

## LEGISLATIVE BILL 193

Approved by the Governor May 4, 1993

Introduced by Cudaback, 36; Lynch, 13; Schellpeper, 18

AN ACT relating to the State Electrical Act; to amend sections 81-2101 to 81-2103, 81-2105 to 81-2110, 81-2113 to 81-2116, 81-2118, 81-2119, 81-2121, 81-2124 to 81-2128, 81-2132, 81-2135 to 81-2138, 81-2140, 81-2141, 81-2143, and 81-2145, Reissue Revised Statutes of Nebraska, 1943, section 81-2104, Revised Statutes Supplement, 1992, as amended by section 1, Legislative Bill 192, Ninety-third Legislature, First Session, 1993, and section 3, Legislative Bill 215, Ninety-third Legislature, First Session, 1993; to define, redefine, and eliminate terms; to change the membership, powers, and duties of the State Electrical Board; to provide, eliminate, and change provisions relating to licenses and registrations under the act; to change provisions relating to continuing education; to provide and change fees; to change and eliminate provisions relating to inspections, inspectors, and condemnation, disconnection, and correction orders; to change provisions relating to appeals; to change penalties; to harmonize provisions; and to repeal the original sections, and also sections 81-2111, 81-2112.01, 81-2117, 81-2122, 81-2123, 81-2131, and 81-2144, Reissue Revised Statutes of Nebraska, 1943.

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

Section 1. That section 81-2101, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2101. Sections 81-2101 to 81-2145 and sections 11 and 17 of this act shall be known and may be cited as the State Electrical Act.

Sec. 2. That section 81-2102, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2102. ~~As used in sections 81-2101 to 81-2145~~ For purposes of the State Electrical Act, unless the context otherwise requires:

(1) Apprentice electrician shall mean 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 shall mean the State Electrical Board;

~~(2) Farm shall mean any tract of land over twenty acres in~~

~~area used for or devoted to agricultural purposes;~~

(3) Class A electrical contractor shall mean 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 ~~as such~~ by the State Electrical Board ~~board~~;

(4) Class A journeyman electrician shall mean 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;

(5) Class A master electrician shall mean 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 ~~as such~~ by the State Electrical Board ~~board~~;

~~(5) Class A journeyman electrician shall mean a person having the necessary qualifications, training, experience, and technical knowledge to wire for or install electrical wiring, apparatus, and equipment and who is licensed as such by the State Electrical Board;~~

~~(6) Special electrician shall mean a person having the necessary qualifications, training, and experience in wiring for installing special classes of electrical wiring, apparatus, or equipment or for special classes of electrical wiring installations located in any town or municipality which has a population of less than one hundred thousand inhabitants and who is licensed as such by the State Electrical Board. Such special classes of electrical wiring installations shall include, but not be limited to, fire alarm installation, well pump wiring, irrigation system wiring, and security system installation;~~

~~(7) (6) Class B electrical contractor shall mean 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 town or municipality which has a population of less than one hundred thousand inhabitants and who is licensed as such by the State Electrical Board board;~~

(7) Class B journeyman electrician shall mean 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 and who is licensed by the board;

(8) Class B master electrician shall mean 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 ~~town or~~ municipality which has a population of less than one hundred thousand inhabitants and who is licensed ~~as such~~ by the State Electrical Board board;

~~(9) Class B journeyman electrician shall mean 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 town or municipality which has a population of less than one hundred thousand inhabitants and who is licensed as such by the State Electrical Board;~~ Commercial installation shall mean an installation intended for commerce or for a family dwelling in excess of a single-family living unit;

(10) Electrical contractor shall mean 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;

(11) Fire alarm installer shall mean 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;

(12) Industrial installation shall mean an installation intended for use in the manufacture or processing of products involving systematic labor or habitual employment and shall include 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;

~~(10)~~ (13) Installer shall mean 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 equipment appliances on the load side of the main service in any town or municipality which has a population of less than one hundred thousand inhabitants and who is licensed as such by the State Electrical Board board;

~~(11)~~ (14) Inspector shall mean a person certified as an electrical inspector by the board upon such reasonable conditions as may be adopted by the board, from time to time. All state inspectors shall be approved as such by the board. The board may permit more than one class of electrical inspector;

(15) Journeyman electrician shall mean 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;

(16) New electrical installation shall mean the installation of wiring, apparatus, and equipment for electric light, heat, power, and other purposes;

(17) Public-use building or facility shall mean any building or facility designated for public use;

(18) Routine maintenance shall mean 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

(19) Special electrician shall mean 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.

