

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 144

Introduced by Brandt, 32.

Read first time January 06, 2023

Committee: General Affairs

1 A BILL FOR AN ACT relating to the State Electrical Act; to amend sections
2 81-2112, 81-2114, 81-2117.02, 81-2119, 81-2126, 81-2132, and
3 81-2141, Reissue Revised Statutes of Nebraska, and sections 81-2102,
4 81-2106, 81-2107, 81-2108, 81-2113, 81-2117.01, 81-2118, and
5 81-2144, Revised Statutes Cumulative Supplement, 2022; to change and
6 eliminate certain classes of licenses under the State Electrical
7 Act; to change provisions related to eligibility for licensure,
8 continuing education, and training; to change fees; to eliminate
9 obsolete provisions; to harmonize provisions; to repeal the original
10 sections; and to outright repeal section 81-2110, Revised Statutes
11 Cumulative Supplement, 2022.
12 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-2102, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 81-2102 For purposes of the State Electrical Act, unless the context
4 otherwise requires:

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

13 (2) Board means the State Electrical Board;

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

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

30 (5) Class B journeyman electrician means a person having the
31 necessary qualifications, training, experience, and technical knowledge

1 to wire for or install electrical wiring, apparatus, and equipment for
2 systems of not over four hundred ampere capacity for light, heat, power,
3 and other purposes in any structure used and maintained as a residential
4 dwelling but not larger than a four-family dwelling located in any
5 municipality which has a population of less than one hundred thousand
6 inhabitants as determined by the most recent federal decennial census or
7 the most recent revised certified count by the United States Bureau of
8 the Census and who is licensed by the board;

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

19 ~~(6) (7) Commercial installation means an installation intended for~~
20 ~~commerce, but does not include a residential installation;~~

21 ~~(7) (8) Electrical contractor means a person having the necessary~~
22 ~~qualifications, training, experience, and technical knowledge to properly~~
23 ~~plan, lay out, install, and supervise the installation of wiring,~~
24 ~~apparatus, and equipment for electric light, heat, power, and other~~
25 ~~purposes and who is licensed by the board;~~

26 ~~(8) (9) Fire alarm installer means any person having the necessary~~
27 ~~qualifications, training, and experience to plan, lay out, and install~~
28 ~~electrical wiring, apparatus, and equipment for only those components of~~
29 ~~fire alarm systems that operate at fifty volts or less and who is~~
30 ~~licensed by the board;~~

31 ~~(9) (10) Industrial installation means an installation intended for~~

1 use in the manufacture or processing of products involving systematic
2 labor or habitual employment and includes installations in which
3 agricultural or other products are habitually or customarily processed or
4 stored for others, either by buying or reselling on a fee basis;

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

13 (10) ~~(12)~~ Inspector means a person certified as an electrical
14 inspector upon such reasonable conditions as may be adopted by the board.
15 The board may permit more than one class of electrical inspector;

16 (11) ~~(13)~~ Journeyman electrician means a person having the necessary
17 qualifications, training, experience, and technical knowledge to wire for
18 or install electrical wiring, apparatus, and equipment and to supervise
19 apprentice electricians and who is licensed by the board;

20 (12) ~~(14)~~ New electrical installation means the installation of
21 wiring, apparatus, and equipment for electric light, heat, power, and
22 other purposes;

23 (13) ~~(15)~~ Public-use building or facility means any building or
24 facility designated for public use;

25 (14) ~~(16)~~ Residential installation means an installation intended
26 for a single-family or two-family residential dwelling or a multi-family
27 residential dwelling not larger than three stories in height;

28 (15) ~~(17)~~ Residential journeyman electrician means a person having
29 the necessary qualifications, training, experience, and technical
30 knowledge to wire for or install electrical wiring, apparatus, and
31 equipment for residential installations and to supervise apprentice

1 electricians and who is licensed by the board;

2 ~~(16) (18)~~ Routine maintenance means the repair or replacement of
3 existing electrical apparatus and equipment of the same size and type for
4 which no changes in wiring are made; and

5 ~~(17) (19)~~ Special electrician means a person having the necessary
6 qualifications, training, and experience in wiring or installing special
7 classes of electrical wiring, apparatus, equipment, or installations
8 which shall include irrigation system wiring, well pump wiring, air
9 conditioning and refrigeration installation, ~~and sign installation, and~~
10 solar installation and who is licensed by the board.

