

## LEGISLATIVE BILL 144

Approved by the Governor March 11, 2024

Introduced by Brandt, 32.

A BILL FOR AN ACT relating to the State Electrical Act; to amend sections 81-2112, 81-2114, 81-2117.02, 81-2119, 81-2126, 81-2132, and 81-2141, Reissue Revised Statutes of Nebraska, and sections 81-2102, 81-2106, 81-2107, 81-2108, 81-2113, 81-2117.01, 81-2118, and 81-2144, Revised Statutes Cumulative Supplement, 2022; to change and eliminate certain classes of licenses under the State Electrical Act; to change provisions related to eligibility for licensure, continuing education, and training; to change fees; to provide restrictions for installation authority as prescribed; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal section 81-2110, Revised Statutes Cumulative Supplement, 2022.

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

Section 1. Section 81-2102, Revised Statutes Cumulative Supplement, 2022, is amended to read:

81-2102 For purposes of the State Electrical Act, unless the context otherwise requires:

(1) Apprentice electrician means any person, other than a licensee, who, as such person's principal occupation, is engaged in learning and assisting in the installation, alteration, and repair of electrical equipment as an employee of a licensee and who is registered with the board. For purposes of this subdivision, persons who are not engaged in the installation, alteration, or repair of electrical wiring and apparatus, either inside or outside buildings, shall not be considered apprentice electricians;

(2) Board means the State Electrical Board;

(3) Class A master electrician means a person having the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, and supervise the installation of wiring, apparatus, and equipment for electric light, heat, power, and other purposes and who is licensed by the board;

(4) Class B electrical contractor means a person having the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, install, and supervise the installation of wiring, apparatus, and equipment for systems of not over four hundred ampere capacity for light, heat, power, and other purposes in any structure used and maintained as a residential dwelling but not larger than a four-family dwelling located in any municipality which has a population of less than one hundred thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census and who is licensed by the board;

(5) Class B journeyman electrician means a person having the necessary qualifications, training, experience, and technical knowledge to wire for or install electrical wiring, apparatus, and equipment for systems of not over four hundred ampere capacity for light, heat, power, and other purposes in any structure used and maintained as a residential dwelling but not larger than a four-family dwelling located in any municipality which has a population of less than one hundred thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census and who is licensed by the board;

~~(6) Class B master electrician means a person having the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, and supervise the installation of wiring, apparatus, and equipment for systems of not over four hundred ampere capacity for light, heat, power, and other purposes in any structure used and maintained as a residential dwelling but not larger than a four-family dwelling located in any municipality which has a population of less than one hundred thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census and who is licensed by the board;~~

(6) (7) Commercial installation means an installation intended for commerce, but does not include a residential installation;

(7) (8) Electrical contractor means a person having the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, install, and supervise the installation of wiring, apparatus, and equipment for electric light, heat, power, and other purposes and who is licensed by the board;

(8) (9) Fire alarm installer means any person having the necessary qualifications, training, and experience to plan, lay out, and install electrical wiring, apparatus, and equipment for only those components of fire alarm systems that operate at fifty volts or less and who is licensed by the board;

(9) (10) Industrial installation means an installation intended for use in the manufacture or processing of products involving systematic labor or

habitual employment and includes installations in which agricultural or other products are habitually or customarily processed or stored for others, either by buying or reselling on a fee basis;

~~(11) Installer means a person who has the necessary qualifications, training, experience, and technical knowledge to properly lay out and install electrical wiring, apparatus, and equipment for major electrical home appliances on the load side of the main service in any municipality which has a population of less than one hundred thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census and who is licensed by the board;~~

~~(10) (12) Inspector means a person certified as an electrical inspector upon such reasonable conditions as may be adopted by the board. The board may permit more than one class of electrical inspector;~~

~~(11) (13) Journeyman electrician means a person having the necessary qualifications, training, experience, and technical knowledge to wire for or install electrical wiring, apparatus, and equipment and to supervise apprentice electricians and who is licensed by the board;~~

~~(12) (14) New electrical installation means the installation of wiring, apparatus, and equipment for electric light, heat, power, and other purposes;~~

~~(13) (15) Public-use building or facility means any building or facility designated for public use;~~

~~(14) (16) Residential installation means an installation intended for a single-family or two-family residential dwelling or a multi-family residential dwelling not larger than three stories in height;~~