(12) Apprentice electrician shall mean a person learning the trade of an electrician.

All Class A electrical contractor, Class A master, and Class A journeyman licenses shall be mandatory and all special electrician, Class B master, Class B journeyman, and installer licenses shall be permissive.

Sec. 3. That section 81-2103, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2103. There is hereby established an independent agency to be known as the State Electrical Division which shall be under the administrative and operative control of the executive director of such division. The division shall include a seven-member State Electrical Board; appointed by the Governor; with the consent of the Legislature. All members of the board ~~and all of whom~~ shall be residents of the State of Nebraska. The board shall direct the efforts of the executive director and set the policy of the division. One of such members shall be a journeyman electrician, one shall be an electrical contractor or master electrician, one shall be a certified electrical inspector, ~~one shall be a general building or housing contractor;~~ one shall be a registered professional engineer, one shall be a representative of the rural electric systems in the state, ~~and~~ one shall be a representative of the municipal electric systems in the state, and one shall be a member of any of such groups. The ~~original~~ members of the board shall be appointed ~~within twenty days after August 24, 1975, one member for a term of one year, two for a term of three years, two for a term of four years and two for a term of five years, as determined by the Governor at the time of the original appointments, and all appointments thereafter shall be for staggered a term terms~~ of five years. Any vacancy occurring in the membership of the board shall be filled by the Governor for the unexpired term. Each member of the ~~State Electrical Board~~ board, before entering on the discharge of his or her duties; and within thirty days from the effective date of his or her appointment, shall subscribe to an oath for the faithful performance of his

or her duties before any officer authorized to administer oaths in this state and shall file the ~~same~~ oath with the Secretary of State. The executive director shall be the executive secretary of the board and shall be responsible for all books, records, and transcripts of proceedings of the board.

Sec. 4. That section 81-2104, Revised Statutes Supplement, 1992, as amended by section 1, Legislative Bill 192, Ninety-third Legislature, First Session, 1993, be amended to read as follows:

81-2104. The board shall have power to:

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

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

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

(5) Adopt, promulgate, and revise rules and regulations necessary to enable it to carry into effect the State Electrical Act. In adopting and promulgating such rules and regulations, the board shall be governed by the minimum standards set forth in the National Electrical Code issued and adopted by the National Fire Protection Association in 1993, Publication Number 70-1993, which code shall be filed in the offices of the Secretary of State and the board and shall be a public record. The board shall adopt and promulgate rules and regulations establishing wiring standards which protect public safety and health and property and which shall apply to all electrical wiring installed by licensees;

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

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

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

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

(~~7~~) (10) Provide for the amount and collection of fees

for inspection and other services; ~~and~~

~~(8)~~ (11) Adopt a seal, and the executive secretary shall have the care and custody thereof; ~~and~~

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

Sec. 5. That section 81-2105, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2105. There is hereby ~~established in the state treasury~~ created the Electrical Division Fund. All money received under the ~~provisions of sections 81-2101 to 81-2145~~ State Electrical Act shall be ~~deposited in the state treasury and by~~ remitted to the State Treasurer ~~credited for credit to the Electrical Division Fund fund.~~ Each member of the board shall ~~receive~~ be reimbursed for the actual and necessary expenses incurred in the performance of his or her duties; pursuant to sections 81-1174 to 81-1177 to be paid out of the ~~Electrical Division Fund fund.~~

Sec. 6. That section 81-2106, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2106. Except as provided in section ~~81-2108, 81-2110, or 81-2112, or 81-2143,~~ no person shall, for another, plan, lay out, or supervise the installation of wiring, apparatus, or equipment for electrical light, heat, power, and other purposes unless he or she is licensed by the board as a Class A electrical contractor, a Class B electrical contractor, an electrical contractor, a Class A master electrician, or a Class B master electrician.