11 Sec. 2. Section 81-2106, Revised Statutes Cumulative Supplement,
12 2022, is amended to read:

13 81-2106 Except as provided in section 81-2108, ~~81-2110~~, 81-2112, or
14 81-2144, no person shall, for another, plan, lay out, or supervise the
15 installation of wiring, apparatus, or equipment for electrical light,
16 heat, power, or other purposes unless he or she is licensed by the board
17 as a Class B electrical contractor, an electrical contractor, or a Class
18 A master electrician, ~~or a Class B master electrician.~~

19 Sec. 3. Section 81-2107, Revised Statutes Cumulative Supplement,
20 2022, is amended to read:

21 81-2107 (1) An applicant for an electrical contractor license shall
22 (a) be a graduate of a four-year electrical course in an accredited
23 college or university or ~~;~~ (b) have at least one year's experience,
24 acceptable to the board, as a journeyman electrician, ~~or (c) have at~~
25 ~~least five years' experience, acceptable to the board, in planning for,~~
26 ~~laying out, supervising, and installing wiring, apparatus, or equipment~~
27 ~~for electrical light, heat, and power.~~

28 (2) A Class B electrical contractor license ~~and a Class B master~~
29 ~~electrician license~~ shall be valid only in regard to systems of not over
30 four hundred amperes in capacity in structures used and maintained as
31 residential dwellings but not larger than four-family dwellings located

1 in any municipality which has a population of less than one hundred
2 thousand inhabitants as determined by the most recent federal decennial
3 census or the most recent revised certified count by the United States
4 Bureau of the Census.

5 Sec. 4. Section 81-2108, Revised Statutes Cumulative Supplement,
6 2022, is amended to read:

7 81-2108 (1) Except as provided in subsection (2) of this section or
8 in section ~~81-2110~~, 81-2112, or 81-2144, no person shall, for another,
9 wire for or install electrical wiring, apparatus, or equipment unless he
10 or she is licensed by the board as a Class B electrical contractor, an
11 electrical contractor, a Class A master electrician, ~~a Class B master~~
12 ~~electrician~~, or a fire alarm installer.

13 (2) Except as provided in section 81-2106, ~~81-2110~~, 81-2112, or
14 81-2144, no person shall wire for or install electrical wiring,
15 apparatus, or equipment or supervise an apprentice electrician unless
16 such person is licensed as a Class B journeyman electrician, a journeyman
17 electrician, a residential journeyman electrician, or a fire alarm
18 installer and is employed by a Class B electrical contractor, an
19 electrical contractor, a Class A master electrician, ~~a Class B master~~
20 ~~electrician~~, or a fire alarm installer.

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

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

28 Sec. 5. Section 81-2112, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 81-2112 The board shall by rule or regulation provide for the
31 issuance of special electrician licenses empowering the licensee to

1 engage in a limited class or classes of electrical work, which class or
2 classes shall be specified on the license. Each licensee shall have
3 experience, acceptable to the board, in each such limited class of work
4 for which such licensee he is licensed.

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

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

25 (2) An apprentice electrician shall do no electrical wiring except
26 under the direct personal on-the-job supervision and control and in the
27 immediate presence of a licensee under the State Electrical Act. Such
28 supervision shall include both on-the-job training and related classroom
29 training as approved by the board. The licensee may employ or supervise
30 apprentice electricians at a ratio not to exceed three apprentice
31 electricians to one licensee, except that such ratio and the other

1 requirements of this section shall not be applicable to a teacher-student
2 relationship within a classroom of a community college.

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

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

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

14 ~~81-2114 The State Electrical Division may:~~

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

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

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

1 Sec. 8. Section 81-2117.01, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 81-2117.01 (1)(a) (1) ~~In order to renew a license or registration~~
4 issued under the State Electrical Act, the licensee ~~or registrant~~ shall
5 be required to complete twelve contact hours of continuing education by
6 January 1 of each odd-numbered year.

