
2006

COMMITTEE ON GENERAL AFFAIRS

NEBRASKA LEGISLATURE

LR 344
Interim Study Report

**Study on Licensing and Regulation of Electronic
Systems Technicians**

NINETY-NINTH LEGISLATURE
SECOND SESSION

GENERAL AFFAIRS COMMITTEE MEMBERS

Senator Ray Janssen, Chairperson

Senator Deb Fischer, Vice-Chairperson

Senator Matt Connealy

Senator Abbie Cornett

Senator Phil Erdman

Senator Mike Friend

Senator Dave Landis

Senator Roger Wehrbein

LR 344

**LICENSING AND REGULATION OF
ELECTRONIC SYSTEMS TECHNICIANS**

GENERAL AFFAIRS COMMITTEE
FRIDAY, OCTOBER 20, 2006

- I. LEGISLATIVE RESOLUTION 344
- II. MEMORANDUM, SENATOR RAY JANSSEN,
CHAIRMAN
- III. FRIDAY, OCTOBER 20, 2006, HEARING TRANSCRIPT,
GENERAL AFFAIRS COMMITTEE
- IV. NATIONAL CONFERENCE OF STATE LEGISLATURES,
LEGISBRIEF, "LICENSING OF ELECTRICAL
PROFESSIONS"
- V. STATE ELECTRICAL BOARD INFORMATION AND
NEBRASKA STATE ELECTRICAL ACT
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NINETY-NINTH LEGISLATURE
SECOND SESSION
LEGISLATIVE RESOLUTION 344

Introduced by Janssen, 15

PURPOSE: The purpose of this resolution is to examine matters and issues relating to the licensing and regulating of electronic systems technicians.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-NINTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the General Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Memo

To: General Affairs Committee Members

From: Laurie Lage, Legal Counsel

Date: 12/18/2006

Re: LR 344 Interim Study

On Friday, October 20, 2006, the General Affairs Committee held a public hearing on LR 344. This interim study was introduced to allow the committee to examine issues related to the licensing and regulation of electronic systems technicians. Specifically, the committee heard testimony on the educational and licensing standards for low-voltage electrical specialty systems technicians.

The resolution was introduced on behalf of the Custom Electronic Design & Installation Association, or CEDIA. CEDIA is an international trade association of companies that specialize in the design and installation of electronic systems for the home. This organization has an interest in promoting ongoing education and awareness in the electronic systems industry due to continuous technological advances. This group offers certification programs and seminar tracts specific to the electronic systems industry. They believe that there should be minimum standards statutorily set that electricians must meet before performing low-voltage electronic systems work.

In Nebraska, the licensing of electrical professionals is regulated by the State Electrical Board through the State Electrical Division. The board directs the activities of the Executive Director, sets policy, and adopts rules necessary to ensure the provisions of the State Electrical Act (Neb. Rev. Stat. §81-2101 to §81-2145) are carried out. The Division's Executive Director, Randy Anderson, testified at the hearing that the division is currently investigating whether there is a need for low-voltage licensure. He further pointed out that the statutes provide for the licensure of some low-voltage work, and that the Division should be involved in the creation and regulation of any new category of licenses.

There were a number of testifiers who do not believe that such a license is necessary. In testimony and in letters submitted to the committee, these industry professionals pointed out that the National Electrical Code, which has been adopted by reference in Nebraska, and industry standards and certifications cover the safety and consumer protection issues alluded to by the supporters of a low-voltage electronic systems technician license. The letters and written testimony provided to the committee are attached to this report.

The committee has not been involved in any further action on the issue, and at this time there are no plans to move forward with legislation.

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[LR344]

SENATOR JANSSEN: Good afternoon, ladies and gentlemen. Welcome to the interim hearing on LR344. We have a few members of the General Affairs Committee here with us this afternoon. To my far left, Senator Roger Wehrbein, Senator Matt Connealy, and Senator Deb Fischer is on my extreme right. Deb is the Vice Chair of the General Affairs Committee. Legal counsel, Laurie Lage, is on my right, and Brittany Sill, the clerk, is on my left. We will try to expedite this in an orderly fashion. I see no reason why it can't be otherwise. For the record, my name is Ray Janssen. I am from the 15th Legislative District and happen to be the Chair of this committee. With that, legal counsel will give the introduction to the resolution. I have a list of testifiers here: Walter Radcliffe, Darren Reaman, Larry Covalciuc, Chris Tyler, and Russ Neil. And if you could follow in that order we would appreciate that. Laurie to introduce the bill. [LR344]

LAURIE LAGE: Good afternoon. For the record I'm Laurie Lage, legal counsel to the General Affairs Committee, and I'm here to introduce LR344. This resolution was introduced to give the committee an opportunity to learn about an issue that has recently attracted attention in several states. It will allow the committee to examine issues related to the licensing and regulating of electronic systems technicians. The base question is: What should the educational and licensing standards be for low-voltage electrical specialty systems technicians. These technicians install systems such as home entertainment and security, as well as other systems which do not involve electrical supply line installation. In Nebraska, the licensing of electrical professionals is regulated by the State Electrical Board through the State Electrical Division which issues various licenses, including electrical contractor, journeyman, residential wireman, and fire alarm installers. It is my understanding that the electrical division is currently investigating whether there is a need for low-voltage licensure. The division's executive director is here today and will hopefully provide some information on what they've been working on. Some will say that there is no need for this additional certification; that it would only add to the cost of doing business and it is not in the best interest of this industry. Others will say that it will serve the consumer well to recognize a certification program that focuses on low-voltage installations. It is timely to take a look at our electrical licensing laws and discuss whether revisions or updates need to be made to ensure Nebraska is keeping up with the industry and current technology. If you have any questions I'd be happy to answer them or try to answer them. [LR344]

SENATOR JANSSEN: Any questions of the committee? Seeing none, thank you very much, Laurie. Mr. Radcliffe. [LR344]

WALTER RADCLIFFE: (Exhibit 1) Senator Janssen and members of the committee, my name is Walter Radcliffe, R-a-d-c-l-i-f-f-e, appearing before today as a registered lobbyist on behalf of Custom Electronic Design and Installation Association, the acronym for which is CEDIA. And you have me here right now to give you a little bit of

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background on the issue and the study and then to introduce the next witness, Darren Reaman, who is the national governmental affairs representative for CEDIA. CEDIA is, as Darren will tell you, a national association comprised of local members companies in the United States throughout the 50 states. They represent these companies on principally low-voltage issues--installation of home theaters, alarm systems, that type of thing. Before I leave I'll hand out a publication that illustrates some of the types of system that we're talking about. Those of you that know me know I'm kind of a "technophob," and I don't understand all this stuff, but I think when you see what types of equipment and things that they work on and install will give you a little bit better idea. I'm going to give you just a little background as to how this came about. I was contacted actually early, early last year by CEDIA, wanting to explore the possibility of any type of licensure or certification regulation, whatever. You know, I told them, I always say that all my clients who are licensed and regulated want less, and those who aren't want to be. I think we've all experienced that. But I explained to them it was a short session last year, certainly not the time to come in with any legislation. And they wanted to know if there was anything they could do, looking ahead. And I said, well, I would suggest perhaps we do an interim study and have a hearing because my first question to them after I tried to understand what it was they did was who is going to be supportive of this, who might oppose it, and furthermore what kinds of questions and issues might come up. And so one of the reasons, I explained to Senator Janssen when he introduced the resolution was that we wanted to see who had an interest, what organizations and institutions, and by the looks of things in the room today there's quite a few that do. And I'm glad to see that because there's certainly been no determination made by my client as to whether or not they would want to proceed with legislation this next year. And further, if they do, I would recognize that they would want to accommodate many of the interests that are here. I would leave you with...or I may not leave just yet but there's two predicates that I'd like to state to you. Number one, there is no intention in this to do anything that would be exclusive, and furthermore there is no intention to do anything which would be mandatory--nothing that would place any onus on anyone to be licensed, to be certified. And I'm using those terms very loosely. The other thing is, is that anything that we would contemplate doing, we would do within the existing regulatory structure through the State Electrical Board. We would have no intention of creating a separate board. We would have no intention of altering or proposing any changes to the existing electrical board because quite honestly it has served, I think, the public well, and quite frankly has been very well received by those whom it regulates. So with that as some background, I'd like to ask Darren to come up and to tell you some more about the organization, and then the individuals who follow him are going to be people who have businesses in Nebraska, who work in this area and have several different general areas topically that they would like to discuss with you. I'll leave you with a copy of this publication and I'd be happy to answer any questions that you might have. [LR344]

SENATOR JANSSEN: Any questions? Seeing none, thank you, Mr. Radcliffe. [LR344]

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WALTER RADCLIFFE: Thank you, Senator. [LR344]

SENATOR JANSSEN: I wanted to make sure that this is an interim hearing and there will be no proponents or opponents testifying, just statements about the issue since we are only studying this issue at this period of time. So we will not have any proponents or opponents. I mean, just state your position and tell us a little more about what we're working with, all right? [LR344]

DARREN REAMAN: (Exhibit 2) Thank you, Mr. Chairman and members of the committee. I'm Darren Reaman and I serve as public policy manager for the Custom Electronic Design and Installation Association. The last name is spelled R-e-a-m-a-n. You may be asking, who is CEDIA? CEDIA is a grassroots association started in 1989, at that time seeking to validate a new channel of distribution and access to products--specialized products for features and installations, including connectivity, controls, distribution, and application. Education from the beginning and currently today continues to be a cornerstone of our organization, sharing ideas, concepts, and processes. In the ever-expanding field of technology and subsystems, some of which Walt alluded to, home theater, music subsystems, distributed music, control of lighting, data networks, structured wiring, communications, systems integration, and custom controls. CEDIA is a national association based in Indianapolis. You may ask, who are our members? CEDIA members are established insured businesses with qualifications and experiences in the specialized field of electronic systems design, engineering, installation, maintenance, and service. We represent our members, our companies, not individuals, and we represent over 3,000 member companies worldwide. The heart of our membership are the dealers or the electronic systems contractors that are actually out there designing and installing this technology. Other member categories include manufacturers, distributors, whether that's national, regional, or local, sales reps, consultants, and affiliates. You may ask, what do we do? With the rapidly changing technologies and pace of product development requires ongoing education and awareness. One of our highlights of the year is we host a CEDIA expo for our members and industry professionals, and we just hosted that last month in Denver where over 28,000 industry professionals came together for networking, education, training, education, engage in new products and exchange ideas. Our education focuses on many different levels. We have a certification program, different levels of certification for installers and edesigners. We have seminar tracts for electronic systems technician, designer, project manager, customer relations, and business. And that's all our education is delivered on the road, throughout the United States and on-line. So that's a little bit about who CEDIA is, who our members are, what the types of projects they work on a day-to-day basis, and what we are as an organization. I appreciate your time and would be happy to answer any questions at this time. [LR344]

SENATOR JANSSEN: Any questions? Senator Connealy. [LR344]

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SENATOR CONNEALY: I just had a major remodel done in my house and had certified electricians working on that part of it. I had a security system put in and most likely they weren't certified because there was no certification in Nebraska. And what would be the difference on that project if you had certification in the state or if you didn't, and what does the consumer...what changes there for that? [LR344]

DARREN REAMAN: And we're going to have other members talk to that, but it would raise a voluntary certification requirement so that you know there's a minimum standard of education met when you are having a project done. [LR344]

SENATOR JANSSEN: No other questions. Thank you. [LR344]

DARREN REAMAN: Okay. I appreciate your time and also I have some more information on who we are as an organization. [LR344]

SENATOR JANSSEN: The pages will take care of that. The next testifier I believe is, if we're going to go down the list, Larry. Larry, and I can't pronounce the last name. I don't want to kill it. It's C-o-v-a-l-c-i-u-c. There he comes. [LR344]

LARRY COVALCIUC: Does that mean I don't have to spell it again, or...? [LR344]

SENATOR JANSSEN: No, you don't have to spell it. I just spelled it for you. (Laughter) [LR344]

LARRY COVALCIUC: (Exhibit 3) Okay. [LR344]

SENATOR JANSSEN: The pages will get those for you. Go ahead and take a seat. Anything left over she'll bring back. [LR344]

LARRY COVALCIUC: Mr. Chairman and members of the committee, my name is Larry Covalciuc. I will spell that: it's C-o-v-a-l-c-i-u-c. If you see that name anywhere I'm certainly related to them. (Laughter) I own a business in Omaha, Nebraska, called Custom Electronics. We've been in business since 1969. Since that time we have always installed audio video systems, multiroom multizone systems, control systems that can control pretty much everything electronic in the house, HVAC, can control security--we don't install security, control the home theater, lighting control, and so forth. In our industry this type of wiring has gotten much more complex than it was originally, and I would certainly be in favor of a set of standards, minimum standards that people would have to meet for doing this to enhance the consumer's experience when purchasing equipment like this because right now there is absolutely nothing that would keep anybody from doing what we do and there's quite often circumstances where we would have to go back in to redo systems that were not done correctly originally. And

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anything that could be done to prevent that would be in order. And I'm only interested in anything along those lines that would apply to the specific industry that I'm involved in. I have no desire to control any other industry, but some sort of standards I think would be something that I would certainly like to see in place. We've been a member of CEDIA since its inception in 1989, and it has grown from a relatively small exposition to the one that we just recently had which I think that Darren indicated we had 28,000 people there, so it's become quite a force. And if there's again anything that can be done to try to establish minimum standards, I'd be in favor of that. Does anybody have any questions about anything at all? [LR344]

SENATOR JANSSEN: Larry, how much voltage are you working with there? Is it enough to hurt you or...? And when you talk about low voltage, what is low voltage? Can you explain that to me? [LR344]

LARRY COVALCIUC: First of all, it doesn't have 60 cycles on it so we don't do anything that an electrical contractor would do. And the voltage on the wires that we would be using would be anything from just microamperes in terms of control signals or signal wires on up to if you were to talk about a high-performance speaker system, still talking regular voltage, in the area of 70 volts or less, but again considerably less than what would typically be on an AC line. [LR344]

SENATOR JANSSEN: Larry, when you put one of those systems in, do you use a direct current then, and then meter that down? You have to have some electricity to start with, correct? [LR344]

LARRY COVALCIUC: Well, electricity runs the equipment that we use. For example, the plasma TV or the power amplifier or the stereo receiver, that's all run by AC. But again, we don't wire systems to provide the AC for that equipment. That would be done by an electrical contractor. With regards to whether or not we do something that contains DC, there is a variety of signals that would be on the wires that we would use. All musical signals that go to speakers, for example, that's all alternating current but exceedingly low voltage again. There would be computer data that would be traveling along network lines that we would perhaps install. There would be voltages that could be DC, for example, for triggers to cause drapes to drop, blinds to open, things like that, that would trip relays. It's a wide variety of electrical signals that would be used on the wires that we would install. I don't know if that answers your question or not. [LR344]

SENATOR JANSSEN: Yes, I think so. Um-hum, yeah. [LR344]

LARRY COVALCIUC: Okay. [LR344]

SENATOR JANSSEN: Any other questions? Roger. [LR344]

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SENATOR WEHRBEIN: Just a matter of interest, is there a fire risk, fire hazard, in this area at all? [LR344]

LARRY COVALCIUC: No, there really isn't. And the wiring of musical systems has been done since I've been in business, which is again 1969, and low voltage has existed...I'm not sure when low-voltage signals actually were applied to a home, but it would be long, long before that. But essentially, no, it does not. Since I've been in business since 1969 I can't think of a single time that a fire was started either in a product that we have sold or were involved in the wiring of it in any way that I can think of. And while we don't apply AC high voltage in what we do, we're certainly aware of the NEC and the ramifications of that. And again, if there is something that's involving higher voltages than 60 cycles then we would certainly call electricians to the fore for that. That's not our area of expertise. But I haven't seen it since I've been in business. [LR344]

SENATOR JANSSEN: Senator Fischer. [LR344]

SENATOR FISCHER: Thank you for being here today, Larry. You said you were in favor of a set of standards, is that correct? [LR344]

LARRY COVALCIUC: Right. [LR344]

SENATOR FISCHER: Do you want those voluntary or mandatory? [LR344]

LARRY COVALCIUC: I would say probably voluntary at this point. I don't see mandatory licensure, although it does occur in a couple of areas in the country. California, for example, has mandatory contractor requirements for people who do low-voltage wiring. But that would not be something that I would necessarily be in favor of at this time. [LR344]

SENATOR FISCHER: When you say at this time, would you see these voluntary standards becoming mandatory? [LR344]

LARRY COVALCIUC: I guess I'd have to predict the future to say that I think if what we were doing got into the area where safety was a concern, then I would say at that point it certainly would. At this point in time I don't think it would have to be mandatory. [LR344]

SENATOR FISCHER: If they're voluntary, why do we need them at all? [LR344]

LARRY COVALCIUC: That's a good question. I think if we did have some standards that were voluntary and the consumer were to note those that were meeting those minimum standards and those that were not, it would help them make a decision as to what they would decide to do with regards to selecting a contractor. I think if..and again

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in some industries, plumbing, electrical contracting, and so forth, it's all mandatory. And I don't know at what point in time it became mandatory. I mean, obviously since I've been in business it always has been. I would like to see...you know, if we were to have voluntary standards and most people would adhere to those and consumers would be aware of the fact that they did exist, anything that would raise the standards of people doing what we do in our particular industry, I would be in favor of, and it would benefit the consumer because there are certainly installation horror stories that occur. I haven't seen anything yet by someone that would certainly cause a fire, but on the other hand there are a lot of people that I don't think get what they contracted for. And it's not just our industry in that regard; that happens in a lot of industries. I don't know if that answers your question. [LR344]