Sec. 7. That section 81-2107, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2107. (1) ~~An~~ On and after the effective date of this act, an applicant for ~~a Class A an electrical contractor's or Class A master electrician's~~ contractor license shall ~~either~~ (a) be a graduate of a four-year electrical course in an accredited college or university, (b) have ~~had~~ at least one year's experience, acceptable to the board, as a licensed Class A journeyman electrician or a journeyman electrician, or (c) have ~~had~~ 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) ~~An applicant for a Class B electrical contractor's or Class B master electrician's license shall have had at least three years' experience, acceptable to the board, in electrical work. No A Class B electrical contractor's license and a Class B master electrician's license shall be valid except 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 town or municipality which has a population of less than one hundred thousand inhabitants.~~

Sec. 8. That section 81-2108, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2108. (1) Except as provided in subsection (2) of this

~~section or in section 81-2110; or 81-2112, or 81-2143; 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 A electrical contractor, a Class B electrical contractor, an electrical contractor, a Class A master electrician, a Class B master electrician, or a fire alarm installer, master electrician, or journeyman electrician. In addition, no licensed electrical contractor, master electrician, or journeyman electrician~~

(2) Except as provided in section 81-2106, 81-2110, or 81-2112, 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 A journeyman electrician, a Class B journeyman electrician, a journeyman electrician, or a fire alarm installer and is employed by a Class A electrical contractor, 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 thereof of such license by another.

Sec. 9. That section 81-2109, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2109. (1) An On and after the effective date of this act, an applicant for a Class A journeyman electrician's electrician license shall have had at least four years' experience, acceptable to the board, in the electrical trade. Registration as an apprentice electrician for those years shall, on the approval of the board, constitute evidence of such experience, wiring for and installing electrical wiring, apparatus, or equipment. The board may by rule or regulation provide for the allowance of one year of experience credit for successful completion of a two-year post-high school electrical course approved by the board.

(2) An applicant for a Class B journeyman electrician's license shall have had at least two years' experience, acceptable to the board, in wiring for and installing electrical wiring, apparatus, or equipment. No A Class B journeyman's journeyman electrician's license shall be valid except only for electrical 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 town or municipality which has a population of less than one hundred thousand inhabitants.

Sec. 10. That section 81-2110, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2110. Any person holding an installer license may lay out and install electrical wiring, apparatus, and equipment for major electrical home equipment appliances on the load side of the main service in any municipality having a population of less than one hundred

thousand inhabitants.

Sec. 11. On and after the effective date of this act, any person licensed as a fire alarm installer may 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. An applicant for a fire alarm installer license shall have at least two years experience, acceptable to the board, in planning, laying out, and installing fire alarm systems.

Sec. 12. That section 81-2113, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2113. Except as provided in section 81-2121, any (1) A person registered may register with the State Electrical Board board and pay a fee as provided in section 81-2118 to may work as an apprentice to a licensed electrician. Such registration shall entitle the registrant to act as an apprentice electrician to a Class A electrical contractor, a Class B electrical contractor, an electrical contractor, a Class A journeyman electrician, a Class B journeyman electrician, a journeyman electrician, a Class A master electrician, or a Class B master electrician as provided in subsection (2) of this section.

(2) An apprentice electrician, but shall do no electrical wiring except under the direct personal on-the-job supervision of such licensed electrician 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.

An apprentice shall register with the State Electrical Board and shall pay a registration fee of five dollars as provided in section 81-2118.

(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. 13. That section 81-2114, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2114. The State Electrical Division shall:

(1) Provide training sessions for electricians persons applying for licenses pursuant to sections 81-2101 to 81-2145 the State Electrical Act, which sessions shall be held two consecutive evenings 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 ~~the provisions of this section, and the attendance fee for one or more sessions shall be twenty-five dollars; and~~

(2) Designate six training sites in the state which ~~sites shall be the most convenient and easily accessible locations in the state for those individuals persons who attend to take the licensing examination and who desire to attend training sessions. Such training sites shall be changed by the division before each examination if such change is necessary to make the training programs more accessible to the applicants.~~

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

Sec. 14. That section 81-2115, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2115. In addition to the education and experience requirements imposed in ~~sections 81-2101 to 81-2145~~ the State Electrical Act and except as otherwise provided in ~~sections 81-2116 and 81-2117~~ section 81-2116, each applicant shall, prior to issuance of ~~an electrician's~~ a license under the act, pass a written examination given by the board to insure his or her competence. Such examination shall contain reasonable questions based upon the ~~then-current~~ then-current National Electrical Code and upon electrical theory. When answering questions based upon the National Electrical Code, ~~applicants~~ the applicant may refer to an open copy of such code. Examinations shall be given at least twice yearly. ~~No person failing an examination may retake it for six months thereafter, but within such six months he or she may take an examination for a lesser grade of license.~~ Any licensee failing to renew his or her license by ~~July~~ April 1 after its expiration shall ~~be required to retake~~ take the examination before he or she is issued a new license.

