

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 179

Introduced by Brasch, 16.

Read first time January 12, 2015

Committee: General Affairs

- 1 A BILL FOR AN ACT relating to the State Electrical Act; to amend sections
- 2 81-2104, 81-2113, 81-2117.01, and 81-2118, Reissue Revised Statutes
- 3 of Nebraska; to require apprentices to complete continuing
- 4 education; to harmonize provisions; and to repeal the original
- 5 sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-2104, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 81-2104 The board shall have power to:

4 (1) Elect its own officers;

5 (2) Engage and fix the compensation of such officers, inspectors,
6 and employees as may be required in the performance of its duties;

7 (3) Pay such other expenses as may be necessary in the performance
8 of its duties;

9 (4) Provide upon request such additional voluntary inspections and
10 reviews as it deems appropriate;

11 (5) Adopt, promulgate, and revise rules and regulations necessary to
12 enable it to carry into effect the State Electrical Act. In adopting and
13 promulgating such rules and regulations, the board shall be governed by
14 the minimum standards set forth in the National Electrical Code issued
15 and adopted by the National Fire Protection Association in 2014,
16 Publication Number 70-2014, which code shall be filed in the offices of
17 the Secretary of State and the board and shall be a public record. The
18 board shall adopt and promulgate rules and regulations establishing
19 wiring standards that protect public safety and health and property and
20 that apply to all electrical wiring which is installed subject to the
21 State Electrical Act;

22 (6) Revoke, suspend, or refuse to renew any license or registration
23 granted pursuant to the State Electrical Act when the licensee or
24 registrant (a) violates any provision of the National Electrical Code as
25 adopted pursuant to subdivision (5) of this section, the act, or any rule
26 or regulation adopted and promulgated pursuant to the act, (b) fails or
27 refuses to pay any examination, registration, or license renewal fee
28 required by law, (c) is an electrical contractor or master electrician
29 and fails or refuses to provide and keep in force a public liability
30 insurance policy as required by the board, or (d) violates any political
31 subdivision's approved inspection ordinances;

1 (7) Order disconnection of power to any electrical installation that
2 is proximately dangerous to health and property;

3 (8) Order removal of electrical wiring and apparatus from premises
4 when such wiring and apparatus is proximately dangerous to health and
5 property;

6 (9) Investigate, for the purpose of identifying dangerous electrical
7 wiring or violations of the National Electrical Code as adopted pursuant
8 to subdivision (5) of this section, any death by electrocution that
9 occurs within the State of Nebraska;

10 (10) Refuse to renew any license or registration granted pursuant to
11 the act when the licensee or registrant fails to submit evidence of
12 completing the continuing education requirements under section
13 81-2117.01;

14 (11) Provide for the amount and collection of fees for inspection
15 and other services;

16 (12) Adopt a seal, and the executive secretary shall have the care
17 and custody thereof; and

18 (13) Enforce the provisions of the National Electrical Code as
19 adopted pursuant to subdivision (5) of this section.

20 Sec. 2. Section 81-2113, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 81-2113 (1) A person may register with the board and pay a fee as
23 provided in section 81-2118 to work as an apprentice electrician. Such
24 registration shall entitle the registrant to act as an apprentice
25 electrician to a Class B electrical contractor, an electrical contractor,
26 a Class B journeyman electrician, a journeyman electrician, a residential
27 journeyman electrician, a Class A master electrician, or a Class B master
28 electrician as provided in subsection (2) of this section. In order to
29 renew a registration, an apprentice shall present documentary evidence of
30 successful completion of the requisite hours of continuing education
31 courses under section 81-2117.01 and pay the fee for renewal provided by

1 section 81-2118. If an applicant for renewal fails to complete the
2 required hours and submit the evidence to the board, the board shall
3 assess up to a six-month reduction of required experience necessary for
4 the applicant to qualify for the examination under section 81-2115.

5 (2) An apprentice electrician shall do no electrical wiring except
6 under the direct personal on-the-job supervision and control and in the
7 immediate presence of a licensee under the State Electrical Act. Such
8 supervision shall include both on-the-job training and related classroom
9 training as approved by the board. The licensee may employ or supervise
10 apprentice electricians at a ratio not to exceed three apprentice
11 electricians to one licensee, except that such ratio and the other
12 requirements of this section shall not be applicable to a teacher-student
13 relationship within a classroom of a community college.

14 For purposes of this section, the direct personal on-the-job
15 supervision and control and in the immediate presence of a licensee shall
16 mean the licensee and the apprentice electrician shall be working at the
17 same project location but shall not require that the licensee and
18 apprentice electrician must be within sight of one another at all times.

19 (3) An apprentice electrician shall not install, alter, or repair
20 electrical equipment except as provided in this section, and the licensee
21 employing or supervising an apprentice electrician shall not authorize or
22 permit such actions by the apprentice electrician.