SENATOR FISCHER: I guess I'm wondering...I've been here two years and there is another group that came before a committee I was on and they wanted standards set for their group too--again, voluntary. So the same reasoning, so the consumer would know that these people had extra training or had gone through educational procedures. [LR344]

LARRY COVALCIUC: Right. [LR344]

SENATOR FISCHER: You know, the whole thing. Do you want this just so you can...I hate to put you on the spot but I'm going to...do you want this just so you can...better advertising for your business if you have these standards? [LR344]

LARRY COVALCIUC: Not really. If I am in a situation where I don't have to deal with issues created by less than substandard work, that certainly raises the standard by which our industry is viewed. I would benefit from that. I'm not looking to be in an exclusive club. I just have no desire for that. By and large I'm probably...the attorney expressed it better earlier...those that have been doing it for awhile want less regulation and so on. But I think it would just simply raise the standards and raise the bar and raise the expectations for consumers, and it benefits us all. It benefits the consumers and it benefits us as an industry, as well. [LR344]

SENATOR FISCHER: Okay. Thank you, very much. [LR344]

LARRY COVALCIUC: Thank you. [LR344]

SENATOR JANSSEN: Any other questions? Seeing none, thank you for being with us today. [LR344]

LARRY COVALCIUC: Thank you. [LR344]

SENATOR JANSSEN: Next testifier. [LR344]

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CHRISTOPHER TYLER: (Exhibit 4) Good afternoon, Mr. Chairman and members. My name is Chris Tyler. I'm with Awora Technology up in Omaha, Nebraska. We are a systems integration custom install business for predominately residential. And basically what we do is we install the security systems, the intercom system, the music distribution system, surround sound systems, telephone, computer networks. We take all of the, what we're predominately talking about, all of the low voltage, and either interconnect them, get them talking to each other, or making sure that they're installed properly, and that's our main thing. What I'm here to talk about a little bit is some of the improper installations and why I view the importance of this process, and basically you'll see a lists of some of the talking points that I'm discussing here. But right now the demand for integrated systems is getting very high. Customers are wanting convenience; they're wanting the entertainment. And basically what we do is, certified installers, is install things that make life more comfortable, more convenience, more secure, healthier, and, frankly, fun. A lot of the stuff we do is enjoyable. All of this is provided through structured wiring, and what I mean my structured wiring is, in a home installation you have an electrical box that all of your electrical wiring comes down to. In our industry we have basically a structured wiring box, and that's where all of the low-voltage wiring come down to, whether it be audio distribution or telephone systems or TV, etcetera. The thing that is happening is that 15 years ago, 20 years ago, however far you want to go back, it used to be that basically you had a telephone in your house with that wiring for it and you had a television, some coaxial ran for your television systems, and there wasn't a lot more than that. Well, nowadays you have security systems is one of the prevalent items that are installed in a house. You have the music distributed throughout each of the rooms or maybe just a few of the rooms, and you have not only coaxial running for your television going to just a couple of rooms, but in this day and age you have it going up to 20, 30 different rooms possibly in your house, and the same for the telephone, and now you have also the computer network, and that's all getting involved in that. And basically what has been happening so far, as I'm out there I see a lot of jobs where other industries have tried to basically do part of this industry. For an example, an electrician may say, yeah, we can run this type of wire and that type of wire for you, and no problem. Car audio, security installers, all of the variety of them, they'll say, yeah, we can help you, we can run that type of wire also. The problem comes down to when they run some of that type of wire, is that it's not the same and I don't mean to beat on the electrician area but I'm going to use that as an example because it's a similar...it's copper wire. That's what we run is copper wire and that's what the electricians run. The difference though with electrical wire is you can take it, run it along, staple it to the beam, and you'll be just fine. With our type of wire, if you take it and, for example, I was just at a job site last week that I was involved with, they stapled that coax, which is your television wire, and they used regular staples just like they do when they're doing electrical work. They nail it to the beam and they make sure it's secure. Well, the problem with that is you've just damaged that wire and now you will not get, quite possibly, you will not get all of your TV signals. You may not get

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some of the high definition stuff that you're trying to plan for down the road. And so that's a concern on my side, is the consumer is not getting what they're paying for from the beginning. Going down on my list here I've got some rough-in issues. And I just talked about the electrical side. The other thing that will commonly happen in our industry is that you'll see this coaxial wire, this...and I'll continue to use that one as an example...but it will run side-by-side with electrical wire. Well, what happens there is you have induction happening, and basically the electrical wire is putting off what we call noise, and that TV wire is picking up that noise and transmitting it to your television. And if you're wondering why you have a fuzzy signal...for example, how many of you have watched TV and your daughter, son, whoever, turned on a hair dryer or a microwave, and all of a sudden the TV gets fuzzy? Well, that's associated with that. That's that noise that's coming through the system. I've had people, safetywise, and I'm referring to my safetywise, where I've gone to an install...and I'll refer to Photo B in there...but I've gone to an install where the wire is run in a very simple, quick, easy fashion. A person will come in, yeah, we can run that wire. They take it up through the attic and they lay it right along the trusses and stuff, and then what happens is the insulators come in and they blow in the insulation. And then maybe five years from now you decide that you want to add something else, and I come up in there for a retrofit job, and I'll go up into the attic and I'll start walking across that attic. One of two things is either going to happen. Either (a) I'm going to step on that wire, and I'm going to probably damage that wire; there's a good possibility that I'll kink it or something to where now your television isn't working right or your computer network isn't working right, or (b) I'm going to trip over that wire, and then when I trip over it I'm going through the floor, the ceiling here, and coming down below. So I'm concerned safetywise on my side. And so having some standards in place to make sure that wiring doesn't happen that way, to protect not only the consumer that may be going up into the attic to store some items or maybe doing their own installation, but also to protect myself in that sense. Other types of things: poor rough-in techniques in the sense of drilling multiple holes on a new construction house, drilling multiple holes into either the 2x4s going up and down or the headers and stuff going across, weakening the structure. That's a concern. There are limitations as to what you can do when you're doing that type of work, and you need to know those limitations; you need to be educated on that. Squeezing low-voltage wires into heating and air conditioning: I've seen it where they'll take...and it's more on a retrofit job than a new construction job...but a person will come and say, well, you know, I need to get wires from the basement up into the upper level, and so they'll run it right inside the actual cold-air return ducts or other types of ducts. Well, those ducts weren't made to have that space taken up. It's made for cold air return and for your heating and air conditioning. And I've seen them getting a quarter of the way full with wiring in there just because it's easier. Other things that I have seen: I've got a current job that I'm working on where the wires were all brought down into the basement into a utility room and there was not structured box. They're just hanging off the wall, just loosely as can be with all of their splitters and etcetera, and it's just not a very, to me, a nice look, but it's also just not a safe-type way of having your wire being distributed there. Things that I

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have had to do in the past: I've had to come in, clean up, rectify jobs because they were improperly done. Security systems: I've got a current house that I'm working on that the security system was installed improperly and he was having constant false alarms. Well, we know what that does: That sends our police force. And now we've done a lot of things in the past in the sense of you have two false alarms, you're starting to get charged for it, etcetera. We're rectifying that and redoing the whole security system, which is pulling new wire, putting in new contacts, etcetera, and that customer is having to pay for it. Plasma TVs are a big item right now that are going on, and customers are wanting those. I mean, the whole idea behind the plasma TV is it's a flat TV that can go right on that wall right there very simply and easily, and you don't have to take up floor space. It's neat; let's face it, they're neat. The problem with that is when you are hanging a plasma TV and you're putting it on an articulating arm that's coming out from that wall, you better make sure that wall is built to handle that plasma TV. A 50-inch plasma, for example, can...they only weigh maybe approximately 100, 120 pounds--they don't weigh that much--but it's very similar, when you put it on that arm and you extend that arm out. How long can you hold a 5-pound weight in your arm without letting it drop one bit? Over a period of time...yeah, right at the initial it will stay there...over a period of time that wall is going to weaken and it's slowly going to pull and it's going to slowly drop, or potentially fall on top of somebody. Safety concerns, again. Another area that I'm concerned with is customer training. Time and time again I've gone to a job site where the customer does not know how to operate their security system, how to operate their remote. How many of us have six, seven remotes for our television system and you don't know how to play a DVD? There are things in regards to that, that can be done by what I consider good quality organizations. You know, for example, my organization, we have pizza night with the family that we're installing, and we go there, we buy dinner, and we sit down with the whole family and go over their security system with each individual so they all know how to operate the security system, so they know how to operate their music system, their telephone, their computer network. All of those types of things are being covered with them. And the computer network is another concern and it's my last and final point that I wish to bring up. We are dealing with people's information. When we install a system, we are installing systems that are talking to each other and communicating back and forth with each other. We're also installing a system that we can maintain as a company, and I mean myself or a technology, so that if a customer needs to have a firm ware upgrade or wants to change the way something is done, I can literally access that system from my office, and download those firm ware upgrade, and that type of thing. Well, the customers have to feel secure with me, that I can access their system, that I can...I mean, in this day and age, identity theft is on the rise and we need to protect that and we need to make sure that that's being sacred. And so we put protection not only when we dial in but also we need to make sure that computer network we just put in is very secure and protecting them from those drive-by people that want to come by and try and steal your information. These are all things that I feel are very important and it's why I've been for this from when I was contacted about it and told about it. I think it's a crucial part to this

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industry because it's on the growth. It's not happening to just high-end homes. This is happening to every home now. Everybody is getting security systems, computer networks, telephone systems throughout the house, and TVs throughout the house, and we need to make sure that stuff is being protected properly. Any questions? [LR344]

SENATOR JANSSEN: Questions? I don't see any, Chris. [LR344]

CHRISTOPHER TYLER: Thank you. [LR344]

SENATOR JANSSEN: That was a good explanation. Thank you. The next testifier. [LR344]

RUSS NEIL: Thank you, Mr. Chairman and members of the Legislature. I'm Russ Neil. I'm with OneLink, a company that does a number of low-voltage installations from computer cabling, fiber optic cabling in commercial and residential situations, all the way to the home theater which we're talking about. I'm here to talk about who benefits from low-voltage people being certified or licensed, however you want to put it. I think the first people that benefit from it are the installers themselves. How many of you have done something, whether it was at work or at home, and you went and you thought about it later, and you went, yeah, did I do that correctly? I mean, is there a better way to do that? Somebody who does that professionally, how do they do it? When you are certified and when you've been through these classes and you've been through the testing, now as an installer you know the right way to do it and you know the wrong way to do it. Those are the things that are gained by the installer, by the person doing the work in your home. That's big for me as someone who manages installations. If I have technicians that I've taught, they only have to take my word for it that they're doing it right, but if there's a set of standards that are not just imposed by me their boss, by a larger organization, now they know for sure that they've been trained properly and that they actually have a skill that they bring to the table and they can take pride in their workmanship. And when you have someone who takes pride in their workmanship, they will do a better job because everybody likes to know they did a good job. You go home at the end of the night; you want to do a good job; you want to know that you've done something worthwhile that day. The second set of people who benefit are the consumers. If you know that you're going to have some work done in your home and there's a certification level out there that you are aware of, which we've already talked about, you know, the public being aware of it, you're going to feel more comfortable if someone comes and says, yes, I am certified by the state or Nebraska or licensed by the state of Nebraska to do this type of work in your home as opposed to if you asked that question of someone else and you say, hey, are you certified or licensed? Um, no, no, but I've been doing this for four or five years. What is going to put in the consumer's heart that peace, that ease of, hey, I can trust this person? They know what they're doing. Those are the kinds of things that are benefits for the consumer: not only the peace of mind that I have a certified professional in my home; they also know what

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they're doing. One of the things that we like to do as an industry...and there's differences between custom installation companies and other box sellers...we like to take you from the initial concept, your idea of what you want to do in your home, all the way to actually making it work. You can go and you can buy a plasma TV somewhere; you can buy a remote control somewhere; and you can take these things home and try and set them up yourself and you may have some luck at that and you may be able to do it. But a majority of people don't get the best quality performance out of those pieces of equipment they purchase. If you buy a TV today, a flat panel, plasma, LCD, DOP, whatever you want to purchase, you've invested \$2,000, \$3,000, \$5,000, in a TV. Do you want to know that you've got the best performance possible out of that piece of equipment, out of that investment that you've made? I would tend to say yes. People who know what they're doing, people who have that sense of ownership of their workmanship who are certified, who are licensed, will get that to you. And that's all we're asking, because we all face what we just talked about--improper installations. We've all had to come in and say, sorry that you had that bad experience; you won't have that with me; and then provide that. Certification and licensure or however you want to say it, a set of standards, is a way to ensure that not only for installation companies but so that consumers have something that they know what they're getting; that they're going to pay for something and they're going to get it. I guess that's what I have. If you have any questions, I'd like to try and answer them for you. [LR344]

SENATOR JANSSEN: Any questions? I don't see any Russ. Thank you. [LR344]

RUSS NEIL: Thanks. [LR344]

SENATOR JANSSEN: Is there anyone else that was on this list? Then we'll open it up to anyone that would like to come up and give us more information. [LR344]

DICK JOHNSON: Good afternoon, Mr. Chairman and members of the committee. My name is Dick Johnson, J-o-h-n-s-o-n, and I am here representing Associated Builders and Contractors as their lobbyist. Unfortunately, we have incompetence in every field and an awful lot of occupations. And we can't or shouldn't legislate competence in issues that aren't life/health safety issues. You go into a restaurant; the service is lousy because the help is incompetent. You go into a retail grocery store and the clerks don't know what they're doing. Do we legislate every single occasion that there is in our state at a competency level? I don't think so. And we hear at the start that they want to have it voluntary. Well, voluntary, I guess I have a real serious question with the burden that the State Electrical Board already has in making their operations work and getting their inspectors' salaries up to the level that they need to attract quality inspectors for the Electrical Board is why we would want to put a voluntary certification program under the auspices of a board that is already overworked, understaffed, and underfinanced. Certification can always be industry-enforced. To my knowledge, mechanics, auto mechanics in the state of Nebraska don't have to be certified or licensed to put up a sign

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and say Joe's Mechanic, but how many times have we heard on the radio or read in the newspaper or seen on television, our mechanics are ASA certified or they are SEDA certified, which means those mechanics have gone to school, learned what they are supposed to be doing, and certified, and that's a reason for me to go to those places to have my automobile worked on. And if I am not smart enough as a consumer to know who does good work and bad work, it's probably going to cost me more in my automobile than it will for the electronics which is not a life safety issue in my home. So at this point we see no need for it. We think it's something that the industry or the retailers themselves can monitor--develop a program. Twenty-eight thousand people at a national convention means there's a lot of people that they can draw to, to come up with the certification that they want to promote and let the stores promote it, the retailers, whoever. And at that point we definitely don't need more rules and regulations in the state of Nebraska. [LR344]

SENATOR JANSSEN: Any questions? I have one, Dick. Now you say you are in the homebuilding business, is that right? [LR344]

DICK JOHNSON: No. It's commercial and industrial. [LR344]

SENATOR JANSSEN: Okay. Do you do this kind of work now on...? [LR344]

DICK JOHNSON: I actually... [LR344]

SENATOR JANSSEN: As a contractor do you go ahead and set up these kinds of systems under your direction? [LR344]

DICK JOHNSON: Well, the contractors that belong to my association, yes, I have contractors that do. And the fact is we do education for our contractors and we have a low-voltage technician or program... [LR344]

SENATOR JANSSEN: Certified? [LR344]

DICK JOHNSON: Well, it's not a certified program but they actually get a diploma for going to three years of school so that their company can say, our people have been trained. And low-voltage technician, EST, is the title of the course. It's a three-year course now available not only in the classroom situation but also on-line, web-based. [LR344]

SENATOR CUDABACK: Now, in your business, even with low voltage, could you screw up and have some problems there with fire, and so on, even on low voltage? [LR344]

DICK JOHNSON: The chances...you never want to say never, but it's not a life safety issue on the low voltage. I mean, could it happen? Sure. But... [LR344]

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SENATOR CUDABACK: Never want to say never. [LR344]

DICK JOHNSON: Exactly. Is it a problem? No. I mean, you heard the testimony earlier that the guy had been in business since 1969 and never once had heard of any health or life safety issues, fires, or anything else involved with any of the systems that are set in. Will it screw things up and maybe keep your computer from operating if the wires aren't put in correctly? Yes, but that's the reason you go to a competent place to buy your equipment and buy your...and you hire those people to come in and put it in. I don't go down in the newspaper when I have IT work that needs to be done or a new system put in. I go to reputable people. [LR344]

SENATOR JANSSEN: How about satellite dishes? Now, would that be called low voltage, if you have a dish to get your TV? [LR344]

DICK JOHNSON: That's outside of my area of expertise. I'm assuming that there is some electrical involved someplace, but the cord that runs from the actual dish itself to the... [LR344]

SENATOR JANSSEN: Got to have some power somewhere. [LR344]

DICK JOHNSON: Yeah, but the cable would be just like the cable download that you take off the telephone post at the corner of your block or your property, as far as that goes, and that would be low voltage. [LR344]