~~(15) (17) Residential journeyman electrician means a person having the necessary qualifications, training, experience, and technical knowledge to wire for or install electrical wiring, apparatus, and equipment for residential installations and to supervise apprentice electricians and who is licensed by the board;~~

~~(16) (18) Routine maintenance means the repair or replacement of existing electrical apparatus and equipment of the same size and type for which no changes in wiring are made; and~~

~~(17) (19) Special electrician means a person having the necessary qualifications, training, and experience in wiring or installing special classes of electrical wiring, apparatus, equipment, or installations which shall include irrigation system wiring, well pump wiring, air conditioning and refrigeration installation, and sign installation and who is licensed by the board.~~

Sec. 2. Section 81-2106, Revised Statutes Cumulative Supplement, 2022, is amended to read:

81-2106 Except as provided in section 81-2108, ~~81-2110,~~ 81-2112, or 81-2144, no person shall, for another, plan, lay out, or supervise the installation of wiring, apparatus, or equipment for electrical light, heat, power, or other purposes unless he or she is licensed by the board as a Class B electrical contractor, an electrical contractor, or a Class A master electrician, ~~or a Class B master electrician.~~

Sec. 3. Section 81-2107, Revised Statutes Cumulative Supplement, 2022, is amended to read:

81-2107 (1) An applicant for an electrical contractor license shall (a) be a graduate of a four-year electrical course in an accredited college or university or ~~or~~ (b) have at least one year's experience, acceptable to the board, as a journeyman electrician, ~~or~~ (c) ~~have at least five years' experience, acceptable to the board, in planning for, laying out, supervising, and installing wiring, apparatus, or equipment for electrical light, heat, and power.~~

(2) A Class B electrical contractor license ~~and a Class B master electrician license~~ shall be valid only in regard to systems of not over four hundred amperes in capacity in structures used and maintained as residential dwellings but not larger than four-family dwellings located in any municipality which has a population of less than one hundred thousand inhabitants as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census.

Sec. 4. Section 81-2108, Revised Statutes Cumulative Supplement, 2022, is amended to read:

81-2108 (1) Except as provided in subsection (2) of this section or in section ~~81-2110,~~ 81-2112, or 81-2144, no person shall, for another, wire for or install electrical wiring, apparatus, or equipment unless he or she is licensed by the board as a Class B electrical contractor, an electrical contractor, a Class A master electrician, ~~a Class B master electrician,~~ or a fire alarm installer.

(2) Except as provided in section 81-2106, ~~81-2110,~~ 81-2112, or 81-2144, no person shall wire for or install electrical wiring, apparatus, or equipment or supervise an apprentice electrician unless such person is licensed as a Class B journeyman electrician, a journeyman electrician, a residential journeyman electrician, or a fire alarm installer and is employed by a Class B electrical contractor, an electrical contractor, a Class A master electrician, ~~a Class B master electrician,~~ or a fire alarm installer.

For purposes of this section, the holder of a fire alarm installer license shall only supervise those apprentices engaged in the installation of fire alarm equipment and apparatus operating at fifty volts or less.

(3) No person licensed under the State Electrical Act may lend his or her license to any person or knowingly permit the use of such license by another.

Sec. 5. Section 81-2112, Reissue Revised Statutes of Nebraska, is amended

to read:

81-2112 The board shall by rule or regulation provide for the issuance of special electrician licenses empowering the licensee to engage in a limited class or classes of electrical work, which class or classes shall be specified on the license. Each licensee shall have experience, acceptable to the board, in each such limited class of work for which such licensee he is licensed.

Sec. 6. Section 81-2113, Revised Statutes Cumulative Supplement, 2022, is amended to read:

81-2113 (1) A person may register with the board and pay a fee as provided in section 81-2118 to work as an apprentice electrician. Such registration shall entitle the registrant to act as an apprentice electrician to a Class B electrical contractor, an electrical contractor, a Class B journeyman electrician, a journeyman electrician, a residential journeyman electrician, or a Class A master electrician, ~~or a Class B master electrician~~ as provided in subsection (2) of this section. At the time of registration renewal, an apprentice shall ~~present documentary evidence of successful completion of the requisite hours of continuing education courses under section 81-2117.01 and~~ pay the fee for renewal provided by section 81-2118 and present documentary evidence of any continuing education courses under section 81-2117.01 completed by the applicant. ~~The If an applicant for renewal fails to complete the required hours and submit the evidence to the board, the board shall assess up to a six-month increase of required experience necessary for the applicant to qualify for the examination under section 81-2115 unless the applicant presents documentary evidence of the requisite hours of continuing education courses under section 81-2117.01.~~