Sec. 15. That section 81-2116, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2116. Any person having been examined ~~or and~~ having submitted satisfactory evidence that he or she is qualified to undertake and perform work in his or her trade or skill, to the end that any such work will be safely and properly accomplished and installed in accordance with approved standards, based upon minimum standards ~~adopted by the board pursuant to section 81-2104 set forth in the National Electrical Code~~ for such work, shall be licensed as ~~hereinafter~~ provided in the State Electrical Act.

Sec. 16. That section 3, Legislative Bill 215, Ninety-third Legislature, First Session, 1993, be amended to read as follows:

Sec. 3. (1) In order to renew a license issued under the State Electrical Act, the licensee shall be required to complete ~~six~~ twelve contact hours of continuing education by January 1, 1995, for renewal on such date and twelve contact hours by January 1 of each odd-numbered year thereafter. 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 shall mean 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 annually on a form provided by the board, ~~at least ninety days in advance of the course offering.~~ The approval by the board of the application shall be valid 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 shall retain the attendance certificate and attach it to the application for renewal of his or her license at the time of renewal. The licensee 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 who attends ninety percent or more of the classroom hours. A certificate of attendance shall not be issued to a licensee who is absent for more than ten percent of the classroom hours. The certificate shall contain the licensee's name and license number, the course title, the date and location of the course, the number of credit hours, and the signature of the instructor.

Sec. 17. (1) No license as a Class A master electrician, Class B master electrician, Class A electrical contractor, Class B electrical contractor, Class A journeyman electrician, Class B journeyman electrician, installer, or special electrician shall be issued on or after the effective date of this act, 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 the effective date of this act 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 16 of this act and payment of the fee for renewal provided by section 81-2118.

(3) A person licensed as a Class A electrical contractor on the effective date of this act shall be issued an electrical contractor license without examination on and after the effective date of this act upon application for renewal, presentation of documentary evidence of successful completion of the requisite hours of continuing education courses under section 16 of this act, and payment of the fee for renewal of a Class A electrical contractor's license provided by section 81-2118.

(4) A person licensed as a Class A journeyman electrician on the effective date of this act shall be issued a journeyman electrician license without examination on and after the effective date of this act upon application for renewal, presentation of documentary evidence of successful completion of the requisite hours of continuing education courses under section 16 of this act, and payment of the fee for renewal of a Class A journeyman electrician's license provided by section 81-2118.

(5) A person licensed as a special electrician for fire alarm installations on the effective date of this act shall be issued a fire alarm installer license without examination on and after the effective date of this act upon application for renewal, presentation of documentary evidence of successful completion of the requisite hours of continuing education courses under section 16 of this act, and payment of the fee for renewal provided by section 81-2118.

Sec. 18. That section 81-2118, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

~~81-2118. All licenses issued under sections 81-2101 to 81-2145~~ the State Electrical Act shall expire on December 31 of each even-numbered year. The following fees shall be payable for examination, issuance, and renewal:

(1) For examination:

(a) ~~Class A electrical~~ Electrical contractor, sixty-two dollars and fifty cents;

(b) ~~Class B electrical contractor,~~ forty-five dollars;

(c) ~~Class A master,~~ sixty-two dollars and fifty cents;

(d) ~~Class B master,~~ thirty-two dollars and fifty cents; and

(e) ~~Class A journeyman, Class B journeyman, installer, or special~~ Journeyman electrician, twelve dollars and fifty cents; and

(c) Fire alarm installer, twelve dollars and fifty cents;

(2) ~~The fee for~~ For each year of the two-year license period for issuance ~~of original license~~ and renewal shall be on or after the effective date of this act:

(a) ~~Class A electrical~~ Electrical contractor, seventy-five dollars; and

(b) ~~Class B electrical contractor, seventy-five dollars;~~

(c) ~~Class A master, seventy-five dollars;~~

(d) ~~Class B master, seventy-five dollars; and~~

(e) ~~Class A journeyman, Class B journeyman, installer, or~~ special Journeyman electrician or fire alarm installer, fifteen dollars; and

(3) ~~The fee for~~ For each year of the two-year license period for registration ~~of as~~ an apprentice electrician, shall be ten dollars; and :

(4) For renewal on or after the effective date of this act of the following licenses issued prior to such date for each year of the two-year license period:

(a) Class A electrical contractor for issuance of an electrical contractor license, seventy-five dollars;

(b) Class B electrical contractor, seventy-five dollars;

(c) Class A master electrician, seventy-five dollars;

(d) Class B master electrician, seventy-five dollars;

(e) Class A journeyman electrician for issuance of a journeyman electrician license, fifteen dollars;

(f) Special electrician for issuance of a fire alarm installer license, fifteen dollars; and

(g) Class B journeyman electrician, installer, or special electrician, fifteen dollars.