SENATOR JANSSEN: Okay. Any other questions? [LR344]

DICK JOHNSON: Thank you very much for your time. [LR344]

SENATOR JANSSEN: Thank you. Next testifier. How many more people are going to testify? Let's see a show of hands. Okay, try not to repeat yourselves if you can. [LR344]

MIKE ABRAHAM: Good afternoon, Chairman, committee members. My name is Mike Abraham, A-b-r-a-h-a-m. I'm a director at Lines of Communication. We're an Omaha, Nebraska, firm. We've been in this business for 16 years. The last couple of speakers have talked about primarily residential. Our business is, although we do some residential, is primarily commercial. And just to share some of our customer lists just to kind of expand your knowledge base on what our company and some of my peer companies here work on: West Telemarketing, University of Nebraska Medical Center, University of Nebraska-Lincoln, the city of Lincoln, AGP, Continental Western Group, Mutual of Omaha, Omnium Worldwide, the state of Nebraska, the Nebraska Army National Guard, Hastings College, Millard Public Schools, Lincoln Public Schools,

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Columbus Public Schools, Omaha Public Schools, Scottsbluff Public Schools, Blair Public Schools, and many other businesses, both small and large. So what this particular action would impact is just not residential; also major corporations in our state. Some of our offerings that haven't already been listed from the previous speakers: the size of structure of cabling, voice video and data. We also do optical cable and equipment systems. That could be between buildings and between cities or states, what have you; telephone systems, including voice-over IP which is a newer technology we've all heard about--basically our voice going over internet protocol, instead of having two cables, just one cable. We also do data systems, data security solutions, audio and video systems, wireless systems that include enterprise, municipal, and also private--that could be within cities, that could be across the state. We also provide public address paging notification systems. Another area which I would like to talk about is professional cable removal services, and you'll say, what the heck is that? It's like one committee member asked, is there a life safety issue? Yes, there is. All these cables that go into these buildings, they are dictated by National Electrical Code. We have two types of cables--plenum rated and PVC, which is polyvinyl chloride. Real simple. Not in this building, but if you go to a modern building you would have a dropped ceiling, and if you go to maybe a data center you'll have a raised floor. Most of those areas transmit air with the air conditioning. Guess what? Our cables are in there. If the particular rating is not 2-code particular plenum if there's a fire and if the temperature is over 400 degrees, guess what? You have toxic fumes and, yes, it is a fire issue because most people die in fires, not from flame but from breathing in, so yes there is an issue there. So our professional services, we provide professional recyclability and guarantee basically that service and provide green (phonetic) certification for companies for tax purposes with the feds. We also provide quality and compliance services and also consulting. I myself, I've been in the business for 36 years, all the way from a lineman to Bell Laboratories. I've worked at electrical companies in Omaha and currently with Lines of Communication. I've worked for Lucent Technologies, Network Cable Systems, involved from an off-site plant which is everything on the outside, everything on the inside, just to give you an idea of some of my expertise. My particular position and also of our company, we don't really support licensing. We have invested as a company in both organizational, such as BICSI, and other organizations for certification, and also the manufacturers of the systems that we provide and the solutions. We invest a lot of money in that. So in reference in having a license based on one particular association, we do not agree with that. Also any particular membership or certification could possibly put us at a disadvantage or some of my peers that don't have a particular association or certification. And again we've been at this for 16 years; I've been at it for 36 years and I've invested a lot in my profession, and if I don't have a particular sheet I don't think that's correct. A couple other quick questions. What are we really trying to do here? If it's for life safety, which I talked a little bit about, we have codes, basically codes or design through the electrical commission for life safety issues. And those National Electrical Codes, they are always evolving. Our last one was in 2004 and it addressed some of the low voltage. And, Chairman, you asked about what really is low voltage. A

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layman's term, kind of a professional term, it's anything below 70 volt. Anything above that is like 110. That's what powers our TVs, powers our computer systems. But again you have to have a signaling signal which is that lower voltage. I hope that maybe kind of helps you a little bit. Getting back to the National Electrical Code, it dictates my industry and dictates to our company and electrical contractors what we really should put in. On a commercial side, most cases we have consultants that are writing documents, RFPs, requests for proposals, and that dictates in our industry what's going on. We really don't think a license is going to help us. Let's talk about quality and procedures. In our industry we have industry standards that are set and negotiated a lot of the times by manufacturers. And again this very same manufacturers give us, if we are teaming with them or we're investing with them, they're giving us installation guidelines. We know what we have to do. And again we welcome any more instruction, but not really a license is going to cost money. And the bottom line is, who is going to pay for this? We've already invested; our technicians have already invested. If we have to go out and get some other particular certification there is going to be a cost to this. I don't know about the residential people. Maybe they can always take that on to a home, but again all my customers, they're very shrewd. Our technology and our industry has evolved rapidly since 1990. They know what they want; they know what it's going to cost, and that's the safety end and installation. So a license may not get it, it just may cost them more. And just as a close real quick, I think I mentioned there's a lot of different technologies out there. It's just like going to see a doctor. If you need a heart surgeon you're not going to go see a general practitioner, are you? If you want an AV specialist, you're going to see him. If you're going to see a structure cabling person maybe you're going to see somebody like me. It's just really hard to lump it all into the one classification. With that I'd like to close and thank you for your time. [LR344]

SENATOR JANSSEN: Any questions? Thank you, Mike, for being here. [LR344]

ERIC CARSTENSON: Senator Janssen, members of the General Affairs Committee, my name is Eric Carstenson; that's spelled C-a-r-s-t-e-n-s-o-n. I rather have a cold today so I'll try and be as brief as possible. I'm president of the Nebraska Telecommunications Association. We are a trade association that represents the majority of the local exchange carriers throughout Nebraska. And I'm before you today to give our observations on LR344. Without specific language it's really tough to tell you if we support or oppose this kind of a concept, but I would say that we probably would lean to oppose, but without specific language it's difficult to say. For more than 100 years the Nebraska local telephone companies have built, maintained, and upgraded all the various components of a huge telecommunications network. Our technicians primarily work on this low-voltage wiring and have done so safely for many decades. And I believe the practices and the standards that are followed by the industry in terms of the qualifications and the training of service technicians has not only produced the highest level of competence in the capabilities of our technicians, but it has also resulted in the building of networks that provide world-class telecommunications

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services throughout Nebraska. NTA members hold a certificate of public convenience and necessity from the Nebraska Public Service Commission. In fact, that's one of the requirements to be a member of the Nebraska Telecommunications Association is that they possess such a certificate. And as holders of these certificates, the companies are required to comply with the commission's service quality standards, and the industry technicians are trained and qualified to meet and in most cases exceed these standards. Technicians also receive specific training on safety procedures. Additional requirements for licensing and certification would be unnecessarily burdensome and effectively duplicative and would not add to the quality of the technician in the field for work that they perform. So because of these long-standing high-quality standards already in place, the NTA would suggest as you do your work that any company that holds a certificate from the Public Service Commission be exempt from these additional requirements. Thank you. [LR344]

SENATOR JANSSEN: Thank you, Eric. Any questions for Eric? I don't see any. Thank you, Eric. [LR344]

RANDAL LEMKE: (Exhibit 5) Good afternoon. My name is Randy Lemke, L-e-m-k-e. I'm the executive director of InfoComm International, and thanks for letting me present our association's views on this issue. We're composed of about 4,000 members, including 13 companies and states institutions that live in Nebraska. Our members are going to come and talk to you a little more directly in their work here. I have the pleasure of coming back here. I'm a native Nebraskan. While I live in the nation's capital right now, I went to the University of Nebraska and I'm pleased to come back here and be back in my home state. It began in 1939, InfoComm International is a trade association for the professional audiovisual industry. Our members include manufacturers, systems integrators, design consultants, technology managers, dealers, distributors, and we're in more than 60 countries. InfoComm's training and certification programs, along with its certified technology specialist program, in particular, provide the credentials that our industry has been operating with. We have over 5,600 people that hold this CTS designation. Currently 27 Nebraska audiovisual industry professionals hold our CTS as compared to not one--not one--EST holder. InfoComm respectfully asks this committee to reject the call to study instituting an EST licensing program because there is no salient public policy issue or reason to do so. It is a solution, the EST, in search of a problem. If you want to talk about licensing and it's begun by Nebraskans, our Nebraska members will come and talk about that and we will certainly come and support them because we strongly support objective testing and skills and knowledge as a basis for any state licensure program for the low-voltage industry or any other industry. When it's in the interest of the consumer, as you said public safety, or consumer protection, our certification program has always been based upon this. It's objective testing. And by the way, our association's certification program is seeking ANSI standards and ISO standards, so we will not only be recognized by a few members of our association but we'll be recognized by these two national and international bodies. We really try and

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promote a fair competition for people to get their certification and work in the industry. I think what I can add is a picture of really this legislation as it's bouncing from state to state. You're not the first. The CEDIA and the National Systems Contractors Association have attempted to get this instituted in states, and they've been widely ignored by their members--not just by our members but by their own members--and there are several reasons for this and as you talk to our members, you'll hear them. But the major reason are, it's too long, it's too basic, and it's not specific enough. It doesn't really help is what it comes down to. So as we work and look at it, we reviewed the EST manuals, and in New Hampshire they came and they handed them out; they are big, thick manuals, five years old. And as you start looking at those manuals, you'd have to ask yourself are they up-to-date or not? And I got my training here in Nebraska, got my Ph.D. in Missouri education, and one of the things you always talk about is make sure that you are teaching the right things. As you go through those manuals, and you'll see it in my written testimony, there's several times where the manuals are absolutely in violation of NEC code. They're not teaching the National Electrical Code. If you look in the computer side of it, the IT components, there's hardly a mention of the internet in their manuals. They're talking about operating systems that are four and five years old. So now we're going to ask the state of Nebraska, or I think they're asking the state of Nebraska to take these manuals which they describe as their curriculum and impose that kind of training on not just the residential sector, but as the gentleman before me talked about the structured cabling, the telecommunications, and all sorts of other sectors. This is an attempt by two associations to create a new industry. Did you ever hear of the electronic systems industry before they put this in front of you? They invested it. It is not a real industry. There are real industries sitting here. The audiovisual communications industry is sitting here and I represent that and my members do. Telecommunications industry is sitting here and they are speaking for their industry. But there's the IT industry. When you start looking at electronic systems, what doesn't it cover? Anything that's got a transistor in it, anything that's got a chip in it is electronic. It's way too broad. There is no such industry. And they keep going to states looking for this. One of the claims that you may hear in support of this is that they've received a federally supported apprenticeship program, and that's true. There is an EST federal apprenticeship program received about five years ago. There's 45 people in five years that have signed up to be apprentices. That gives you a little indication that it isn't very applicable. Of those 45 individuals, I know because I've checked with companies, some of them have already dropped out. Again, this is not accepted by the industry. In fact, if you look at it, NSCA and CEDIA members aren't accepting it. They've got several thousand members, but how do you only end up with 45 people who signed up for their apprenticeship programs? This lack of support is why they're here in Nebraska, and I think I can speak as a Nebraskan. They're here to look and see if they can get a study going, a bill going, because they don't receive industry's backing for their certification programs. It's failed. Again we have 5,600 people...you'll hear from BICSI, they have over 5,000 people that are certified. We'll estimate, although they'll never mention how many they have, they have less than 200. It is again a solution for a problem that

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doesn't exist. If you look for your Nebraskans to come forward and say we need this to protect us as citizens for public safety, we need this as a citizens to protect us for consumer protection, you haven't heard that. What you've heard is two associations that have not been able to get their own members or anybody else's members to support their certification program. They're asking you to make it voluntary. We know how voluntary that becomes; it quickly becomes mandatory. And that's what they're doing here in Nebraska. They came to our unicameral, just like they came to New Hampshire. Small states, slide it through, build some momentum, end up going to other states. I know you too well to think that will happen. I think you just need to look very carefully at what's being proposed. You hear the nature of what they're showing you is all residential and they talk about problems in the residential, but yet they've got a solution that goes towards all commercial and every place else. Our member companies install systems at Union Pacific, they install systems, Omaha Public Schools, University of Nebraska, all these chimerical systems from big command and control centers to big audiovisual systems to small systems like these in hearing rooms. These members have worked and trained themselves and their own members using our certification to protect their customers, and frankly to protect the public. We don't need the EST to go beyond that. Thank you very much. [LR344]

SENATOR JANSSEN: Thank you. Any questions? I don't see any. Thank you for being here. The next testifier, please. [LR344]

RANDY ANDERSON: Senator Janssen, committee members, I'm Randy Anderson. I'm the executive director of the State Electrical Division, A-n-d-e-r-s-o-n. I'm here to bring a little bit of information to this on what the board has been doing. We've been looking in to this for over two years. To give you an idea of what we're about, right now there's a little over 9,000 licensed electrician sin Nebraska. We have about 5,250 active permits as of today, and 15 inspectors working on those. So we're looking at probably the upper 300s, almost 400 per inspector--some less, some more. The board feels that in Nebraska, 81-2106 of the Nebraska Electrical Act requires a person to be licensed to install certain low voltage. We have written an act to, or not written into the act but made a policy that the analog is still being required to be installed by licensed people. We are allowing the technician to hook the ends up so that it gets terminated properly. We have Xed digital out just because of lack of manpower; we don't have enough people to look at it all. But as far as the life safety of it goes, they were talking about cabling above the suspended ceilings. We do, the inspectors do look for that, even though there's no permit required right now, because there's nothing in our act that...the act basically states equipment for light, heat, power, and then other purposes, which is a broad range. But I can tell you that my inspectors are looking for Teflon-coated cable and some of the gentlemen in the room might not have had it happen yet because obviously we're not getting to every job. Every job doesn't have a permit. There could be lots of stuff getting installed that we don't see. But we do look for anything that might be in a plenum, cutting through with a raceway where there's electrical. We're quite aware of

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the separation between our cables and theirs, and most of the time we recommend that we don't say, hey, you have to move this, but we'll say, you know, if you pull them in the same hole you're going to have problems. We also know that the Fire Marshal's Office, State Fire Marshall checks for fire stops if you they drill through walls or things of this nature, to make sure that the fire barrier was not broken. We do look for the abandoned cables that might smoulder as was testified on before. But, no, we're not going to catch every one. But the board at this time does not feel that a license with no regulation would really help the cause at all. And that's why the board has looked into this for over two years, and it's their feeling that if they put a license in effect we want to regulate that license so you know your good guys, bad guys, so we know we're going to soon eliminate the bad ones as you know, or at least you have a record of who's causing good or bad. If you did decide to instate a license, the board would, as the regulating authority, would like to be involved in that, and we would like to do that rather than out-state, but at this time, not that we're against licensure, it's just that licensure without regulation the board does not feel is going to gain anything but make somebody get a license to say I've got a license. And you could go get that and never do it right. There's people that do it right and there's people that do it wrong. We have licensed contractors in our state that do it wrong every day and get caught and written up for it. Just strictly a license does not make you a better installer. The continued education is an excellent idea though. It's worked. It is also in our state act. And also 81-2104, number 5, of our Nebraska State Electrical Act adopts the National Electrical Code as the standards that govern Nebraska. And just so you're aware of that, Article 800 which covers the communications these people are talking about, is in there. Even though the state does not have an inspector looking at it, my understanding is, since this is state law, if you're doing it in Nebraska, it is up to you to be doing it according to these standards that are set in place. Thank you very much. [LR344]

SENATOR JANSSEN: Any questions? Senator Connealy. [LR344]

SENATOR CONNEALY: Especially in residential but everywhere, this is exploding, the low voltage. This is...it's been around awhile but... [LR344]

RANDY ANDERSON: Yes. In fact the board has just said, you know, the act was written in '76 and we're looking into now how we can bring it into the future because we realize the technology, everything, how it's done, is changing. It's definitely a change in field that needs to be looked into. Their main concern was that we regulate it, and if we do, do a license, then let's do a regulation where we go out and look at what they're doing and we regulate how it's installed if we're really going to protect the citizens of Nebraska. And we feel at this point the life safety end of it, which like some of them said, it's low voltage, might not cause a fire, but there are fumes and we are trying to look at that. But I can't tell you that we're doing it all. [LR344]

SENATOR JANSSEN: All right. Randy, so you're saying then that you do, when your

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inspectors go out and inspect a building, they do look at the installation of this type of low voltage. [LR344]

RANDY ANDERSON: Right. I wouldn't say that we inspect everything...I wouldn't like to you and say that we're looking at everything, but the guys do look above the ceiling. And if they see cabling that isn't Teflon, I'm sure some of the installers in here...well, probably not these guys because the ones that testified and said they're making sure it's Teflon cable...but if we have people out there that are putting in cable that is not Teflon coated, we're going to mention it to the general contractor. And we have ways, even though it's not our enforcement, of going to the local building inspector or somebody like that to make sure that cable...or if it cuts through a duct or a plenum. One of the gentlemen talked about making a hole and running a bunch of cables through there. We do look at that stuff and then we bring it either to the owner's attention or the general contractor on the job that, hey, this is not done right. [LR344]

SENATOR JANSSEN: What about the do-it-yourself fellow? There is a lot of that, and that could be dangerous also. [LR344]