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

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

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

Sec. 7. Section 81-2114, Reissue Revised Statutes of Nebraska, is amended to read:

~~81-2114 The State Electrical Division may:~~

The State Electrical Division may provide (1) Provide training sessions for persons applying for licenses pursuant to the State Electrical Act, which sessions shall be held before each licensing examination is given. The purpose of the training sessions shall be to review electrical theory, current rules, regulations, codes, and laws pertaining to electricians, and other subjects deemed necessary by the division. The Electrical Division Fund shall be utilized in carrying out this section, and the attendance fee for one or more sessions shall be forty dollars. The division shall remit money collected under this section to the State Treasurer for credit to the Electrical Division Fund. ~~;~~ and

~~(2) Designate six training sites in the state which shall be the most convenient and easily accessible locations in the state for those persons who attend to take the licensing examination and who desire to attend training sessions.~~

~~Money collected under this section shall be remitted to the State Treasurer for credit to the Electrical Division Fund.~~

Sec. 8. Section 81-2117.01, Revised Statutes Cumulative Supplement, 2022, is amended to read:

81-2117.01 ~~(1)(a) (1)~~ In order to renew a license ~~or registration~~ issued under the State Electrical Act, the licensee ~~or registrant~~ shall be required to complete twelve contact hours of continuing education by January 1 of each odd-numbered year.

(b) Continuing education is not mandatory for a registrant. However, a registrant that completes twelve contact hours of continuing education by January 1 of each odd-numbered year in accordance with this section shall not be required to obtain an increase of required experience under section 81-2113 to qualify for the examination.

(c) The continuing education courses shall be approved by the board and may consist of training programs, courses, and seminars by the State Electrical Division or public or private schools, organizations, or associations. The contact hours shall include a minimum of six contact hours studying the National Electrical Code described in section 81-2104, and the remaining contact hours may include study of electrical circuit theory, blueprint reading, transformer and motor theory, electrical circuits and devices, control systems, programmable controllers, and microcomputers or any other study of electrical-related material that is approved by the board. Any additional hours studying the National Electrical Code shall be acceptable. For purposes of this section, a contact hour means fifty minutes of classroom attendance at an

approved course under a qualified instructor approved by the board.

(2) An application for approval of the instructor and course offering shall be submitted by January 1 of each odd-numbered year annually on a form provided by the board. The approval by the board of the application shall be valid until December 31 of the even-numbered year following the year of for one calendar year from the date of approval and shall include the following information:

- (a) Name of the sponsoring organization or school, if any, the address of such organization or school, and the name of the contact person;
- (b) The instructor's name, address, and telephone number;
- (c) The title of the course offering;
- (d) A description of all materials to be distributed to the participants;
- (e) The date and exact location of each presentation of the course offering;
- (f) The duration and time of the offering;
- (g) A detailed outline of the subject matter together with the time sequence of each segment, faculty for each segment, and teaching technique used in each segment;
- (h) The procedure for measuring attendance; and
- (i) A description of the faculty, including name, background, and practical or teaching experience. A complete resume may be furnished.

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

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

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

~~(5) Nothing in this section shall be construed to mean that a registrant shall be denied renewal of a registration by the board based solely on a failure to complete the continuing education requirement under subsection (1) of this section.~~

Sec. 9. Section 81-2117.02, Reissue Revised Statutes of Nebraska, is amended to read:

81-2117.02 (1) No license as a Class A master electrician, ~~Class B master electrician,~~ Class B electrical contractor, or Class B journeyman electrician, ~~or installer~~ shall be issued on or after September 9, 1993, but such licenses may be renewed as provided in this section.

(2) A person licensed as a Class A master electrician, ~~a Class B master electrician,~~ a Class B electrical contractor, a Class B journeyman electrician, ~~an installer,~~ or a special electrician on September 9, 1993, may renew such license on or after such date upon presentation of documentary evidence of successful completion of the requisite hours of continuing education courses under section 81-2117.01 and payment of the fee for renewal provided by section 81-2118.