23 Sec. 3. Section 81-2117.01, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 81-2117.01 (1) In order to renew a license or registration issued
26 under the State Electrical Act, the licensee or registrant shall be
27 required to complete twelve contact hours of continuing education by
28 ~~January 1, 1995, for renewal on such date and twelve contact hours by~~
29 January 1 of each odd-numbered year thereafter. The continuing education
30 courses shall be approved by the board and may consist of training
31 programs, courses, and seminars by the State Electrical Division or

1 public or private schools, organizations, or associations. The contact
2 hours shall include a minimum of six contact hours studying the National
3 Electrical Code described in section 81-2104, and the remaining contact
4 hours may include study of electrical circuit theory, blueprint reading,
5 transformer and motor theory, electrical circuits and devices, control
6 systems, programmable controllers, and microcomputers or any other study
7 of electrical-related material that is approved by the board. Any
8 additional hours studying the National Electrical Code shall be
9 acceptable. For purposes of this section, a contact hour means ~~shall mean~~
10 fifty minutes of classroom attendance at an approved course under a
11 qualified instructor approved by the board.

12 (2) An application for approval of the instructor and course
13 offering shall be submitted annually on a form provided by the board. The
14 approval by the board of the application shall be valid for one calendar
15 year from the date of approval and shall include the following
16 information:

17 (a) Name of the sponsoring organization or school, if any, the
18 address of such organization or school, and the name of the contact
19 person;

20 (b) The instructor's name, address, and telephone number;

21 (c) The title of the course offering;

22 (d) A description of all materials to be distributed to the
23 participants;

24 (e) The date and exact location of each presentation of the course
25 offering;

26 (f) The duration and time of the offering;

27 (g) A detailed outline of the subject matter together with the time
28 sequence of each segment, faculty for each segment, and teaching
29 technique used in each segment;

30 (h) The procedure for measuring attendance; and

31 (i) A description of the faculty, including name, background, and

1 practical or teaching experience. A complete resume may be furnished.

2 Any application for approval of the instructor and course offering
3 that is rejected shall be returned to the applicant with specific reasons
4 for such rejection and stating what is needed for approval.

5 (3) If a continuing education course is approved, the licensee or
6 registrant shall retain the attendance certificate and attach it to the
7 application for renewal of his or her license or registration at the time
8 of renewal. The licensee or registrant shall have the responsibility for
9 record keeping and providing proof of attendance at continuing education
10 courses.

11 (4) The instructor of each course shall provide an individual
12 certificate of attendance to each licensee or registrant who attends
13 ninety percent or more of the classroom hours. A certificate of
14 attendance shall not be issued to a licensee or registrant who is absent
15 for more than ten percent of the classroom hours. The certificate shall
16 contain the licensee's or registrant's name and license or registration
17 number, the course title, the date and location of the course, the number
18 of credit hours, and the signature of the instructor.

19 Sec. 4. Section 81-2118, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 81-2118 All licenses or registrations issued under the State
22 Electrical Act shall expire on December 31 of each even-numbered year.
23 All license or registration applications shall include the applicant's
24 social security number. The board shall establish the fees to be payable
25 for examination, issuance, and renewal in amounts not to exceed:

26 (1) For examination:

27 (a) Electrical contractor, one hundred twenty-five dollars;

28 (b) Journeyman electrician, sixty dollars;

29 (c) Residential journeyman electrician, sixty dollars; and

30 (d) Fire alarm installer, sixty dollars;

31 (2) For each year of the two-year license period for issuance and

1 renewal:

2 (a) Electrical contractor, one hundred twenty-five dollars; and

3 (b) Journeyman electrician, residential journeyman electrician, fire
4 alarm installer, or special electrician, twenty-five dollars;

5 (3) For each year of the two-year registration ~~license~~ period for
6 issuance and renewal ~~registration~~ as an apprentice electrician, twenty
7 dollars; and

8 (4) For renewal on or after September 9, 1993, of the following
9 licenses issued prior to such date for each year of the two-year license
10 period:

11 (a) Class B electrical contractor, one hundred twenty-five dollars;

12 (b) Class A master electrician, one hundred twenty-five dollars;

13 (c) Class B master electrician, one hundred twenty-five dollars; and

14 (d) Class B journeyman electrician, installer, or special
15 electrician, twenty-five dollars.

16 The holder of an expired license or registration may renew the
17 license or registration for a period of three months from the date of
18 expiration upon payment of the license or registration fee plus ten
19 percent of the renewal fee for each month or portion thereof past the
20 expiration date. All holders of licenses or registrations expired for
21 more than three months shall apply for a new license or registration.

22 Sec. 5. Original sections 81-2104, 81-2113, 81-2117.01, and
23 81-2118, Reissue Revised Statutes of Nebraska, are repealed.