RANDY ANDERSON: Like I said, we only get in where there's a permit, so there's jobs where these gentlemen are out installing stuff that you'd never see an inspector because it was installed at a location where no permits were required, no inspector of any kind is on there, and there would be several of those, yes. But making a certified license, I don't know if I...I've been an electrician for 32 years and I've been a contractor since 1986. I'm conscientious, I go for my training. We all know if you're a fly-by-nighter you're going to get this license and you're still going to install it...if there's no regulation, you're going to get the license so you can hang it in your front window and then you're going to go install it just like you installed it before you got the license if there's nobody there checking. If big brother isn't looking over your shoulder and you're a bad guy, you're going to be a bad guy with or without this certification. [LR344]

SENATOR JANSSEN: Okay. Thank you. [LR344]

ROB LOGSDON: Senator Janssen and members of the committee, my name is Rob Logsdon, L-o-g-s-d-o-n. I'm director of regulatory affairs for Cox Communications in Omaha. I appear here today on behalf of the Nebraska Cable Communications Association. We agree with the testimony previously provided by the Nebraska Telephone Association. The exclusion they mentioned should also include companies that install broadband products and services and have entered into franchise agreement with any city, county, or state political subdivision. In other words, the exemption from licensing and regulation should not only apply to telephone companies but to cable system operators, as well. Cable companies are not always subject to the jurisdiction of the Public Service Commission but they are subject to the terms and conditions and franchise agreement with the elected governing bodies. It appears the electronic service

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technician licensing seems to be focused on security and home entertainment issues, and we would just look for a good definition should this move forward. I'd be happy to answer any questions. [LR344]

SENATOR JANSSEN: Questions of Mr. Logsdon? I don't see any. Thanks for being here today, Rob. [LR344]

ROB LOGSDON: Thank you. [LR344]

DAVID CRANMER: (Exhibit 6) Senator, members of the committee, thank you for allowing me the opportunity to address your committee today. I'm David Cranmer, last name C-r-a-n-m-e-r, and I'm the executive director of BICSI, as well as the past-president of the association. BICSI is one of the worldwide sources of information, education, and knowledge for the constantly evolving information transport system industry. Our mission is to lead the information transport systems industry with excellence in publications, education, and knowledge assessments. Our aim is to advance our members' ability to deliver the highest quality products and services. It is also our goal to provide our members with opportunities for continued improvement and enhanced professional stature. We make it clear that BICSI is 100 percent in favor of licensing if the state of Nebraska is looking for that, but we want licensing based on knowledge with everything being equal and not based on membership in any particular organization or association or certification program. We firmly believe that associations that administer certification programs and licensing should be a state-controlled function there. A lot of the comments I have to make here are included in my statement there, and they mirror what Dr. Lemke said earlier. So Senator, in respect of your wishes not to repeat, I won't repeat those here. Our members have been in the low-voltage end of the business for over 25 years and they have the necessary training, skills, and certifications to assist them in continuing and growing their business in the state of Nebraska. BICSI and its members are more than willing to work with the state of Nebraska to develop a licensing program if that's what you desire to do, but again I want to reinforce the fact that we want it based on a knowledge assessment program and not on certifications by any particular association there. Thank you again for allowing me the opportunity to speak here today and I'd be happy to answer any questions for you. [LR344]

SENATOR JANSSEN: Questions? David, how many states do license? This organization? [LR344]

DAVID CRANMER: The BICSI association? [LR344]

SENATOR JANSSEN: How many states are licensing or getting the act like we're talking about today in their states? Do you know how many states? [LR344]

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DAVID CRANMER: You're talking about the low-voltage license? [LR344]

SENATOR JANSSEN: Yes. [LR344]

DAVID CRANMER: Yes. There's only a handful that I know of, California being one. [LR344]

SENATOR JANSSEN: And do you know who they are? [LR344]

DAVID CRANMER: No, sir. California is one. I can't address beyond that though. [LR344]

SENATOR JANSSEN: And how long has that been there, in effect there? [LR344]

DAVID CRANMER: I can't answer that question, sir. I don't know. [LR344]

SENATOR CUDABACK: Okay. Maybe someone else can. I see a hand come up out there. Matt, did you have a question? [LR344]

SENATOR CONNEALY: That was mainly, Senator, but those same states have permits and inspections by the state electrical board or some other board... [LR344]

DAVID CRANMER: That's correct. [LR344]

SENATOR CONNEALY: ...and that's the way they are going. They're not just going with a certification. []

DAVID CRANMER: Oh, definitely not. No, there's permitting involved. [LR344]

SENATOR CONNEALY: Okay. [LR344]

SENATOR JANSSEN: I don't see any other questions. Thank you. [LR344]

DAVID CRANMER: Thank you very much. [LR344]

MICHAEL MERIDITH: Mr. Chairman and members of the committee, thank you for your time this afternoon. I promise to be brief and try not to repeat what everyone else has said here. My name is Michael Meridith, and that's M-e-r-i-d-i-t-h. I'm the president of Security Equipment Inc., otherwise known as SEI, and we're a company located in Omaha, Nebraska, with offices in Lincoln. We primarily do fire alarm systems and security systems, and they're low voltage. And we have roughly about 8,000 customers, both residentially and commercially across the state of Nebraska. I'm also here as the president of the Nebraska Association of Alarm Companies. We're a statewide

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association with members in North Platte, Kearney, Hastings, Blair, Ralston, Papillion, Plattsmouth, Lincoln, and Omaha. And we are also opposed to LR344 because it's very broad and we also fall underneath this category and it's really not needed on our side of the industry. We are already licensed by the state's Fire Marshal who is also here today to back that up. He does license all our inspectors and all our installation people on the fire alarm side, and it's very well regulated. On the security side we also have several national organizations that we have licensing through: through the National Burglar and Fire Alarm Association, Underwriters Laboratory has a division that also handles that, and there's several manufacturers that do lots of training on this issue for all our technicians and (inaudible). So we pretty much feel that this is too broad and is not necessary in this state. And that's all I have. If I can answer any questions? [LR344]

SENATOR JANSSEN: Okay. Any questions? And thank you, Mike. [LR344]

MICHAEL MERIDITH: Thanks for your time. [LR344]

RICHARD BOWEN: Thank you for hearing me, Senator Janssen and the committee. My name is Richard Bowen, B-o-w-e-n. I am general manager of Kure Associates, which is a contracting firm based in Omaha and Lincoln. We do a lot of work throughout the state of Nebraska. I'll make this fast. Most of the stuff I wanted to say has already been said. I'm opposed to this measure although I'm not opposed to licensing in general. I just don't like the way this thing is being pushed through. I guess really that's all I have to say. I think that it's a problem that doesn't exist yet and that there already are plenty of voluntary standards out there right now from various manufacturers in anything you wanted to do. [LR344]

SENATOR JANSSEN: Okay. You made the statement you don't see any problems yet. Do you think there can be problems? [LR344]

RICHARD BOWEN: I'm a licensed electrical contractor in this state, as well. Our company does the power side and the low-voltage side. I don't see any problems yet. The low-voltage side is growing but I don't think it's a life safety issue at all, at least not at this time. I mean, as long as you're fire stopping, as long as you're using plenum cable and plenum spaces, those are really the two main issues and I think those are pretty well regulated by the state of Nebraska and the city of Omaha inspections and the various jurisdictions in which they happen. I haven't seen a single problem. [LR344]

SENATOR JANSSEN: Matt. [LR344]

SENATOR CONNEALY: Is Omaha doing it differently than the rest of the state? Do they do more inspection on your business than they do outside? [LR344]

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RICHARD BOWEN: Right now, the city of Omaha has a little problem with their electrical inspectors. They are really understaffed but they're not really looking a lot on the low-voltage side. The inspectors when they're out there, if they see nonplenum cable in plenum spaces, they'll certainly take issue with it. But just as an inspector can't inspect every electrical facet of every high-voltage job, they can't expect to do everything on the low-voltage side either. So they're spot-checking what they can and going on from there. [LR344]

SENATOR JANSSEN: Thank you. How many more do we have? Okay, we're down to about three. [LR344]

MATTHEW HODGES: Good afternoon. Thank you for allowing me to speak to you today. My name is Matthew Hodges, H-o-d-g-e-s. I work for Business Media Incorporated, a small business here located in Lincoln. We do business across Nebraska, Missouri, Kansas, and Iowa. BMI has been in business for 19 years and I've been in the industry for 29 years, every since I was a small child working in my church. BMI consults designs, fabricates, builds, installs, programs, and maintains AV systems. We do this primarily in the commercial markets, but we have done some work in the residential markets as well. I'm certain you're going to hear many other people talking on the issue, and I only want to talk about one aspect of this today. I'd like to address the scope of licensing requirements that should be evaluated in this study. I believe that broad licensing requirements are unnecessary. They're irrelevant to many businesses and they're not fair to small businesses. Broad licensing is unnecessary because current competition in the industry which is very stiff, drives the quality issue. And the solutions that we're providing today are much more sophisticated than they were ten years ago, five years ago, and it requires a certain level of competency. As some other people have testified that the...if you go out and you find someone that isn't certified or isn't registered or whatnot, you're asking for problems, and I agree with that entirely. Building and life safety codes are currently in place to protect consumers. We've talked about plenum cable and all the other things; I'm not going to get into that. There are existing certifications by BICSI, ICIA, and others that cover this industry. And I think those certifications which our company has obtained and our employees have obtained, and we've done that simply because we feel like we need to do that in the best interests of the client. Ultimately it becomes a company issue: Will you become the client's best partner in the business or not? Broad licensing is irrelevant because current certifications exist. We don't need a broad license that covers everything. We need specific certifications to help individuals and businesses. If I were to try and get a broad license, I would have to send people off to training that they wouldn't use on a day-to-day basis. For example, I have an AV business and we specialize in audiovisual and whatnot. If I have to send someone off to get network training or telephone training or alarm training, they're wasting a lot of time doing something, learning about something that they will never use on a day-to-day basis. It costs us money and it costs us time, and it takes those employees away from their day-to-day jobs. With broad

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licensing, it hurts the businesses that want to specialize in certain areas and focus their attentions on one aspect of the business or of the low-voltage industry as a whole. Broad licensing is not fair to small businesses because of the financial burden which I've just mentioned. It also helps larger corporations because if they are able to offer a broader scope of services, it makes sense for them to get a broad scope of training. So I'm opposed to any broad licensing arrangement. I would like to see very specific type of licensing arrangements or restrictions if there are any. I think it is incumbent upon this committee to ensure that any legislation that is brought forward is necessary, relevant, and fair to all parties. Thank you. Any questions? [LR344]

SENATOR JANSSEN: Any questions? Don't see any. Thank you. [LR344]

MATTHEW HODGES: Thank you. [LR344]

SENATOR JANSSEN: Bill. [LR344]

BILL MUELLER: Mr. Chairman, members of the committee, my name is Bill Mueller, M-u-e-l-l-e-r. I appear here today on behalf of the National Electrical Contractors Association, Nebraska chapter. I would have to say in the many years I've done this, this is probably as well-attended an interim study hearing as I've ever participated in, and one of the reasons that I'm here today...and Ruth Chermok our executive director would have been here but she had a medical appointment in Omaha...is just to learn more about this issue. And I don't know if I know any more about the issue or I don't know if we have any more firm a position on the issue, but we certainly have become aware that there are many aspects of this issue... [LR344]

SENATOR JANSSEN: I don't know about you, but I'm learning something. [LR344]

BILL MUELLER: I'm learning a lot. We just want to convey to the committee our willingness and interest to continue to be involved in these issues, representing electrical contractors we are very interested in this issue. You've heard good testimony from the executive director of the Electrical Board. We think it makes sense that if you are going to establish some kind of a licensure system, that it be done through the State Electrical Board. We do support that. We too want to weigh in on our concern about the lack of inspectors and the difficulty in getting projects inspected. And if we're going to broaden the scope of those who are licensed, we think that we need to address or ask you to address the inspection process and the numbers of inspectors. I'd be happy to answer any questions you may have. [LR344]

SENATOR JANSSEN: Any questions of Bill? I don't have any, Bill. Thank you. [LR344]

BILL MUELLER: Thank you. [LR344]

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RAY MOORE: My name is Ray Moore, M-o-o-r-e. I work for a company that is a major manufacturer of communications equipment and we also install data and we also manufacture some data equipment. I'm the license holder for that company throughout the U.S. And I have to apologize, I'm not prepared to make a speech but I thought I should since I don't agree with some of the things that were said. I also have a background as chief electrical inspector. So what I notice here is, is it looks like certification is becoming confused with licensing. Certification is a personal thing that you can pay somebody to certify you to install a particular piece of equipment. Avaya certifies people every day to install Avaya telephone equipment. Somebody mentioned the ASA, the mechanics. But this certification to install a particular piece of equipment should not be criteria for a licensing program. The licensing program should be based on what the individual knows regarding safety and how to install the wiring, how to attach the equipment, and how to be sure that installation is safe, not necessarily even that it works, but that it be safe. If you want to become certified, go anywhere; any major manufacturer will certify you to install his equipment. It's a matter of paying a fee, going to school, getting your red flags, sewing it to your shirt, and waving it around. That's something between you and your customer. The licensing program is something that is between the state Legislature and the citizens of the state as far as safety. And I don't really understand why the Legislature is even considering a voluntary certification program. It's voluntary; there's the key word right there. We have multiple electrical contractor licenses all throughout the U.S., and I deal with this on a day-to-day basis, and it is something that is done in a multitude of ways, but none of the states that deal with low-voltage contracting use certification as a criteria to have that license--none. It's all done on what you know and what kind of test you can pass, and your background, and it all deals with safety. And as far as any standards, wiring standards, the National Electrical Code is out there. That tells you how to put the wire in, where you can and you can't put it; what size wires; anything like that. It may not necessarily tell you how to hook up an Avaya telephone but it tells you how to run a wire to it. There are a number of life safety issues irregardless of what people say. Granted, the voltage range is anywhere from a millivolt up to 50, 60 volts, and in some cases in speaker systems it's 70 volts. That isn't the problem. The problem is when some guys shows up and makes a hole in a fire wall that you can walk through and then leaves after his run his little cable through there that's smaller than your finger. I've seen pictures of 150 blue data wires running through fire dampers. There is no way in the world that's going to stop a fire. This is where your problems are, so if you want to regulate something you should regulate the safety part of this industry, not necessarily whether or not somebody knows how to hook up a Fujitsu amplifier. And certification should not even be considered. And to answer a question, the individual license for this type of work is in Rhode Island, Connecticut, Minnesota, New Mexico, Wyoming, Oregon, Washington, I think Alaska but it's not in California. California licenses low-voltage communications contractors but they do not license the technician. Any questions? [LR344]

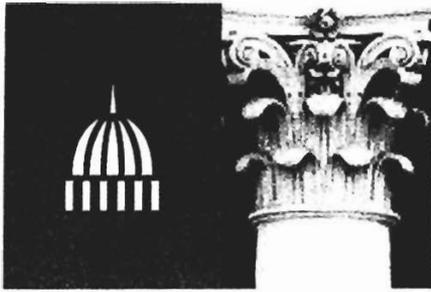
SENATOR JANSSEN: Thank you for the information. It was very thorough. [LR344]

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RAY MOORE: Okay. I see everybody threw a yellow paper up here. There's close to it. [LR344]

SENATOR JANSSEN: Throw a card in; good enough. Any other testifiers? Seeing none, thank you very much. It was an interesting afternoon and I'm sure we all learned a lot. Thank you. That ends the hearing on this particular resolution, LR344. [LR344]



FEBRUARY 2006

VOL. 14, No. 12

Licensing of Electrical Professions

By Jeanne Mejeur

Electrical work is complex and encompasses different types of professions.

Electrical work calls for highly skilled and trained workers and involves a number of specialties. Electricians must be able to safely deliver electrical current to homes and businesses and distribute it within those structures. Contractors who work with low-voltage systems, such as electronic systems technicians, use the power provided by electricians to design, install and program custom electronic and fiber optic systems.

Electricians must have the skills and knowledge to design and install electrical current systems. To do so, they must be able to read blueprints and connect wiring to transformers, as well as install conduits, circuits, outlets and breaker panels in homes and businesses. Their work must comply with national, state, and local building and electrical codes.

Electricians typically are trained in three- to five-year apprenticeship programs that are offered by unions, industry associations and electrical contracting companies. Training includes classroom instruction and on-the-job experience. Organizations such as the National Electrical Contractors Association, the International Brotherhood of Electrical Workers, and the Independent Electrical Contractors Association are primary training sources for electricians.

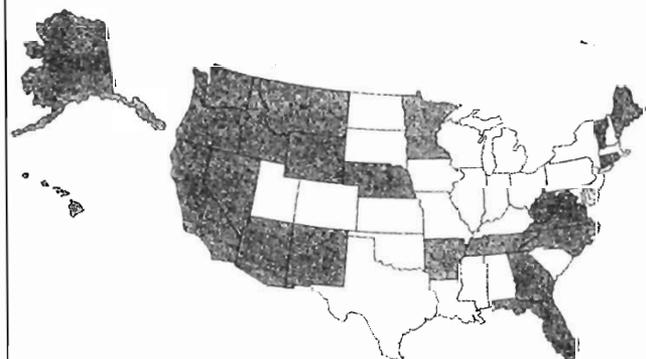
Public safety requires electricians to meet rigorous standards.

Licensing requirements for electricians exist in 39 states and the District of Columbia. Eight states provide for local regulation of electricians. Licensing requirements vary widely, but applicants generally must pass an examination that covers electrical principles, state and local building codes and national electrical codes.