Sec. 10. Section 81-2118, Revised Statutes Cumulative Supplement, 2022, is amended to read:

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

- (1) For examination:
  - (a) Electrical contractor, one hundred twenty-five dollars;
  - (b) Journeyman electrician, sixty dollars;
  - (c) Residential journeyman electrician, sixty dollars; ~~and~~
  - (d) Fire alarm installer, sixty dollars; and
  - (e) Special electrician license, sixty dollars;
- (2) For each year of the two-year license period for issuance and renewal:
  - (a) Electrical contractor, one hundred twenty-five dollars; and
  - (b) Journeyman electrician, residential journeyman electrician, fire alarm installer, or special electrician, twenty-five dollars;
- (3) For each year of the two-year registration period for issuance and renewal as an apprentice electrician, twenty dollars; and
- (4) For renewal on or after September 9, 1993, of the following licenses issued prior to such date for each year of the two-year license period:
  - (a) Class B electrical contractor, one hundred twenty-five dollars;
  - (b) Class A master electrician, one hundred twenty-five dollars; and
  - ~~(c) Class B master electrician, one hundred twenty-five dollars; and~~
  - ~~(c) (d) Class B journeyman electrician, installer, or special electrician,~~ twenty-five dollars.

The holder of an expired license or registration may renew the license or registration for a period of three months from the date of expiration upon payment of the license or registration fee plus ten percent of the renewal fee for each month or portion thereof past the expiration date. All holders of

licenses or registrations expired for more than three months shall apply for a new license or registration.

Sec. 11. Section 81-2119, Reissue Revised Statutes of Nebraska, is amended to read:

81-2119 Upon the death of an electrical contractor, a Class A master electrician, a Class B electrical contractor, ~~a Class B master electrician~~, or a fire alarm installer, the board may permit his or her representative to carry on the business of the decedent for a period not to exceed six months for the purpose of completing work under contract to comply with the State Electrical Act. Such representative shall furnish all public liability and property damage insurance required by the board.

Sec. 12. Section 81-2126, Reissue Revised Statutes of Nebraska, is amended to read:

81-2126 At or before commencement of any installation required to be inspected by the board, the licensee or owner making such installation shall submit to the board a request for inspection, on a form prescribed by the board, together with a supervisory fee of fifty cents and the inspection fees required for such installation. If the board becomes aware that a person has failed to file a necessary request for inspection, the board shall send to such person a written notification by certified mail to file such request within fourteen days. Any person filing a late request for inspection shall pay a delinquent fee of two hundred fifty dollars. Failure to file such request within fourteen days shall result in submission of the matter to the county attorney's office for action pursuant to section 81-2143.

Sec. 13. Section 81-2132, Reissue Revised Statutes of Nebraska, is amended to read:

81-2132 Nothing in the State Electrical Act shall be construed to require the work of employees of municipal corporations, public power districts, public power and irrigation districts, railroads, electric membership or cooperative associations, public utility corporations, or telephone ~~or telegraph~~ systems to be inspected while acting within the scope of their employment.

Sec. 14. Section 81-2141, Reissue Revised Statutes of Nebraska, is amended to read:

81-2141 (1) Any person aggrieved by a condemnation or disconnection order issued may appeal from the order by filing a written notice of appeal with the board within ten days after the date the order was served upon the owner or within ten days after the order was filed with the board, whichever is later.

(2) Upon receipt of the notice of appeal from a condemnation or disconnection order because the electrical installation is proximately dangerous to health and property, the order appealed from shall not be stayed unless countermanded by the board.

(3) Upon receipt of notice of appeal from a condemnation or disconnection order because the electrical installation is not in compliance with accepted standards of construction for safety to health and property, the order appealed from shall be stayed until final decision of the board and the board shall notify the property owner and the Class B electrical contractor, electrical contractor, Class A master electrician, ~~Class B master electrician~~, fire alarm installer, or special electrician making the installation. The power supplier shall also be notified in those instances in which the order has been served on such supplier.

Sec. 15. Section 81-2144, Revised Statutes Cumulative Supplement, 2022, is amended to read:

81-2144 A person who is a directional boring contractor may install underground conduit on the load side of the meter under the direct supervision of a Class A master electrician, ~~Class B master electrician~~, journeyman electrician, or Class B journeyman electrician who is employed by an electrical contractor.

Sec. 16. Original sections 81-2112, 81-2114, 81-2117.02, 81-2119, 81-2126, 81-2132, and 81-2141, Reissue Revised Statutes of Nebraska, and sections 81-2102, 81-2106, 81-2107, 81-2108, 81-2113, 81-2117.01, 81-2118, and 81-2144, Revised Statutes Cumulative Supplement, 2022, are repealed.

Sec. 17. The following section is outright repealed: Section 81-2110, Revised Statutes Cumulative Supplement, 2022.