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

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

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

31 (a) Name of the sponsoring organization or school, if any, the

1 address of such organization or school, and the name of the contact
2 person;

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

4 (c) The title of the course offering;

5 (d) A description of all materials to be distributed to the
6 participants;

7 (e) The date and exact location of each presentation of the course
8 offering;

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

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

13 (h) The procedure for measuring attendance; and

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

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

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

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

1 of credit hours, and the signature of the instructor.

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

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

8 81-2117.02 (1) No license as a Class A master electrician, ~~Class B~~
9 ~~master electrician,~~ Class B electrical contractor, or Class B journeyman
10 electrician, ~~or installer~~ shall be issued on or after September 9, 1993,
11 but such licenses may be renewed as provided in this section.

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

19 Sec. 10. Section 81-2118, Revised Statutes Cumulative Supplement,
20 2022, is 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; and

31 (e) Special electrician license, sixty dollars;

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

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

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

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

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

14 (c) ~~(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. 11. Section 81-2119, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 81-2119 Upon the death of an electrical contractor, a Class A master
25 electrician, a Class B electrical contractor, ~~a Class B master~~
26 ~~electrician,~~ or a fire alarm installer, the board may permit his or her
27 representative to carry on the business of the decedent for a period not
28 to exceed six months for the purpose of completing work under contract to
29 comply with the State Electrical Act. Such representative shall furnish
30 all public liability and property damage insurance required by the board.

31 Sec. 12. Section 81-2126, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 81-2126 At or before commencement of any installation required to be
3 inspected by the board, the licensee or owner making such installation
4 shall submit to the board a request for inspection, on a form prescribed
5 by the board, together with a supervisory fee of fifty cents and the
6 inspection fees required for such installation. If the board becomes
7 aware that a person has failed to file a necessary request for
8 inspection, the board shall send to such person a written notification by
9 certified mail to file such request within fourteen days. Any person
10 filing a late request for inspection shall pay a delinquent fee of two
11 hundred fifty dollars. Failure to file such request within fourteen days
12 shall result in submission of the matter to the county attorney's office
13 for action pursuant to section 81-2143.

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

16 81-2132 Nothing in the State Electrical Act shall be construed to
17 require the work of employees of municipal corporations, public power
18 districts, public power and irrigation districts, railroads, electric
19 membership or cooperative associations, public utility corporations, or
20 telephone ~~or telegraph~~ systems to be inspected while acting within the
21 scope of their employment.

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

24 81-2141 (1) Any person aggrieved by a condemnation or disconnection
25 order issued may appeal from the order by filing a written notice of
26 appeal with the board within ten days after the date the order was served
27 upon the owner or within ten days after the order was filed with the
28 board, whichever is later.

29 (2) Upon receipt of the notice of appeal from a condemnation or
30 disconnection order because the electrical installation is proximately
31 dangerous to health and property, the order appealed from shall not be

1 stayed unless countermanded by the board.

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

12 Sec. 15. Section 81-2144, Revised Statutes Cumulative Supplement,
13 2022, is amended to read:

14 81-2144 A person who is a directional boring contractor may install
15 underground conduit on the load side of the meter under the direct
16 supervision of a Class A master electrician, ~~Class B master electrician~~,
17 journeyman electrician, or Class B journeyman electrician who is employed
18 by an electrical contractor.

19 Sec. 16. Original sections 81-2112, 81-2114, 81-2117.02, 81-2119,
20 81-2126, 81-2132, and 81-2141, Reissue Revised Statutes of Nebraska, and
21 sections 81-2102, 81-2106, 81-2107, 81-2108, 81-2113, 81-2117.01,
22 81-2118, and 81-2144, Revised Statutes Cumulative Supplement, 2022, are
23 repealed.

24 Sec. 17. The following section is outright repealed: Section
25 81-2110, Revised Statutes Cumulative Supplement, 2022.