Twenty-four states and the District of Columbia license electricians who work with low-voltage systems.

Electrical specialty systems technicians often are licensed to work with low-voltage or specialty systems. Such systems include entertainment, telecommunications and security systems; they do not involve installation of electrical supply lines. Twenty-four states and the District of Columbia license electrical technicians who work with low-voltage systems or devices. In 20 states, low-voltage work is exempted from electrician licensing laws.

States That Regulate Low-Voltage Electrical Work



■ States that have regulations.
★ Ohio has local licensing.

Source: CEDIA, 2005.

The custom electronics integration industry requires well-trained and knowledgeable electronic systems technicians who can install both wireless and wired applications and can integrate these systems to work in conjunction with each other through a single control device. Electronic systems technicians have specialized skills that include computer programming, systems interfacing, acoustical theory and video calibration. The proliferation of electronics products and systems has prompted the U.S. Department of Labor to recognize electronic systems technicians as a separate profession in its 21st Century Workforce Initiative.

Different skills are required for electronic systems technicians.

The Custom Electronic Design and Installation Association (CEDIA) has developed a Model Electronic Systems Technicians Licensing Act to ensure proper training and education for technicians and establish standards for the profession. It also provides for representation on state electrical licensing boards.

Electronic systems technicians also can become certified through the Professional Certification Program offered by CEDIA. To earn the designation, technicians must complete coursework and pass a nationally standardized examination.

State Action

The growing complexity of the electrical profession has prompted many legislatures to examine their current electrical licensing laws to determine if they adequately cover the services and products that now are available to businesses and consumers.

Twenty-two states considered licensing or regulations related to electricians or electronic systems technicians during the 2005 legislative session. Bills passed in at least six states: **Arkansas** (SB 1131), **Connecticut** (HB 6858), **Georgia** (HB 207), **Idaho** (HB 139), **Minnesota** (HB 1521), **Oregon** (HB 2596), and **Rhode Island** (SB 641). In preparation for the 2006 legislative session, New Hampshire already has introduced a bill (HB 1595) that provides for the voluntary certification of electronic systems technicians.

Twenty-two states considered licensing or regulations for electricians or electronic systems technicians in 2005.

Selected References

- Electronic Systems Contractors State Licensing and Regulatory Reference Directory.* Indianapolis, Ind.: Custom Electronic Design and Installation Association, 2005.
- National Electrical Code ((NFPA 70).* Quincy, Mass.: National Fire Protection Association, 2005.
- State Electrical Regulations - Guide to State Electrical Codes, Enforcement, and Licensing.* Bethesda, Md.: National Association of Electrical Contractors, 2004.

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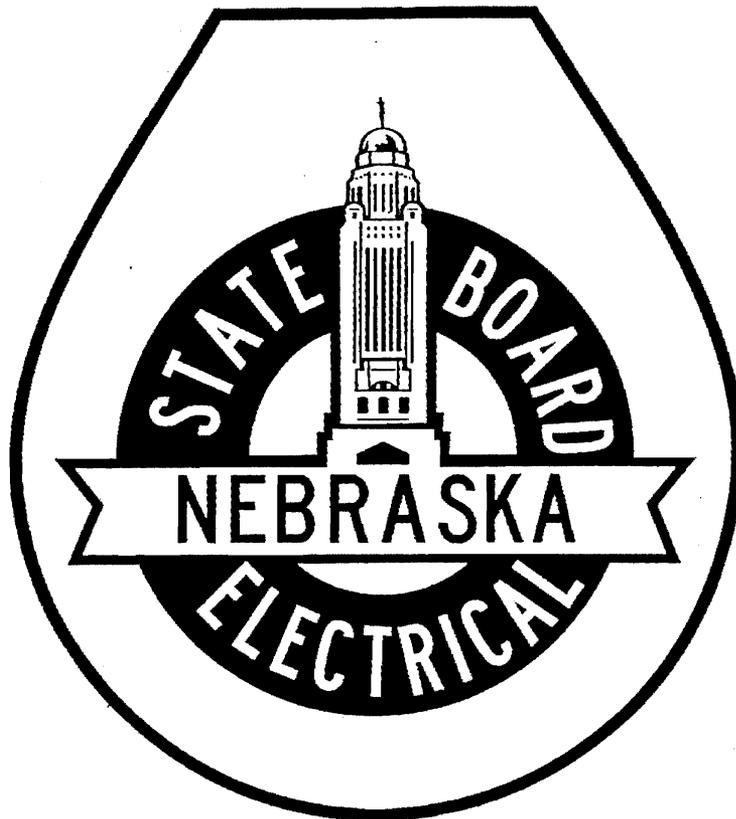
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**STATE ELECTRICAL ACT
AND
STATE ELECTRICAL BOARD RULES**



April 2005

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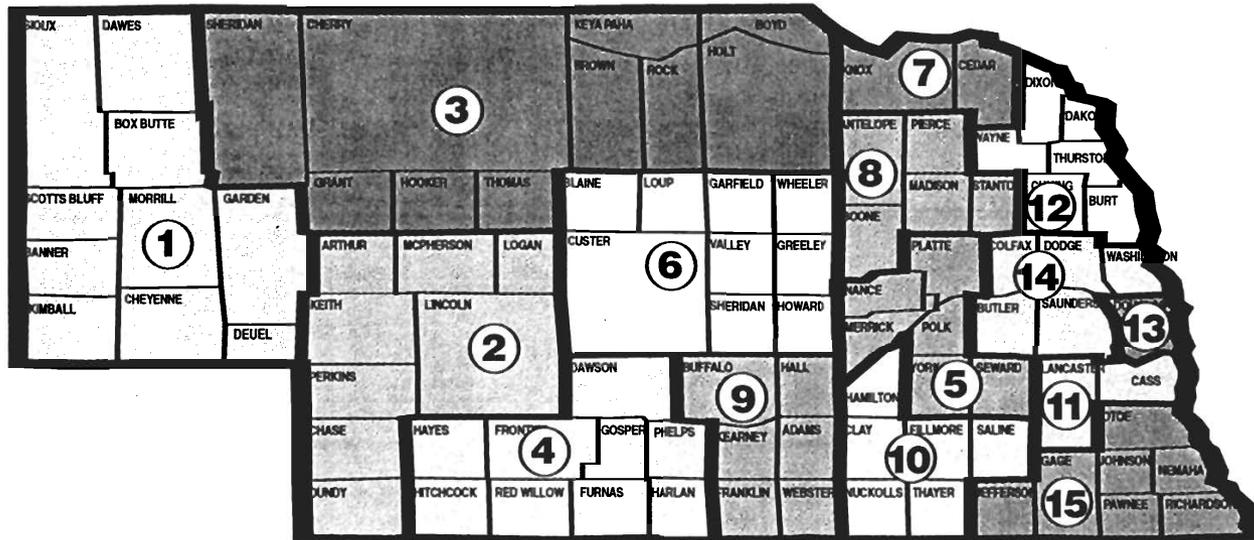


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February, 2005

DISTRICT 1	DISTRICT 2	DISTRICT 3	DISTRICT 4	DISTRICT 5	DISTRICT 6						
Banner Box Butte Cheyenne Dawes Deuel	Garden Kimball Morrill Scotts Bluff Sioux	Arthur Chase Dundy Keith	Lincoln Logan McPherson Perkins	Boyd Brown Cherry Grant Holt	Hooker Keya Paha Rock Sheridan Thomas	Dawson Frontier Furnas Gosper Harlan	Hayes Hitchcock Phelps Red Willow	Merrick Nance Platte	Polk Seward York	Blaine Custer Garfield Greeley Howard	Loup Sherman Valley Wheeler
Ted Vakoc 50161 Brannan RD Minatare NE 69356-4463 308-783-2744 Cellular 308-631-1828	Jim Ransdell PO Box 1691 North Platte NE 69103-1691 308-535-8089 Cellular 308-530-2783	Bill Krueger 542 N Howe Street Valentine NE 69201-1633 402-376-2276 Cellular 402-389-0199	Roger Downs PO Box 531 Oxford NE 68967-0531 308-824-3243 Cellular 308-325-2219	Jerry Pralle York Mobil Plaza, Lot 25 York NE 68467 402-362-7064 Cellular 402-461-8574	Kim Farnstrom 437 Westridge Drive Ord NE 68862-1657 308-728-7612 Cellular 308-750-1841						
DISTRICT 7	DISTRICT 8	DISTRICT 9	DISTRICT 10	DISTRICT 11	DISTRICT 12						
Cedar Knox	Antelope Boone Madison	Pierce Stanton	Adams Buffalo Franklin	Hall Kearney Webster	Clay Fillmore Hamilton	Nuckolls Saline Thayer	Cass Lancaster	Burt Cuming Dakota	Dixon Thurston Wayne		
Randall Anderson <i>Chief Electrical Inspector</i> 57489 889th Road Wynot NE 68792-2039 402-692-3193 Cellular 402-649-7730	Randall Bruening 305 E 2nd Street Madison NE 68748-6403 402-454-3742 Cellular 402-649-7742	Ron Drudik 5205 W 42nd Street Juniata NE 68955-0344 402-462-1988 Cellular 402-460-0260	Robert Colman 125 South 4th Geneva NE 68361-1832 402-759-3866 Cellular 402-440-5740	Michael Bouwens 5335 Prescott Avenue Lincoln NE 68506-5438 402-471-4088 Cellular 402-499-5842	Ronald Francis 807 6th Street Beemer NE 68716-4207 402-528-3899 Cellular 402-440-5739						
DISTRICT 13	DISTRICT 14	DISTRICT 15	OFFICE								
Douglas Sarpy	Butler Colfax Dodge	Saunders Washington	Gage Jefferson Johnson	Otoe Pawnee Richardson	TED FREDA MELISSA FAX	402-471-3550 402-471-1058 402-471-3507 402-471-4297					
Dennis Carraher 105 Meadow Lane Gretna NE 68028-7811 402-332-5044 Cellular 402-443-8222	James Wilson 1501 Long Lane Ashland NE 68003-2317 402-944-7405 Cellular 402-499-5841	Gaylen Cox 1116-7th Street Fairbury NE 68352-2114 402-729-2861 Cellular 402-643-0052									

NEBRASKA STATE ELECTRICAL DIVISION STATE ELECTRICAL INSPECTORS AND DISTRICTS



ii

1 Ted Vakoc
Minatare

2 Jim Ransdell
North Platte

3 Bill Krueger
Valentine

4 Roger Downs
Oxford

5 Jerry Pralle
York

6 Kim Farnstrom
Ord

7 Randall Anderson
Wynot

8 Randall Bruening
Madison

9 Ronald Drudik
Juniata

10 Robert Coleman
Geneva

11 Michael Bouwens
Lincoln

12 Ronald Francis
Beemer

13 Dennis Carraher
Gretna

14 James Wilson
Ashland

15 Gaylen Cox
Fairbury

STATE OF NEBRASKA
State Electrical Division
800 South 13th St Suite 109
PO Box 95066
Lincoln, NE 68509-5066
(402)471-3550 FAX 471-4297

MUNICIPAL AND COUNTY ELECTRICAL INSPECTION PROGRAMS

April 4, 2005

MUNICIPAL PROGRAMS

Alda (1)	Alliance	Arapahoe	Arlington (4)
Auburn	Bellevue	Bennington (8)	Blair
Cairo (1)	Cheney (2)	Columbus	Dakota City* (5)
Doniphan (1)	Elkhorn	Emerald (2)	Falls City
Fort Calhoun*	Fremont	Gering (6)	Gothenburg*
Grand Island	Gretna*	Hastings	Hickman*
Holdrege	Homer* (5)	Kearney	Kennard (4)
Laurel	Lexington*	Lincoln	Lyman (3)
Martel (2)	McGrew	Milford*	Millard (7)
Minatare	Mitchell (3)	Morrill (3)	Norfolk
Omaha	Panama*	Papillion	Princeton (2)
Ralston	Schuyler	Scottsbluff	Seward
Sidney	South Sioux City*	Springfield*	Syracuse
Terrytown (6)	Valley	Washington (4)	Waterloo
Wood River (1)	York		

COUNTY PROGRAMS

Douglas	Hall	Lancaster	Sarpy*
Scotts Bluff	Washington		

Note: (*) Denotes Single-Family Residential Inspection Only
(1) Hall County Inspects
(2) Lancaster County Inspects
(3) Scotts Bluff County Inspects
(4) Washington County Inspects
(5) City of South Sioux City Inspects
(6) City of Scottsbluff Inspects
(7) City of Omaha Inspects
(8) Douglas County Inspects

All public educational facilities and all state owned property remain under the jurisdiction of the State Electrical Division, no matter where they are located

IMPORTANT FACTS TO HELP YOU

LICENSING

- * The proper type of State electrical license is required to install any electrical work on any project within the jurisdiction of the State Electrical Division. A State license is required for all State property.
- * All State electrical licenses expire December 31 of each even numbered year. Twelve hours of continuing education, with a minimum of six hours on the National Electrical Code, are required to renew any electrical license issued. These hours must be obtained within the two-year licensing period. All expired licenses held after March 31 of each odd numbered year cannot be renewed.
- * For every three apprentice electricians on a project, there must be at least one licensed electrician supervising them.
- * Nebraska has reciprocal Journeyman Electrician licensing agreements with Alaska, Arkansas, Colorado, Idaho, Minnesota, Montana, North Dakota, South Dakota, Utah, Washington, and Wyoming. In addition, Nebraska has a reciprocal Electrical Contractor licensing agreement with Minnesota and South Dakota.
- * All license holders are automatically on the State Electrical Division mailing list. **Notify this office when changing address.**
- * Residential property owners may install electrical wiring on their principal residence property without being licensed. This does not include a relative's home, rental property, or recreational properties.

INSPECTION

- * An electrical inspection request form is required to be submitted at or before commencement of any work installed within State jurisdiction. A fifty-dollar late fee will be assessed if work is started without one.
- * All public educational facilities, no matter where they are located, are within the jurisdiction of the State Electrical Division.
- * All State of Nebraska property, no matter where it is located, is within the jurisdiction of the State Electrical Division.
- * Unless a Nebraska County has a State Electrical Board approved inspection program to make their own inspections, all County property, no matter where it is located, is within the jurisdiction of the State Electrical Division.
- * Call your State electrical inspector on the Friday before the week you need an inspection. Itineraries are planned on Friday for the next week.
- * The first reinspection made after a Correction Order is issued will cost fifty dollars. The next reinspection fee associated with the same correction order costs seventy-five dollars. Subsequent reinspections are one hundred dollars each.

- * A rough-in inspection is required before any wiring is to be covered by building walls, ceilings or floors. Failure to request the inspection may result in removal of the covering to make an inspection possible.
- * Inspection is required on all new wiring installed for single-family residential applications when new service equipment is installed.

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NEBRASKA STATE ELECTRICAL ACT
Neb.Rev.Stat. § 81-2101 TO 81-2143

ARTICLE 21 – CHAPTER 81
STATE ELECTRICAL ACT

Section.

- 81-2101. Act, how cited.
Source: Laws 1975, LB525, §1; R.S.1943, (1976), §81-571; Laws 1986, LB379, §1; Laws 1993, LB193, §1; Laws 2003, LB126 §1.
- 81-2102. Terms, defined.
Source: Laws 1975, LB525, §2; Laws 1978, LB833, §2; Laws 1981, LB67, §1; R.S.Supp., 1981, §81-572; Laws 1993, LB193, §2; Laws 2003, LB126 §2; Laws 2004, LB914, §1.
- 81-2103. State Electrical Division; created; State Electrical Board; members; duties; qualifications; terms.
Source: Laws 1975, LB525, §3; Laws 1978, LB833, §2; R.S.Supp., 1980, §810573; Laws 1982, LB490, §1; Laws 1993, LB193, §3; Laws 2003 LB126 §3.
- 81-2104. State Electrical Board; powers enumerated.
Source: Laws 1975, LB525, §5; Laws 1978, LB906, §1; Laws 1978, LB833, §3; Laws 1981, LB77, §1; R.S.Supp., 1981, §81575; Laws 1984, LB946, §1; Laws 1987, LB69, §1; Laws 1990, LB863, §1; Laws 1993, LB215, §2; Laws 1993, LB193, §4; Laws 1993, LB192, §1, Laws 1996, LB933, §1, Laws 1999, LB91, §1, Laws 2002, LB873 § 1; Laws 2003 LB126 §4.
- 81-2105. Electrical Division Fund; created; how funded; board; expenses.
Source: Laws 1975, LB525, §6; R.S.1943, (1976), §81-576; Laws 1993, LB193, §5.
- 81-2106. Plan, lay out, or supervise certain activities; license required; exceptions.
Source: Laws 1975, LB525, §7; Laws 1978, LB833, §4; R.S.Supp., 1980, §81-577; Laws 1993, LB193, §6; Laws 2003 LB126 §5.
- 81-2107. Electrical Contractor license; applicant; qualifications; Class B electrical contractor license and Class B master electrician license; restriction on license.
Source: Laws 1975, LB525, §9; Laws 1978, LB833, §6; R.S.Supp., 1980, §81-578; Laws 1993, LB193, §7; Laws 2003 LB126 §6.
- 81-2108. Wiring or installing; license required; exceptions; lending license prohibited.
Source: Laws 1975, LB525, §9; Laws 1978, LB833, §6; R.S.Supp., 1980, §81-579; Laws 1982, LB605, §1; Laws 1993, LB193, §8; Laws 2003 LB126 §7; Laws 2004, LB914, §2.
- 81-2109. Journeyman electrician license; qualifications; Class B journeyman electrician license; restriction on license.
Source: Laws 1975, LB525, §10; R.S.1943, (1976), §81-580; Laws 1993, LB193, §9; Laws 2004, LB914, §3.
- 81-2110. Installer; license; rights and privileges.
Source: Laws 1975, LB525, §11; R.S.1943, (1976), §81-581; Laws 1993, LB193, §10.