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

Sec. 19. That section 81-2119, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2119. Upon the death of an electrical contractor, a Class A electrical contractor, a Class A or 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 ~~or otherwise~~ to comply with ~~sections 81-2101 to 81-2145~~ the State Electrical Act. Such representative shall furnish all public liability and property damage insurance required by the board.

Sec. 20. That section 81-2121, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2121. Nothing in the State Electrical Act shall be

construed to:

(1) Require employees of municipal corporations, public power districts, public power and irrigation districts, electric membership or cooperative associations, public utility corporations, railroads, ~~petroleum companies, petrochemical companies, pipeline companies,~~ telephone or telegraph systems, ~~or employees of affiliated companies, or commercial or industrial companies~~ performing manufacturing, installation, and repair work for such employer to hold licenses while acting within the scope of their employment;

(2) Require any ~~electrical contractor, master electrician, or journeyman electrician~~ person doing work for which a license would otherwise be required under the act to hold a state license issued under the act if he or she is the holder of a valid license issued by any city or other political subdivision, so long as he or she makes electrical installations only in the jurisdictional limits of such city or political subdivision and such license issued by the city or political subdivision meets the requirements of the State Electrical Act act;

(3) Cover the installation, maintenance, repair, or alteration of vertical transportation or passenger conveyors, elevators, moving walks, dumbwaiters, stagelifts, manlifts, or appurtenances thereto beyond the terminals of the controllers. The licensing of elevator contractors or constructors shall not be considered a part of the licensing requirements of the State Electrical Act act;

(4) Require a license of any person who engages any electrical appliance where approved electrical outlets are already installed;

(5) ~~Require an employee, working for a single employer as part of such employer's full-time staff and not holding himself or herself out to the public for hire, to hold a license while acting within the scope of his or her employment;~~

(6) Prohibit an owner of property from performing work on ~~such property or farm property which he or she owns his or her principal residence or farm property,~~ excluding commercial; or industrial; installations or installations in public-use buildings or facilities, or require such owner to be licensed under the State Electrical Act act; or

~~(7)~~ (6) Require that any person be a member of a labor union in order to be licensed.

Sec. 21. That section 81-2124, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2124. (1) All new electrical installations ~~in for~~ commercial or industrial buildings applications, including installations both inside and outside of the buildings, and for public-use buildings and facilities designated for public use, and any installations installation at the request of the owner shall be subject to the inspection and enforcement provisions of the State Electrical Act.

(2) All new electrical installations for residential applications requiring new electrical service equipment shall be subject to the inspection and enforcement provisions of the act.

(3) Existing electrical installations observed during inspection which constitute an electrical hazard shall be subject to the act. Existing installations shall not be deemed to constitute an electrical hazard if the wiring when originally installed was installed in accordance with the electrical code in force at the time of installation and has been maintained in that condition, as provided in sections 81-2101 to 81-2145.

Sec. 22. That section 81-2125, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2125. (1) State inspection shall not apply within the jurisdiction of any county, city, or village, electric member or cooperative association, public power district, or public power and irrigation district, which has adopted or hereafter adopts or provides by resolution or ordinance or resolution providing standards of electrical wiring and its installation that are not less than those prescribed by the board or by sections 81-2101 to 81-2145, the State Electrical Act and which further provides by resolution or ordinance for the inspection of electrical installations within the limits of such subdivision by a certified electrical inspector. No person other than the holder of an electrical inspector's certificate of qualification shall be appointed to act as electrical inspector and to enforce the provisions of sections 81-2101 to 81-2145 act as electrical inspector and to enforce the provisions of sections 81-2101 to 81-2145 act or any applicable resolution or ordinance within his or her jurisdiction. A copy of the certificate of each electrical inspector shall be provided to the board by the political subdivision issuing the certificate.

(2) State inspection shall not apply to routine maintenance.

