

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 244

Introduced by Brasch, 16.

Read first time January 16, 2013

Committee:

A BILL

1 FOR AN ACT relating to the State Electrical Act; to amend sections
2 81-2113, 81-2117.01, and 81-2118, Reissue Revised
3 Statutes of Nebraska, and section 81-2104, Revised
4 Statutes Cumulative Supplement, 2012; to require
5 apprentices to complete continuing education; to
6 harmonize provisions; and to repeal the original
7 sections.

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

1 Section 1. Section 81-2104, Revised Statutes Cumulative
2 Supplement, 2012, is 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,
6 inspectors, and employees as may be required in the performance of
7 its duties;

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

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

12 (5) Adopt, promulgate, and revise rules and regulations
13 necessary to enable it to carry into effect the State Electrical Act.
14 In adopting and promulgating such rules and regulations, the board
15 shall be governed by the minimum standards set forth in the National
16 Electrical Code issued and adopted by the National Fire Protection
17 Association in 2011, Publication Number 70-2011, which code shall be
18 filed in the offices of the Secretary of State and the board and
19 shall be a public record. The board shall adopt and promulgate rules
20 and regulations establishing wiring standards that protect public
21 safety and health and property and that apply to all electrical
22 wiring which is installed subject to the State Electrical Act;

23 (6) Revoke, suspend, or refuse to renew any license or
24 registration granted pursuant to the State Electrical Act when the
25 licensee or registrant (a) violates any provision of the National

1 Electrical Code as adopted pursuant to subdivision (5) of this
2 section, the act, or any rule or regulation adopted and promulgated
3 pursuant to the act, (b) fails or refuses to pay any examination,
4 registration, or license renewal fee required by law, (c) is an
5 electrical contractor or master electrician and fails or refuses to
6 provide and keep in force a public liability insurance policy as
7 required by the board, or (d) violates any political subdivision's
8 approved inspection ordinances;

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

11 (8) Order removal of electrical wiring and apparatus from
12 premises when such wiring and apparatus is proximately dangerous to
13 health and property;

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

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

22 (11) Provide for the amount and collection of fees for
23 inspection and other services;

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

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

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

5 81-2113 (1) A person may register with the board and pay
6 a fee as provided in section 81-2118 to work as an apprentice
7 electrician. Such registration shall entitle the registrant to act as
8 an apprentice electrician to a Class B electrical contractor, an
9 electrical contractor, a Class B journeyman electrician, a journeyman
10 electrician, a residential journeyman electrician, a Class A master
11 electrician, or a Class B master electrician as provided in
12 subsection (2) of this section. In order to renew a registration, an
13 apprentice shall present documentary evidence of successful
14 completion of the requisite hours of continuing education courses
15 under section 81-2117.01 and pay the fee for renewal provided by
16 section 81-2118. If an applicant for renewal fails to complete the
17 required hours and submit the evidence to the board, the board shall
18 assess up to a six-month reduction of required experience necessary
19 for the applicant to qualify for the examination under section
20 81-2115.

21 (2) An apprentice electrician shall do no electrical
22 wiring except under the direct personal on-the-job supervision and
23 control and in the immediate presence of a licensee under the State
24 Electrical Act. Such supervision shall include both on-the-job
25 training and related classroom training as approved by the board. The

1 licensee may employ or supervise apprentice electricians at a ratio
2 not to exceed three apprentice electricians to one licensee, except
3 that such ratio and the other requirements of this section shall not
4 be applicable to a teacher-student relationship within a classroom of
5 a community college.

6 For purposes of this section, the direct personal on-the-
7 job supervision and control and in the immediate presence of a
8 licensee shall mean the licensee and the apprentice electrician shall
9 be working at the same project location but shall not require that
10 the licensee and apprentice electrician must be within sight of one
11 another at all times.

12 (3) An apprentice electrician shall not install, alter,
13 or repair electrical equipment except as provided in this section,
14 and the licensee employing or supervising an apprentice electrician
15 shall not authorize or permit such actions by the apprentice
16 electrician.

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

19 81-2117.01 (1) In order to renew a license or
20 registration issued under the State Electrical Act, the licensee or
21 registrant shall be required to complete twelve contact hours of
22 continuing education by ~~January 1, 1995, for renewal on such date and~~
23 ~~twelve contact hours by~~ January 1 of each odd-numbered year.
24 ~~thereafter.~~ The continuing education courses shall be approved by the
25 board and may consist of training programs, courses, and seminars by

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

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

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

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

22 (c) The title of the course offering;

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

25 (e) The date and exact location of each presentation of

1 the course offering;

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

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

6 (h) The procedure for measuring attendance; and

7 (i) A description of the faculty, including name,
8 background, and practical or teaching experience. A complete resume
9 may be furnished.

10 Any application for approval of the instructor and course
11 offering that is rejected shall be returned to the applicant with
12 specific reasons for such rejection and stating what is needed for
13 approval.

14 (3) If a continuing education course is approved, the
15 licensee or registrant shall retain the attendance certificate and
16 attach it to the application for renewal of his or her license or
17 registration at the time of renewal. The licensee or registrant shall
18 have the responsibility for record keeping and providing proof of
19 attendance at continuing education courses.

20 (4) The instructor of each course shall provide an
21 individual certificate of attendance to each licensee or registrant
22 who attends ninety percent or more of the classroom hours. A
23 certificate of attendance shall not be issued to a licensee or
24 registrant who is absent for more than ten percent of the classroom
25 hours. The certificate shall contain the licensee's or registrant's

1 name and license or registration number, the course title, the date
2 and location of the course, the number of credit hours, and the
3 signature of the instructor.

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

6 81-2118 All licenses or registrations issued under the
7 State Electrical Act shall expire on December 31 of each even-
8 numbered year. All license or registration applications shall include
9 the applicant's social security number. The board shall establish the
10 fees to be payable for examination, issuance, and renewal in amounts
11 not to exceed:

12 (1) For examination:

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

15 (b) Journeyman electrician, sixty dollars;

16 (c) Residential journeyman electrician, sixty dollars;

17 and

18 (d) Fire alarm installer, sixty dollars;

19 (2) For each year of the two-year license period for
20 issuance and renewal:

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

23 (b) Journeyman electrician, residential journeyman
24 electrician, fire alarm installer, or special electrician, twenty-
25 five dollars;

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

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

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

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

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

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

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

22 Sec. 5. Original sections 81-2113, 81-2117.01, and
23 81-2118, Reissue Revised Statutes of Nebraska, and section 81-2104,
24 Revised Statutes Cumulative Supplement, 2012, are repealed.