

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 744

Introduced by Giese, 17.

Read first time January 06, 2010

Committee: General Affairs

A BILL

1 FOR AN ACT relating to the State Electrical Board; to amend section
2 81-2104, Reissue Revised Statutes of Nebraska; to provide
3 authority to adopt the National Electrical Code by rules
4 and regulations instead of statute; and to repeal the
5 original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-2104, Reissue Revised Statutes of
2 Nebraska, 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
14 Act. In adopting and promulgating such rules and regulations, the
15 board shall be governed by the minimum standards set forth in
16 the National Electrical Code issued and adopted by the National
17 Fire Protection Association. The board shall adopt the most recent
18 version of the National Electrical Code and any amendments to
19 the code before January 1 of the year following the issuance and
20 adoption of the code and any amendments thereto by the National
21 Fire Protection Association. Such adoption shall be included in the
22 rules and regulations and shall be effective on January 1 of the
23 year following the adoption. The most recent in 2005, Publication
24 Number 70-2005, and amendments to the code adopted as of January 1,
25 2003, which code and amendments adopted by the board as indicated

1 by the rules and regulations shall be filed in the offices of the
2 Secretary of State and the board and shall be a public record. The
3 board shall adopt and promulgate rules and regulations establishing
4 wiring standards that protect public safety and health and property
5 and that apply to all electrical wiring which is installed subject
6 to the State Electrical Act;

7 (6) Revoke, suspend, or refuse to renew any license or
8 registration granted pursuant to the State Electrical Act when the
9 licensee or registrant (a) violates any provision of the National
10 Electrical Code as adopted pursuant to subdivision (5) of this
11 section, the act, or any rule or regulation adopted and promulgated
12 pursuant to the act, (b) fails or refuses to pay any examination,
13 registration, or license renewal fee required by law, (c) is an
14 electrical contractor or master electrician and fails or refuses to
15 provide and keep in force a public liability insurance policy as
16 required by the board, or (d) violates any political subdivision's
17 approved inspection ordinances;

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

20 (8) Order removal of electrical wiring and apparatus from
21 premises when such wiring and apparatus is proximately dangerous to
22 health and property;

23 (9) Investigate, for the purpose of identifying dangerous
24 electrical wiring or violations of the National Electrical Code as
25 adopted pursuant to subdivision (5) of this section, any death by

1 electrocution that occurs within the State of Nebraska;

2 (10) Refuse to renew any license granted pursuant to the
3 act when the licensee fails to submit evidence of completing the
4 continuing education requirements under section 81-2117.01;

5 (11) Provide for the amount and collection of fees for
6 inspection and other services;

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

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

11 Sec. 2. Original section 81-2104, Reissue Revised
12 Statutes of Nebraska, is repealed.