Sec. 23. That section 81-2126, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2126. At or before commencement of any installation required to be inspected by the board, the ~~electrical contractor, master electrician, installer, special electrician,~~ 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 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. 24. That section 81-2127, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2127. If the inspector finds that any installation or portion of an installation is not in compliance with accepted standards of construction for safety to ~~life~~ health and property, based upon minimum standards set forth in the local electrical code or National Electrical Code, he or she shall by written order condemn the installation or noncomplying portion thereof, or order service to such installation disconnected; and shall send a copy of ~~his~~ such order to the board and the supplier

involved. If the installation or the noncomplying part thereof is such as to seriously and proximately endanger human life health and property, the order of the inspector when approved by his or her superior shall require immediate condemnation and disconnection by the applicant. In all other cases, the order of the inspector shall permit establish a reasonable opportunity period of time for the installation to be brought into compliance with accepted standards of construction for safety to life health and property prior to the effective time established in such order for condemnation or disconnection.

Sec. 25. That section 81-2128, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2128. A copy of each condemnation or disconnection order shall be served personally or by United States mail upon the property owner at his or her last-known address, and the electrical contractor, master electrician, installer, or special electrician licensee making the installation, and such other persons as the board by rule or regulation may direct.

Sec. 26. That section 81-2132, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2132. Nothing in ~~sections 81-2101 to 81-2145~~ 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, ~~petroleum companies, petrochemical companies, pipeline companies,~~ or telephone or telegraph systems, or employees of affiliated companies performing manufacturing, installation, and repair work for such employers to be inspected while acting within the scope of their employment.

Sec. 27. That section 81-2135, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2135. (1) All state electrical inspection fees shall be due and payable to the board at or before commencement of the installation and shall be forwarded with the request for inspection. Inspection fees provided in this section shall not apply within the jurisdiction of any county, city, or village ~~or service area of any public power district, public power and irrigation district, or electric membership or cooperative association,~~ if it the county, city, or village has adopted an ordinance or resolution as set forth in ~~sections 81-2101 to 81-2145~~ the State Electrical Act.

(2) Fees shall be paid according to the following schedule:

(a) Minimum fee for each separate inspection of an installation, replacement, alteration, or repair, ten dollars;

(b) Services, change of services, temporary services, additions, alterations, or repairs on either primary or secondary services shall be computed separately as follows: †

(c) (i) Zero to one hundred ampere capacity, twelve dollars and fifty cents plus two dollars and seventy-five cents per branch circuit or feeder;

(d) (ii) One hundred one to two hundred ampere capacity, seventeen dollars and fifty cents plus two dollars and seventy-five cents per branch circuit; and

(e) (iii) For each additional one hundred ampere capacity or fraction thereof, twelve dollars and fifty cents plus two dollars and seventy-five cents per branch circuit;

~~(f) For the purposes of computing branch circuit fees, the maximum number of branch circuits in any one panelboard or switchboard shall be considered to be thirty;~~

~~(g) (c)~~ (c) For field irrigation system inspections, the fee shall be twenty-two dollars and fifty cents for the first unit and an additional twenty dollars for each additional unit inspected; and

~~(h) (d)~~ (d) The fee for the first reinspection required as a result of a correction order shall be fifteen dollars. The fee for subsequent reinspections shall be twenty dollars for each reinspection.

(3) When an inspection is requested by an owner, the minimum fee shall be ten dollars plus two dollars and seventy-five cents per branch circuit. The fee for fire and accident inspections shall be computed at the rate of twenty-five dollars per hour, and mileage expenses shall be reimbursed as provided in section 81-1176.

Sec. 28. That section 81-2136, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2136. When an electrical inspector finds that a new electrical installation or part of a new electrical installation that is not energized is not in compliance with accepted standards of construction, based upon minimum standards ~~set forth in the National Electrical Code adopted by the board pursuant to section 81-2104,~~ he or she shall, if the installation or ~~the noncomplying part thereof~~ is such as to seriously and proximately endanger human ~~life~~ health and property if energized, order, with the approval of his or her superior, immediate condemnation of the installation or noncomplying part. When the person responsible for making the installation so condemned is notified, he or she shall promptly proceed to make the corrections cited in the condemnation order.