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- 81-2112. Special electrician license; licensee; rights and privileges; qualifications.
Source: Laws 1975, LB525, §13; R.S.1943, (1976), §81-583.
- 81-2112.02. Fire alarm installer; license; rights and privileges; experience.
Source: Laws 1993, LB193, §11.
- 81-2113. Apprentice electrician; registration; supervision.
Source: Laws 1975, LB525, §14; Laws 1981, LB67, §2; R.S.Supp., 1981, §81-584; Laws 1993, LB193, §12; Laws 2003 LB126 §8; Laws 2004, LB914, §4.
- 81-2114. State Electrical Division; provide training sessions and sites; fee.
Source: Laws 1975, LB525, §15; R.S.1943, (1976), §81-585; Laws 1993, LB193, §13; Laws 2003 LB126 §9.
- 81-2115. License; written examination; when given; examination required to renew license; when.
Source: Laws 1975, LB525, §16; R.S.1943, (1976), §81-587; Laws 1993, LB193, §14.
- 81-2116. License; issued upon passing examination and showing satisfactory qualifications.
Source: Laws 1975, LB525, §17; R.S.1943, (1976), §81-587; Laws 1993, LB193, §15
- 81-2117.01. License renewal; continuing education required; instructor and course approval; certificate of attendance.
Source: Laws 1993, LB193, §16; Laws 1993, LB215, §3.
- 81-2117.02. License reclassification and renewal.
Source: Laws 1993, LB193, §17; Laws 2003 LB126 §10.
- 81-2118. Licenses; expiration; fees.
Source: Laws 1975, LB525, §19; Laws 1978, LB833,; R.S.Supp., 1980, §81-589; Laws 1984, LB841, §1; Laws 1993, LB193, §18; Laws 2003 LB126 §11; Laws 2004, LB914, §5.
- 81-2119. Death of licensee; representative may carry on business; how long; insurance required.
Source: Laws 1975, LB525, §20; Laws 1978, LB833, §8; R.S.Supp., 1980, §81-590; Laws 1993, LB193, §19 Laws 2003 LB126 §12.
- 81-2120. Licenses; issued without examination; reciprocity with other states.
Source: Laws 1975, LB525, §21; R.S.1943, (1976), §81-591.
- 81-2121. Act; not applicable to certain situations; enumerated.
Source: Laws 1975, LB525, §22; Laws 1978, LB833, §9; Laws 1981, LB67, §3; R.S.Supp., 1981, §81-592; Laws 1986, LB379, §2; Laws 1993, LB193, §20; Laws 2004, LB914, §6.
- 81-2124. Electrical installations; subject to inspection.
Source: Laws 1975, LB525, §24; R.S.1943, (1976), §81-594; Laws 1993, LB193, §21; Laws 2004, LB914, §7.
- 81-2125. State inspection; not applicable in certain political subdivisions; when electrical inspector; certificate of qualification.
Source: Laws 1975, LB525, §25; R.S.1943, (1976), §81-595; Laws 1993, LB193, §22.
- 81-2126. Request for inspection; when required; fees; failure to file request; procedure.
Source: Laws 1975, LB525, §26; Laws 1978, LB833, §11; R.S.Supp., 1980, §81-596; Laws 1982, LB605, §3; Laws 1993, LB193, §23.

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- 81-2127. Inspection; installation not in compliance with standards; written order to condemn; opportunity to correct noncompliance.
Source: Laws 1975, LB525, §27; R.S.1943, (1976), §81-597; Laws 1993, LB193, §24.
- 81-2128. Condemnation or disconnection order; service.
Source: Laws 1975, LB525, §28; Laws 1978, LB833, §12; R.S.Supp., 1980, §81-598; Laws 1993, LB193, §25.
- 81-2129. Installations; connected; certificate of safe operation; dismissal of condemnation or disconnection order; contents of certificate; transient projects; duty of board.
Source: Laws 1975, LB525, §29; R.S.1943, (1976), §81-599.
- 81-2130. Political subdivision inspections; file inspection codes with board; no additional license fee required; powers of political subdivision.
Source: Laws 1975, LB525, §30; R.S.1943, (1976), §81-5,100; Laws 1982, LB605, §4; Laws 1993, LB121, §546.
- 81-2132. Inspections; not required; when.
Source: Laws 1975, LB525, §32; R.S.1943, (1976), §81-5,102; Laws 1993, LB193, §26.
- 81-2133. Supplier of electrical energy; liability limited; exception.
Source: Laws 1975, LB525, §33; R.S.1943, (1976), §81-5,103.
- 81-2134. State inspection; procedures.
Source: Laws 1975, LB525, §34; R.S.1943, (1976), §81-5,104.
- 81-2135. State inspection; fees; when due; when not applicable; schedule of fees.
Source: Laws 1975, LB525, §35; Laws 1978, LB833, §13; Laws 1980, LB957, §1; R.S.Supp., 1980, §81-5,105; Laws 1984, LB841, §2; Laws 1993, LB193, §27; Laws 2003 LB126 §13.
- 81-2136. Inspection; new electrical installation not in compliance with standards; condemnation; when; opportunity to correct.
Source: Laws 1975, LB525, §36; R.S.1943, (1976), §81-5,106; Laws 1993, LB193, §28.
- 81-2137. Inspection; new electrical installation not in compliance with standards; disconnection; when; opportunity to correct.
Source: Laws 1975, LB525, §37; R.S.1943, (1976), §81-5,107; Laws 1993, LB193, §29.
- 81-2138. Noncomplying installation; not dangerous; correction order; contents; failure to correct; effect; liability of energy supplier.
Source: Laws 1975, LB525, §38; R.S.1943, (1976), §81-5,108; Laws 1993, LB193, §30.
- 81-2139. Correction order; countermanded or extended; written request; action on.
Source: Laws 1975, LB525, §39; R.S.1943, (1976), §81-5,109.
- 81-2140. Condemnation, disconnection, and correction orders; forms; service; manner.
Source: Laws 1975, LB525, §40; Laws 1978, LB833, §14; R.S.Supp., 1980, §81-5,110; Laws 1993, LB193, §31.

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- 81-2141. Appeal from condemnation or disconnection order; time; stay of appeal; conditions.
Source: Laws 1975, LB525, §41; Laws 1978, LB833, §15; R.S.Supp., 1980, §81-5,111; Laws 1993, LB193, §32; Laws 2003 LB126 §14.
- 81-2142. Appeal; hearing officer; hearing; decision by board; notice; opportunity to present evidence; hearing date.
Source: Laws 1975, LB525, §42; R.S.1943, (1976), §81-5,112.
- 81-2143. Violations, enumerated; penalties.
Source: Laws 1975, LB525, §43; Laws 1977, LB39, §292; R.S.Supp., 1980, §81-5,113; Laws 1993, LB193, §33.
- 81-2145. Repealed. Laws 2003 LB126 §16.

NEBRASKA STATE ELECTRICAL ACT

81-2101. Act, how cited.

Sections 81-2101 to 81-2143 shall be known and may be cited as the State Electrical Act.

81-2102. Terms, defined.

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 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 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

NEBRASKA STATE ELECTRICAL ACT

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 and who is licensed by the board;

7) **Commercial installation** means an installation intended for commerce or for a family dwelling in excess of a single-family living unit;

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;

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;

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 and who is licensed by the board;

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;

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;

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

NEBRASKA STATE ELECTRICAL ACT

15) **Public-use building or facility** means any building or facility designated for public use;

(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;

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

(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

(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.

81-2103. State Electrical Division; created; State Electrical Board; members; duties; qualifications; terms.

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 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 registered professional engineer, one shall be a representative of a public power district or rural electric cooperative in the state, 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 members of the board shall be appointed for staggered 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 board shall serve until his or her successor is appointed and qualified. 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.

NEBRASKA STATE ELECTRICAL ACT

81-2104. State Electrical Board; powers enumerated.

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 2005, Publication Number 70-2005, and amendments to the code adopted as of January 1, 2003, which code and amendments 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 that protect public safety and health and property and that apply to all electrical wiring which is installed subject to the State Electrical Act;
- (6) Revoke, suspend, or refuse to renew any license or registration granted pursuant to the State Electrical Act when the licensee or registrant (a) 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, (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

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pursuant to subdivision (5) of this section, any death by electrocution that occurs within the State of Nebraska;

- (10) Refuse to renew any license granted pursuant to the act when the licensee fails to submit evidence of completing the continuing education requirements under section 81-2117.01;
- (11) Provide for the amount and collection of fees for inspection and other services;
- (12) Adopt a seal, and the executive secretary shall have the care and custody thereof; and
- (13) Enforce the provisions of the National Electrical Code as adopted pursuant to subdivision (5) of this section.

81-2105. Electrical Division Fund; created; how funded; board; expenses.

There is hereby created the Electrical Division Fund. All money received under the State Electrical Act shall be remitted to the State Treasurer for credit to the fund.

Each member of the board shall 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 fund.

81-2106. Plan, lay out, or supervise certain activities; license required; exceptions.

Except as provided in section 81-2108, 81-2110, or 81-2112, 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 B electrical contractor, an electrical contractor, a Class A master electrician, or a Class B master electrician.

81-2107. Electrical contractor license; applicant; qualifications; Class B electrical contractor license and Class B master electrician license; restriction on license.

- (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, (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

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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.

81-2108. Wiring or installing; license required; exceptions; lending license prohibited.

- (1) Except as provided in subsection (2) of this section or in section 81-2110 or 81-2112, 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, 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 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.

81-2109. Journeyman electrician license; qualifications; residential journeyman electrician license; Class B journeyman electrician license; restriction on license.

- (1) On and after September 9, 1993, an applicant for a journeyman electrician license shall have 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. 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) On and after the effective date of this act, an applicant for a residential journeyman electrician license shall have at least three 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. 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. A residential journeyman electrician license shall be valid only for residential installations.

- (3) A Class B journeyman electrician license shall be valid 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 municipality which has a population of less than one hundred thousand inhabitants.

81-2110. Installer; license; rights and privileges.

Any person holding an installer license may 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 having a population of less than one hundred thousand inhabitants.

81-2112. Special electrician license; licensee; rights and privileges; qualifications.

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 he is licensed.

81-2112.02. Fire alarm installer; license; rights and privileges; experience.

On and after September 9, 1993, 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.

81-2113. Apprentice electrician; registration; supervision.

- (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, a Class A master electrician, or a Class B master electrician as provided in subsection (2) of this section.

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- (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.

81-2114. State Electrical Division; provide training sessions and sites; fee.

The State Electrical Division may:

- (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; 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.

81-2115. License; written examination; when given; examination required to renew license; when.

In addition to the education and experience requirements imposed in the State Electrical Act and except as otherwise provided in section

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81-2116, each applicant shall, prior to issuance of 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 National Electrical Code and upon electrical theory. When answering questions based upon the National Electrical Code, the applicant may refer to an open copy of such code. Examinations shall be given at least twice yearly. Any licensee failing to renew his or her license by April 1 after its expiration shall take the examination before he or she is issued a new license.

81-2116. License; issued upon passing examination and showing satisfactory qualifications.

Any person having been examined 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 for such work, shall be licensed as provided in the State Electrical Act.

81-2117.01. License renewal; continuing education required; instructor and course approval; certificate of attendance.

- (1) In order to renew a license issued under the State Electrical Act, the licensee shall be required to complete 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. The approval by the board of the application shall be

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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;
- (f) 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.

81-2117.02. License reclassification and renewal.

- (1) No license as a Class A master electrician, Class B master electrician, Class B electrical contractor, Class B journeyman elec-

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trician, 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.

81-2118. Licenses; expiration; fees.

All licenses issued under the State Electrical Act shall expire on December 31 of each even-numbered year. All license 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; and
 - (c) Residential journeyman electrician, sixty dollars; and
 - (d) Fire alarm installer, 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 license period for registration 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;

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- (c) Class B master electrician, one hundred twenty-five dollars; and
- (d) Class B journeyman electrician, installer, or special electrician, twenty-five 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.

81-2119. Death of licensee; representative may carry on business; how long; insurance required.

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.

81-2120. Licenses; issued without examination; reciprocity with other states.

To the extent that any other state which provides for the licensing of electricians provides for similar action, the board may grant licenses, without examination, of the same grade and class to an electrician who has been licensed by such other state for at least one year, upon payment by the applicant of the required fee, and upon the board being furnished with proof that the qualifications of the applicant are equal to the qualifications of holders of similar licenses in Nebraska.

81-2121. Act; not applicable to certain situations; enumerated.

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, telephone or telegraph 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 person doing work for which a license would otherwise be required under the act to hold a license issued under the act if he or she is the holder of a valid license issued by any

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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 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 act;
- (4) Require a license of any person who engages any electrical appliance where approved electrical outlets are already installed;
- (5) Prohibit an owner of property from performing work on his or her principal residence, if such residence is not larger than a single-family dwelling, 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 act; or
- (6) Require that any person be a member of a labor union in order to be licensed.

81-2124. Electrical installations; subject to inspection.

- (1) All new electrical installations for commercial or industrial applications, including installations both inside and outside of the buildings, and for public-use buildings and facilities and any 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 in excess of single-family residential applications shall be subject to the inspection and enforcement provisions of the act.
- (3) All new electrical installations for single-family residential applications requiring new electrical service equipment shall be subject to the inspection and enforcement provisions of the act.
- (4) 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.

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81-2125. State inspection; not applicable in certain political subdivisions; when; electrical inspector; certificate of qualification.

- (1) State inspection shall not apply within the jurisdiction of any county, city, or village which provides by resolution or ordinance standards of electrical wiring and its installation that are not less than those prescribed by the board or by 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 act as electrical inspector and to enforce the 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.

81-2126. Request for inspection; when required; fees; failure to file request; procedure.

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 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.

81-2127. Inspection; installation not in compliance with standards; written order to condemn; opportunity to correct noncompliance.

If the inspector finds that any installation or portion of an installation is not in compliance with accepted standards of construction for safety to 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 or order service to such installation disconnected and shall send a copy of such order to the board and the supplier involved. If the installation or the noncomplying part is such as to seriously and proximately endanger human health and property, the order of the inspector when

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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 establish a reasonable period of time for the installation to be brought into compliance with accepted standards of construction for safety to health and property prior to the effective time established in such order for condemnation or disconnection.

81-2128. Condemnation or disconnection order; service.

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, the licensee making the installation, and such other persons as the board by rule or regulation may direct.

81-2129. Installations; connected; certificate of safe operation; dismissal of condemnation or disconnection order; contents of certificate; transient projects; duty of board.

No electrical installation subject to inspection by the board shall be newly connected or reconnected for use until there is filed with the electrical utility supplying power a certificate of the property owner or licensed electrician directing the work that inspection has been requested and that the conditions of the installation are safe for energization. In all cases when an order of condemnation or disconnection has been issued against the installation or any part thereof, prior to connection or reconnection there shall also first be filed with the electrical utility supplying the power a copy of an order of the inspector or the board dismissing such prior order of condemnation or disconnection or approving the installation as being in compliance with accepted standards of construction for safety to life and property, based upon minimum standards set forth in the National Electrical Code. Any supplier may refuse service without liability for such refusal until such conditions have been met. With respect to transient projects, the certificate shall also contain a certification that the request for inspection has been or will be filed with the board so as to be received by it at least five days prior to the date and time energization of the installation by the utility is to occur, and that the request for inspection states such date and time, and it shall be the responsibility of the board to have inspection made of such transient project prior to the date and time at which the request states energization is to occur.

81-2130. Political subdivision inspections; file inspection codes with board; no additional license fee required; powers of political subdivision.

Any political subdivision may make provision for inspection of electrical installations within its jurisdiction, in which case it shall keep

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on file with the board copies of its current inspection ordinances or resolutions and codes. No political subdivision shall require any individual, partnership, limited liability company, corporation, or other business association holding a license from the board to (1) pay any license fee or (2) take any examination if the person holds a current license issued by the board which is of a classification equal to or greater than the classification needed to do the work proposed. Any such political subdivision may provide a requirement that each individual, partnership, limited liability company, corporation, railroad, or other business association doing electrical work within the jurisdiction of such political subdivision have on file with the political subdivision a copy of the current license issued by the board or such other evidence of such license as may be provided by the board.

81-2132. Inspections; not required; when.

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.

81-2133. Supplier of electrical energy; liability limited; exception.

Upon inspection and approval by any certified inspector, all liability upon any supplier of electrical service for subsequent damage or loss arising from any installation shall be terminated, except for any acts of gross negligence by such supplier.

81-2134. State inspection; procedures.

(1) As to state inspections:

- (a) At or before commencement of any electrical installation which is required by law to be inspected, the person responsible for the installation shall forward a request for inspection to the board completed in the manner prescribed by the board; and
- (b) On installations requiring more than six months in the process of construction and in excess of three hundred dollars total inspection fees, the persons responsible for the installation may, after a minimum filing fee of one hundred dollars, pay a prorated fee for each month and submit it with an order for payment initiated by the electrical inspector.