Sec. 29. That section 81-2137, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2137. If the electrical inspector finds that a new electrical installation or part of a new electrical installation that is energized is not in compliance with accepted standards of construction, he or she shall, if the installation or the noncomplying part ~~thereof~~ is such as to seriously and proximately endanger human ~~life~~ health and property, order immediate disconnection of the installation or noncomplying part. When the person responsible for making the installation so ordered disconnected is notified, he or she shall promptly proceed to make the corrections cited in the order.

Sec. 30. That section 81-2138, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2138. When a noncomplying installation or part



thereof, whether energized or not, is not proximately dangerous to human life health and property, the inspector shall issue a correction order, ordering the owner or electrician licensee under the State Electrical Act to make the installation comply with accepted standards of construction for safety to life health and property, based upon minimum standards set forth in the National Electrical Code adopted by the board pursuant to section 81-2104, noting specifically what changes are required. The order shall specify a date, not less than ten nor more than seventeen calendar days from the date of the order, when a final inspection shall be made. If at the time of the final inspection the installation has not been brought into compliance, a condemnation or disconnection order may be issued by the inspector with the approval of his or her superior. ~~The board may assist the owner in retaining another person licensed and qualified to correct the deficiencies noted.~~ When the installation is brought into compliance to the satisfaction of the inspector, such correction order shall be immediately countermanded. Any supplier of electrical service complying with any order of an electrical inspector shall be relieved of all liability in cases of subsequent damage or loss arising from any cause, except acts of gross negligence by such supplier.

Sec. 31. That section 81-2140, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2140. (1) ~~The procedures prescribed by sections 81-2135 to 81-2138 shall constitute the exclusive administrative remedies for preventing connection or requiring disconnection of the supply of electrical power to premises.~~

(2) Condemnation, disconnection, and correction orders shall be issued on forms prescribed by the board.

(3) (2) A correction order made pursuant to section 81-2138 shall be served personally or by United States mail only upon the licensee making the installation ~~electrical contractor, master electrician, installer, special electrician, or the property owner~~. All other orders shall be served personally or by United States mail upon the property owner and the ~~electrical contractor, master electrician, installer, or special electrician licensee~~ making the installation.

(4) (3) The power supplier shall be served with a copy of any time an order which requires immediate disconnection or prohibits energizing an installation.

(5) (4) Service by United States mail is complete upon mailing, but three days shall be added to the prescribed time whenever the party served is required to do some act or entitled to respond, ~~thereto~~.

Sec. 32. That section 81-2141, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2141. (1) Any person aggrieved by a condemnation or disconnection order issued may appeal ~~therefrom~~ 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 life 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 life 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 A electrical contractor, 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 him such supplier.

Sec. 33. That section 81-2143, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2143. It shall be a Class I misdemeanor knowingly and willfully to commit; or to order, instruct, or direct another to commit; any of the following acts:

(1) To make a false statement in any license application, request for inspection, certificate, or other lawfully authorized or required form or statement provided by ~~sections 81-2101 to 81-2145~~ the State Electrical Act;

(2) To perform electrical work for another without a proper license for such work;

(3) To fail to file a request for inspection when required;

(4) To interfere with; or refuse entry to; an inspector lawfully engaged in the performance of his or her duties; or

(5) To ~~violate any~~ fail or neglect to comply with the act or any lawful rule, regulation, or order of the board.

~~Any person who violates sections 81-2101 to 81-2145 shall be guilty of a Class III misdemeanor.~~

Sec. 34. That section 81-2145, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2145. Members of the State Electrical Board serving on ~~August 24, 1975,~~ the effective date of this act shall remain in office until their successors are appointed and qualified. ~~Existing rules, regulations, forms, policies, and classifications of special electricians not in conflict with sections 81-2101 to 81-2145 shall continue until lawfully modified or repealed.~~

Sec. 35. That original sections 81-2101 to 81-2103, 81-2105 to 81-2110, 81-2113 to 81-2116, 81-2118, 81-2119, 81-2121, 81-2124 to 81-2128, 81-2132, 81-2135 to 81-2138, 81-2140, 81-2141, 81-2143, and 81-2145, Reissue Revised Statutes of Nebraska, 1943, section 81-2104, Revised Statutes Supplement, 1992, as amended by section 1, Legislative Bill 192, Ninety-third Legislature, First Session, 1993, and section 3, Legislative Bill 215, Ninety-third Legislature, First Session, 1993, and also sections 81-2111, 81-2112.01, 81-2117, 81-2122, 81-2123, 81-2131, and 81-2144, Reissue Revised Statutes of Nebraska, 1943, are