Where wiring is to be concealed, the inspector must be

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notified within reasonable time to complete a rough-in inspection prior to concealment, exclusive of Saturdays, Sundays, and holidays. If wiring is concealed before rough-in inspection without adequate notice having been given to the inspector, the person responsible for having enclosed the wiring shall be responsible for all costs resulting from uncovering and replacing the cover material.

- (3) Inspections shall be made within one week of the appropriate request. When necessary, circuits may be energized by the authorized installer prior to inspection but the installation shall remain subject to condemnation and disconnection.

81-2135. State inspection; fees; when due; when not applicable; schedule of fees.

- (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 if the county, city, or village has adopted an ordinance or resolution as set forth in the State Electrical Act.
- (2) The board shall establish the fees for inspections in amounts not to exceed:
 - (a) Minimum fee for each separate inspection of an installation, replacement, alteration, or repair, twenty-five dollars;
 - (b) Services, change of services, temporary services, additions, alterations, or repairs on either primary or secondary services as follows:
 - (i) Zero to one hundred ampere capacity, twenty-five dollars plus five dollars per branch circuit or feeder;
 - (ii) One hundred one to two hundred ampere capacity, thirty five dollars plus five dollars per branch circuit; and
 - (iii) For each additional one hundred ampere capacity or fraction thereof, twenty dollars plus five dollars per branch circuit or feeder;
 - (c) For field irrigation system inspections, sixty dollars for each unit inspected, and

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- (d) The first reinspection required as a result of a correction order fifty dollars; a second reinspection required as a result of non-compliance with the same correction order, seventy-five dollars; and subsequent reinspections associated with the same correction order, one hundred dollars for each reinspection.
- (3) When an inspection is requested by an owner, the minimum fee shall be thirty dollars plus five dollars per branch circuit or feeder. The fee for fire and accident inspections shall be computed at the rate of forty-seven dollars per hour, and mileage and other expenses shall be reimbursed as provided in section 81-1176.

81-2136. Inspection; new electrical installation not in compliance with standards; condemnation; when; opportunity to correct.

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 adopted by the board pursuant to section 81-2104, he or she shall, if the installation or noncomplying part is such as to seriously and proximately endanger human 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.

81-2137. Inspection; new electrical installation not in compliance with standards; disconnection; when; opportunity to correct.

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 is such as to seriously and proximately endanger human 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.

81-2138. Noncomplying installation; not dangerous; correction order; contents; failure to correct; effect; liability of energy supplier.

When a noncomplying installation or part thereof, whether energized or not, is not proximately dangerous to human health and property, the inspector shall issue a correction order, ordering the owner or

licensee under the State Electrical Act to make the installation comply with accepted standards of construction for safety to health and property, based upon minimum standards 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. 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.

81-2139. Correction order; countermanded or extended; written request; action on.

A correction order of an inspector properly issued may be countermanded or extended by the inspector or his supervisor. Any interested party may demand that an outstanding order be countermanded or extended. Such demand shall be in writing and shall be addressed to the board. If the request to countermand an order is rejected it shall be done so in writing within ten days.

81-2140. Condemnation, disconnection, and correction orders; forms; service; manner.

- (1) Condemnation, disconnection, and correction orders shall be issued on forms prescribed by the board.
- (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 or the property owner. All other orders shall be served personally or by United States mail upon the property owner and the licensee making the installation.
- (3) The power supplier shall be served with a copy of any order, which requires immediate disconnection or prohibits energizing an installation.
- (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.

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81-2141. Appeal from condemnation or disconnection order; time; stay of appeal; conditions.

- (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.

81-2142. Appeal; hearing officer; hearing; decision by board; notice; opportunity to present evidence; time of appeal.

- (1) Upon receipt of a notice of appeal, the chairman or executive secretary of the board may designate a hearing officer from among the board members to hear the appeal or may set the matter for hearing before the full board at its next regular meeting. A majority of the board shall make the decision.
- (2) Upon receiving the notice of appeal, the board shall notify all persons served with the order appealed from. Such persons may join in the hearing and give testimony in their own behalf. The board shall set the hearing date on a date not more than fourteen days after receipt of the notice of appeal unless otherwise agreed by the interested parties and the board.

81-2143. Violations, enumerated; penalties.

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 the State Electrical Act;

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- (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 fail or neglect to comply with the act or any lawful rule, regulation, or order of the board.

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RULE NUMBER 1

Special Electrical Licenses

The special electrician licenses limited to fire alarm or security systems do not qualify the license holder to install the branch circuit supply conductors to the system.

RULE NUMBER 2

Board Meetings

The members of the State Electrical Board shall convene a minimum of six times annually. The Board may convene at other such times and at such locations as it may deem necessary for proper and efficient conduct of its duties. State Electrical Board meetings shall be conducted in accordance with Sections 84-1408 through 84-1414 public meeting.

RULE NUMBER 3

Promulgation, Amendment, or Repeal of Rules

1. Any interested person may petition the Board requesting the promulgation, amendment or repeal of any rule.

2. Such a petition shall show the venue, and state "Before the Nebraska State Electrical Board" and shall be entitled, "In the Matter of" (specifying the name and address of the petitioner and the subject matter); shall state the precise wording of the proposed rule or amendment, or the present rule to be appealed, plus, in ordinary and concise language, without repetition, the reasons for such promulgation, amendment, or repeal; shall be subscribed by the petitioner, or a duly authorized officer of the petitioner, if it be a corporation, or for the petitioner by his attorney, in which case the attorney shall also state his address; and shall request a hearing if one is desired.

3. Each petition for the promulgation, amendment, or repeal of rules must be accompanied by the original and five copies which shall be filed with the Board at its place of official business.

4. The Board, at its discretion, shall determine whether a formal hearing on such petition would assist it. If it so determines, it will set the matter for hearing and give notice to the petitioner and such other parties as it deems necessary by mail. The Board may, at its discretion, notify the petitioner by mail that such

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petition will be considered as submitted to the board and no hearing will be held. The Board will notify by mail the petitioner of the hearing disposition. At the time and place set for the hearing, if any, the Board shall then and there afford the petitioner and any intervenor a reasonable time to discuss the petition.

RULE NUMBER 4

License Revocation Hearings

1. Definitions:

(1) The term "Board" shall mean the State Electrical Board.

(2) The term "License Revocation Hearing" shall mean a case resulting from a charge filed under Section 81-2104 (6) and shall include any case resulting by order of the Board on its own motion to show cause why disciplinary action under such section should not be invoked.

2. Setting of hearings:

The time and place of any hearing before the Board will be set as directed by the Board. Notice of such hearing shall be served by United States mail to all interested parties by mailing a copy of such notice to the interested party at his or her last know address at least 30 days prior to the time of the hearing. Such notice shall include all issues and charges.

3. Pleading:

Any complaint, responsive or rebuttal pleading shall be headed "Before the Nebraska State Electrical Board", and shall contain a heading specifying the nature of the pleading, the name and address of the person accused or subject to investigation. Any responsive pleading shall be filed within thirty calendar days from date of service of the complaint or order to show cause; provided that failure to file such a responsive pleading will be considered as a general denial. All pleadings shall be filed with the Board at its official office. In any contested case the Board will cause a copy of such charges to be served on each person accused, either personally or by registered United States mail, return receipt requested, together with a notice of the time and place of the hearing 30 days prior to the date of the hearing. Responsive or rebuttal pleadings filed shall contain a certificate of mailing, postage pre-paid, of a copy thereof to all interested parties.

4. Continuances:

A continuance of any hearing may be granted at the discretion of the Board upon application of an interested party for good cause shown. The Board may continue any matter on its own motion. Fourteen days notice of the reset hearing shall be given in the manner prescribed for the original hearing, unless waived by all interested parties.

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5. Consolidation:

The Board may order two or more proceedings which are legally or factually related to be heard and considered together.

6. Conduct of Hearings:

Hearings will be conducted before not less than four members of the Board, but any ruling of the Board with respect to such matter shall be concurred in by a majority of Board present. Where the case involves a charge filed by a complainant other than the Board, the complainant shall first put on his or her evidence and then the respondent may put on his or her evidence. If the case is filed by the Board on its own motion requiring the respondent to show cause, the State Electrical Division Executive Director or Attorney for the Board shall offer for the record the evidence giving rise to the case and then the respondent may put on his or her evidence. Rebuttal and surrebuttal shall be permitted. The Board shall rule on motions and objections, and may interrogate any witnesses.

7. Appearances:

Any individual may appear on his own behalf before the Board. An individual may appear on behalf of another in any proceedings before the Board only if: (a) he or she is admitted to practice law before the Nebraska Supreme Court, or (b) he or she is admitted to practice law before the Supreme Court of any state.

8. Briefs:

Submission of briefs may be required by the Board. If required, the time in which briefs shall be filed and the number of copies to be filed shall be fixed by the Board.

9. Oral Argument:

Oral argument at the commencement or close of a hearing may be permitted by the Board at its discretion.

10. Copy of Record:

A transcript of the record of any hearing will be furnished to any interested party upon the payment by such interested party of the costs of its preparation. If a copy of any transcribed testimony at any hearing is desired by an interested party it shall be incumbent upon such interested party to make his or her own arrangements for a copy with the reporter. A copy of any such testimony prepared for the user of the Board may be loaned, at the discretion of the Board, for such period of time as it shall fix.

11. Evidence and Witnesses:

Proceedings with respect to evidence at hearings and related matters are governed by Chapter 84, Article 9, Reissue Revised Statutes of

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Nebraska. Unless a request is made of the Board that it be bound by the rules of evidence applicable in district court in any formal hearing before it, as provided by Section 84-914, the Board shall not be bound by technical common law rules of evidence. Any witness who appears under subpoena of the Board is entitled to the same fee as is paid for like service in the District Courts of Nebraska. A subpoena requiring the attendance of a witness will be issued by the Board on written application of any interested party, provided that such interested party must deposit with the praecipe for subpoena cash or a certified check, payable to the order of the witness, and equal in amount to the fee for one day's attendance at the hearing, plus, if the witness resides outside the corporate limits of the place of the hearing, a fee for travel expense equal to the amount set per mile by the Nebraska Department of Administrative Services for mileage reimbursement.

12. Disposition:

The Board will notify by mail each of the parties to a contested case of the disposition of the case at the time the same is filed. The disposition will be conformity with Section 84-915.

RULE NUMBER 5

Engineer Exemption

Registered Professional Electrical Engineers when planning electrical installations for architects or consulting engineers, shall not be required to be a State electrical license holder.

RULE NUMBER 6

Appeals

1. Definitions:

- (1) The term "Board" shall mean the State Electrical Board.
- (2) The term "appeal" shall mean an appeal resulting from the issuance of a condemnation or disconnection order issued under Section 81-2136, 81-2137, 81-2139.

2. Institution of appeal:

- (1) 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.

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(2) Such an appeal shall show the venue, and state "Before the Nebraska State Electrical Board" and shall be entitled, "In the Matter of" (specifying the name and address of the petitioner and the subject matter); shall state the name and location of the project and inspection number, plus, in ordinary and concise language, without repetition, the reasons for such appeal, shall be subscribed by the petitioner, or a duly authorized officer of the petitioner, if it be a corporation, or for the petitioner by his or her attorney, in which case the attorney shall also state his or her address. Each appeal must be accompanied by the original and five copies which shall be filed with the Board at its place of official business.

3. Stay of order:

(1) 81-2142 (2) Upon receipt of the notice of appeal from a condemnation or disconnection order because the electrical installation is dangerous to health and property, the order appealed from shall not be stayed unless countermanded by the Board.

(2) 81-2141 (3) Upon receipt of notice of appeal from 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 licensee making the installation. The power supplier shall also be notified in those instances in which the order has been served.

4. Setting of Hearings:

The time and place of any hearing before the Board will be set as directed by the Board. Notice of such hearing shall be served by United States mail to all interested parties by mailing a copy of such notice to the interested party at his or her last known address at least 14 days prior to the time of the hearing. Such notice shall include all issues and proposed evidence.

5. Continuances:

A continuance of any hearing may be granted at the discretion of the Board upon application of an interested party for good cause shown. The Board may continue any matter on its own motion. Fourteen days notice of the reset hearing shall be given in the manner prescribed for the original hearing, unless waived by all interested parties.

6. Consolidation:

The Board may order two or more proceedings which are legally or factually related to be heard and considered together.

7. Conduct of Hearings:

Hearings will be conducted before not less than four members of the Board, but any ruling of the Board with respect to such matter shall be con-

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curred in by at least a majority of the Board. The State Electrical Division Executive Director or Attorney for the Board shall offer for the record evidence giving rise to the case and then the respondent may put on his or her evidence. Rebuttal and surrebuttal shall be permitted. The Board shall rule on motions and objections, and may interrogate any witnesses.

8. **Appearances:**

Any individual may appear on his or her behalf before the Board. An individual may appear on behalf of another in any proceeding before the Board only if: (a) he or she is admitted to practice law before the Nebraska Supreme Court, or (b) he or she is admitted to practice law before the Supreme Court of any State.

9. **Briefs:**

Submission of briefs may be required by the Board. If required, the time in which briefs shall be filed and the number of copies to be filed shall be fixed by the Board.

10. **Oral Argument:**

Oral argument at the commencement or close of a hearing may be permitted by the Board at its discretion.

11. **Copy of Record:**

A transcript of the record of any hearing will be furnished to any interested party upon the payment by such interested party of the costs of its preparation. If a copy of any transcribed testimony at any hearing is desired by an interested party it shall be incumbent upon such interested party to make his or her own arrangements for a copy with the reporter. A copy of any such testimony prepared for the use of the Board may be loaned, at the discretion of the Board, for such period of time, as it shall fix.

12. **Evidence and Witnesses:**

Proceedings with respect to evidence at hearings and related matters are governed by Chapter 84, Article 9, Reissue Revised Statutes of Nebraska. Unless a request is made of the Board that it be bound by the rules of evidence applicable in District Court in any formal hearing before it, as provided by Section 84-914, the Board shall not be bound by technical common law rules of evidence. Any witness who appears under subpoena of the Board is entitled to the same fee as is paid for like service in the District Courts of Nebraska. A subpoena requiring the attendance of a witness will be issued by the Board on written application of any interested party, provided that such interested party must deposit with the praecipe for subpoena cash or a certified check, payable to the order of the witness, and equal in amount to the fee for one day's attendance at the hearing, plus, if the witness resides outside of the corporate limits of the place of the hearing, a fee for travel expense equal to the amount set per mile by the

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Nebraska Department of Administrative Services for mileage reimbursement. Said fees shall be paid the witness following his or her appearance in compliance with the subpoena, unless otherwise directed by the Board for good cause shown.

13. Disposition:

The Board will notify by mail each of the parties to an appeal of the disposition of the case at the time the same is filed. The disposition will be conformity with Section 84-915.

RULE NUMBER 7

Liability Insurance

Electrical Contractor, Class A Electrical Contractor, Class B Electrical Contractor, Class A Master, and Class B Master license holders actively engaged in the ownership and operation of an electrical contracting firm shall maintain in force minimum liability insurance in the amount of \$100,000 for each person, \$300,000 each accident and \$100,000 property damage.

Except that when more than one Electrical Contractor, Class A Electrical Contractor, Class B Electrical Contractor, Class A Master, or Class B Master license holder is engaged in the ownership and operation of an electrical contracting firm, only one license holder shall be required to maintain liability insurance in force.

RULE NUMBER 8

Journeyman Applicant Qualifications

The Board shall grant the allowance of one year's experience credit for successful completion of a two year post high school electrical course which is acceptable to the State Electrical Board. A minimum of seven hundred contact hours shall be the equivalent of one year of instruction.

Electrical Contractor Applicant Qualifications

An applicant for an electrical contractor license examination shall:

1. Be a graduate of a four-year electrical engineering course in an accredited college or university and have at least one year experience, acceptable to the board, as a journeyman electrician; or
2. Have at least one year experience, acceptable to the board, as a licensed journeyman electrician; or
3. Have at least five years experience, acceptable to the board, in plan-

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ning for, laying out, supervising, and installing wiring, apparatus, or equipment for electrical light, heat, and power.

RULE NUMBER 9

Special Electrician Licenses Types

Special Electrician licenses issued by the Board prior to September 9, 1993, shall empower the license holder to engage in the following limited classes of electrical work:

Limited to Fire Alarm Systems

Limited to Security Systems

Limited to Air Conditioning and Refrigeration Systems

Limited to Irrigation Systems

Limited to extending the electrical circuit from a junction point located outside of buildings, to on-premises type electrical signs outside of buildings only.

RULE NUMBER 10

License Examinations

1. State electrical examinations shall consist of a minimum of 50 questions. The examinations shall consist of National Electrical Code, Basic Electricity, Nebraska State Electrical Act, Blueprint Reading, Emergency Circuits and Fire Alarm Circuits. The minimum grade considered as passing shall be 75 percent. The fee for reexamination will be the same as the original fee. All applicants may use a slide rule or a numerical non-programmable calculator throughout the examination. Applicants shall be allowed a maximum of three hours to complete the examination.

2. Applicants shall be notified of examination grades within a reasonable period of time.

3. Applicants shall be permitted to review failed examinations within 10 days following the examination date. Such review shall be conducted in the presence of the Executive Director, Chief State Electrical Inspector or State Electrical Inspector conducting the exam.

4. Failure of approved applicants to appear at three consecutive examinations will result in forfeiture of the applicants examination fee.

RULE NUMBER 11

Contested Cases - General Appeals

1. Definitions:

(1) The term "Board" shall mean the State Electrical Board.

(2) The term "Contested Cases - General Appeals" shall mean an appeal resulting from application of the State Electrical Act, excluding Sections 81-2141 and 81-2142.

2. Institution of Appeal:

(1) Any person aggrieved by application of the State Electrical Act, Sections 81-2101 to 81-2140 and 81-2143, may appeal therefrom by filing a written notice of appeal with the Board within thirty days after the date of initial notification, by the State Electrical Division, of the disposition of the case causing grievance.

(2) Such an appeal shall show the venue, and state "Before the Nebraska State Electrical Board" and shall be entitled, "In the Matter of" (specifying the name and address of the petitioner and subject matter); shall state in ordinary and concise language, without repetition, the reasons for such appeal; shall be subscribed by the petitioner, or a duly authorized officer of the petitioner, if it be a corporation, or for the petitioner by his or her attorney, in which case the attorney shall also state his or her address. Each appeal must be accompanied by the original and five copies, which shall be filed with the Board at its place of official business.

3. Setting of Hearings:

The time and place of any hearing before the Board will be set as directed by the Board. Notice of such hearing shall be served by the United States mail to all interested parties by mailing a copy of such notice to the interested party at his or her last known address at least 14 days prior to the time of the hearing. Such notice shall include all issues and proposed evidence.

4. Continuances:

A continuance of any hearing may be granted at the discretion of the Board upon application of an interested party for good cause shown. The Board may continue any matter on its own motion. Fourteen days notice of the reset hearing shall be given in the manner prescribed for the original hearing, unless waived by all interested parties.

5. Appearances:

Any individual may appear on his own behalf before the Board. An individual may appear on behalf of another in any proceedings before the Board only if: (a) he or she is admitted to practice law before the Nebraska Supreme Court, or (b) he or she is admitted to practice law before the Supreme Court of any State.

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6. Oral Argument:

Oral Argument at the commencement or close of a hearing may be permitted by the Board at its discretion.

7. Conduct of Hearings:

Hearings will be conducted before not less than four members of the Board, but any ruling of the Board with respect to such matter shall be concurred in by a majority of Board members present. The Board shall rule on motions and objections, and may interrogate any witnesses.

8. Copy of Record:

A transcript of the record of any hearing will be furnished to any interested party upon the payment by such interested party of the cost of its preparation. If a copy of any transcribed testimony at any hearing is desired by an interested party it shall be incumbent upon such interested party to make his or her own arrangements for a copy with the reporter. A copy of any such testimony prepared for the use of the Board may be loaned at the discretion of the Board for such period of time as it shall fix.

9. Evidence:

Proceedings with respect to evidence at hearings and related matters are governed by Chapter 84, Article 9, Reissue Revised Statutes of Nebraska. Unless a request is made of the Board that it be bound by the rules of evidence applicable in District Court in any formal hearing before it, as provided by Section 84-914, the Board shall not be bound by technical common law rules of evidence.

10. Disposition:

The Board will notify by mail each of the parties to an appeal of the disposition of the case at the time the same is filed. The disposition will be conformity with Section 84-915.

RULE NUMBER 12

Municipal Electrical Examinations

Any person having successfully completed a State Electrical Board approved electrical examination shall be considered as having submitted satisfactory evidence of qualification to perform work in the trade and shall be issued, upon request and payment of license fee, a State electrical license at the same level of qualification on the basis of having passed an approved municipal examination contingent on the provision contained herein.

1. The applicant shall meet State Electrical Board approved minimum experience requirements for the type of license desired.

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2. The applicant shall have achieved a minimum score of 75% on the approved examination.

3. The applicant shall be the holder of a current electrical license issued by the municipality that administered the examination.

Examination Approval

Any Nebraska municipality intending to request State Electrical Board approval or retention of an electrical examination program shall submit the examination prior to the first day of January of each year, with correspondence detailing examination procedure and sample examination to the State Electrical Division for consideration by the State Electrical Board.

A minimum of 10% of the questions comprising the approved examination shall be changed annually.

RULE NUMBER 13

Temporary Services

The installer or electrical contractor shall submit an application for State electrical inspection for the temporary service.

1. The inspection fee shall be based on service capacity and number of branch circuits.

2. The application shall be submitted a minimum of five working days prior to the date energization is required.

3. The State Electrical Inspector may verbally authorize energization following inspection if the installation is in compliance with the provisions of the National Electrical Code referenced in Section 81-2104 (5) of the State Electrical Act.

RULE NUMBER 14

Requests for Inspection

It shall be the responsibility of the installer or electrical contractor to notify the inspector at such times as the project is ready for inspection.

As used in this rule, "ready for inspection" shall mean (1) rough-in inspections necessary prior to the concealment of wiring, and (2) final inspections, and (3) re-inspection required by the issuance of a "correction order". The requirement of timely notification is an ongoing responsibility of the installer or electrical contractor during the entire life of the project.

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Notification shall be made by telephone request or written request to the State Electrical Division or area State Electrical Inspector.

The following standardized inspection procedure applies when the inspector is unable to make contact with a property owner installing wiring pursuant to Sections 81-2121(5) and 81-2124(2) of the State Electrical Act.

(a) The inspector shall leave a doorknob notice card announcing the attempt to conduct an inspection. The notice shall contain instructions for the installer to contact the inspector to schedule an inspection appointment within thirty-days.

(b) If there is no response from the first notice, the inspector shall make an additional attempt to inspect. If the inspector is still unable to make an inspection, the inspector shall leave a second doorknob notice card at the residence. The notice shall inform the property owner of the following:

(i) The installation shall remain subject to inspection by the State Electrical Division;

(ii) The installation may contain hazards to health and property until an inspection is made.

(c) The inspector shall notify the executive director that a second attempt to inspect was unsuccessful and the original application is to be kept on file to remain subject to inspection.

Failure to Request Inspection

Electrical contractors or installers failing to notify the inspector of such times as the project is ready for inspection shall be considered in violation of Rule 14 and may be guilty of a misdemeanor under §81-2143 of the Nebraska Revised Statutes.

Time Limitation; Notification; Extension

(1) When the electrical work called for on an application for electrical inspection and permit number has not been started within five (5) months after the date of issuance thereof, then such permit shall be void and no installation thereunder shall be started until a new permit number has been obtained, and proper fees submitted.

(2) When no progress on the electrical work called for on an application for electrical inspection and permit number has been shown for five (5) consecutive months after the installation has been started, then such permit shall be void, and no additional electrical installation shall be made until a new permit has been obtained and proper fees submitted.

(3) Provided however, the area State Electrical Inspector or Executive Director of the State Electrical Board shall have at the time of expiration date as

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outlined in (1) and (2) above, made written notification to the electrical license holder whose name appears on the application, that such permit will be void after fourteen (14) days of such notification.

(4) Provided however, that if the electrical license holder whose name appears on the application shall have, prior to the time of expiration date as outlined in (1) and (2) above, made written application to the Area State Electrical Inspector or Executive Director of the State Electrical Board for an extension of time, then the area State Electrical Inspector or Executive Director are hereby authorized to grant extensions of time for wiring installations controlled by electrical permits upon clear and convincing proof of a practical hardship, inadvertent delay in financial arrangements, defect in legal titles, material shortages, or other cogent reasons not due to the fault, negligence or failure to act on the part of the license holder whose name appears on the application.

RULE NUMBER 15

Electrical Installations Subject to State Electrical Inspection

“Electrical installations subject to State electrical inspection” shall mean residential, commercial, industrial, public-use buildings and installations, and State of Nebraska owned buildings and property involving new electrical construction work; and any installation at the request of the owner.

“All new electrical installations for residential applications requiring new electrical service equipment” shall mean any building, structure, or pole located on parcels of land either intended for or zoned as single-family residential lots or properties.

The provisions of Section 81-2125 of the State Electrical Act shall not apply to State of Nebraska owned buildings and property, and public educational facilities. These installations shall remain subject to State electrical inspection regardless of location.

RULE NUMBER 16

Inspection By Political Sub-Divisions

Political sub-divisions instituting an ordinance or resolution providing standards of wiring and its installation and inspection that are not less than those prescribed by the Board or the State Electrical Act in residential, commercial, industrial, and public-use buildings and installations shall forward the ordinance or resolution to the State Electrical Division for review by the State Electrical Board. The ordinance or resolution shall be reviewed for commensurability and conflict with the State Electrical Act.

Certification of Electrical Inspector

It shall be the responsibility of the political sub-division to certify all electrical inspectors hired after September 1, 1994, using the Certified State Electrical Inspector qualification guidelines found in Rule 19, and issue to the electrical inspector a certificate of qualification. A copy of the certificate of qualification shall be forwarded to the State Electrical Division with the ordinance or resolution.

State Electrical Board Acknowledgment

Following review and ordinance or resolution corrections, if any, the State Electrical Board shall acknowledge, by motion, recorded in official Board minutes, the proposed wiring and inspection program. The inspection of residential, commercial, industrial, and public-use buildings shall be subject to inspection by the political sub-division. State of Nebraska owned buildings and property, and public educational facilities shall remain subject to State electrical inspection.

Acknowledgment Termination

1. The State Electrical Board may, on its own motion, upon receipt of complaints or charges alleging improper administration of the previously "acknowledged" inspection program institute an investigation of the program.

2. The investigation shall be conducted by the area State Electrical Inspector, Chief State Electrical Inspector, State Electrical Division Executive Director or designated State Electrical Board member.

3. The State Electrical Board, at the conclusion of the investigation shall, by motion recorded in official Board minutes, dismiss the allegations or order a recognition termination hearing.

4. Setting of Hearings:

The time and place of any hearing before the Board will be set as directed by the Board. Notice of such hearing shall be served by United States mail to all interested parties by mailing a copy of such notice to the interested party. Such notice shall include all issues and charges.

5. Pleading:

Any complaint, responsive or rebuttal pleading shall be headed "Before the Nebraska State Electrical Board", and shall contain a heading specifying the nature of the pleading, the name and address of the complainant, and the name and address of the person accused or subject to investigation. Any responsive pleading shall be filed within thirty calendar days from date of service of the complaint or order to show cause; provided that failure to file such a responsive pleading will be considered as a general denial. All pleadings shall be filed with the Board at its official office. In any contested case the Board will cause a copy of such charges to be served on each person accused, either personally or by registered United States mail, return receipt requested, together with a notice of the time and place of the hearing 30 days prior to the date of the hearing. Responsive

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or rebuttal pleadings filed shall contain a certificate of mailing, postage prepaid, of a copy thereof to all interested parties.

6. Continuances:

A continuance of any hearing may be granted at the discretion of the Board upon application of an interested party for good cause shown. The Board may continue any matter on its own motion. Fourteen days notice of the reset hearing shall be given in the manner prescribed for the original hearing, unless waived by all interested parties.

7. Conduct of Hearings:

Hearings will be conducted before not less than four members of the Board, but any ruling of the Board with respect to such matter shall be concurred in by a majority of Board members. Where the case involves a charge filed by a complainant other than the Board, the complainant shall first put on his or her evidence and then the respondent may put on his or her evidence. If the case is filed by the Board on its own motion requiring the respondent to show cause, the State Electrical Division Executive Director or Attorney for the Board shall offer for the record the evidence giving rise to the case and then the respondent may put on his or her evidence. Rebuttal and surrebuttal shall be permitted. The Board shall rule on motions and objections, and may interrogate any witnesses.

8. Appearances:

Any individual may appear on his or her own behalf before the Board. An individual may appear on behalf of another in any proceeding before the Board if: (a) he or she is admitted to practice law before the Nebraska Supreme Court, or (b) he or she is admitted to practice law before the Supreme Court of any State.

9. Oral Argument:

Oral argument at the commencement or close of a hearing may be permitted by the Board at its discretion.

10. Copy Of Record:

A transcript of the record of any hearing will be furnished to any interested party upon the payment of such interested party of the costs of its preparation. If a copy of any transcribed testimony at any hearing is desired by an interested party it shall be incumbent upon such interested party to make his or her own arrangements for a copy with the reporter. A copy of any such testimony prepared for the use of the Board may be loaned, at the discretion of the Board, for such period of time as it shall fix.

11. Evidence:

Proceedings with respect to evidence at hearings and related matters are governed by Chapter 84, Article 9, Reissue Revised Statutes of Nebraska. Unless a request is made of the Board that it be bound by the rules of evidence applicable in District Court in any formal hearing before it, as provided by Sec-

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tion 84-914, the Board shall not be bound by technical common law rules of evidence.

12. Disposition:

The Board will notify by mail each of the parties to a contested case of the disposition of the case at the time the same is filed. The disposition will be conformity with Section 84-915.

RULE NUMBER 17

Declaratory Rulings

1. Adoption of Rule 3. The provisions of Rule 3 shall be applicable to petitions for declaratory rulings.

2. Discretion of Board. The Board shall have complete discretion as to the issuance of a declaratory ruling. If a declaratory ruling is issued, if issued after argument at a hearing and stated to be binding, the same is binding between the Board and the petitioner on the state of facts alleged unless altered or set aside by a court.

RULE NUMBER 18

Adoption of the National Electrical Code

The minimum electrical wiring standard shall be the 2005 National Electrical Code, National Fire Protection Association Publication Number 70-2005, as adopted in whole or amended in part by the State Electrical Board which is incorporated herein by reference and filed with the Secretary of State.

Amendment NEC 2005 - 210.12.

Section 210.12. Amendment; Arc-Fault Circuit-Interrupter Protection. Section 210.12 of the 2005 National Electrical Code is hereby amended as follows:

Delete the entire Section 210.12.

Amendment NEC 2005 - 334.10.

Section 334.10. Amendment; Uses Permitted For Non-Metallic Sheathed Cable. Section 334.10 of the 2005 National Electrical Code is hereby amended to read as follows:

334.10. Uses Permitted. Type NM, Type NMC, and Type NMS cables shall be permitted to be used in the following:

- (1) One- and two-family dwellings.

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(2) Multifamily dwellings and other structures, except as prohibited in Section 334.12.

(3) Cable trays, where the cables are identified for the use.

(A) **Type NM.** Type NM cable shall be permitted for both exposed and concealed work in normally dry locations. It shall be permissible to install or fish Type NM Cable in air voids in masonry block or tile walls where such walls are not exposed or subject to excessive moisture or dampness.

(B) **Type NMC.** Type NMC cable shall be permitted as follows:

(1) For both exposed and concealed work in dry, moist, damp, or corrosive locations.

(2) In outside and inside walls of masonry block or tile.

(3) In a shallow chase in masonry, concrete, or adobe protected against nails or screws by a plate at least 1.59 mm (1/16 in.) thick, and covered with plaster, adobe, or similar finish.

(C) **Type NMS.** Type NMS cable shall be permitted for both exposed and concealed work in normally dry locations. It shall be permissible to install or fish Type NMS cable in air voids in masonry block or tile walls where such walls are not exposed or subject to excessive moisture or dampness. Type NMS cable shall be used as permitted in Article 780.

Amendment NEC 2005 - 334.12.

Section 334.12 Amended; Uses Not Permitted For Non-Metallic Sheathed Cable. Section 334.12 of the 2005 National Electrical Code is hereby amended to read as follows:

334.12. Uses Not Permitted.

(A) **Types NM, NMC, and NMS.** Types NM, NMC, and NMS cables shall not be used in the following:

(1) In any multifamily dwelling or other structure exceeding three floors above grade.

For the purpose of this article, the first floor of a building shall be that floor that has 50 percent for more of the exterior wall surface area level with or above finished grade. One additional level that is the first level and not designed for human habitation and used only for vehicle parking, storage, or similar uses shall be permitted.

(2) As service-entrance cable.

(3) In commercial garages having hazardous (classified) locations as provided in Section 511.3.

(4) In theaters and similar locations, except as provided in Section 518.4.

NEBRASKA STATE ELECTRICAL BOARD RULES

- (5) In motion picture studios.
- (6) In storage battery rooms.
- (7) In hoistways or on elevators or escalators.
- (8) Embedded in poured cement, concrete or aggregate.
- (9) In any hazardous (classified) locations, except as permitted by Sections 501.4(B), Exception, 502.4(B), Exception No. 1, and 504.20.

(B) **Types NM and NMS.** Types NM and NMS cable shall not be installed in the following:

- (1) Where exposed to corrosive fumes or vapors.
- (2) Where embedded in masonry, concrete, adobe, fill, or plaster.
- (3) In shallow chase in masonry, concrete, or adobe and covered with plaster, adobe, or similar finish.

Amendment NEC 2005 - 430.102.

Section 430.102 Amended; Motor Disconnect, Location. Section 430.102 of the 2005 National Electrical Code is hereby amended to read as follows:

430.102. Location.

(A) **Controller.** An individual disconnecting means shall be provided for each controller and shall disconnect the controller. The disconnecting means shall be located in sight from the controller location.

Exception No. 1: For motor circuits over 600 volts, nominal, a controller disconnecting means capable of being locked in the open position, shall be permitted to be out of sight of the controller, provided the controller is marked with a warning label giving the location of the disconnecting means.

Exception No. 2: A single disconnecting means shall be permitted for a group of coordinated controllers that drive several parts of a single machine or piece of apparatus. The disconnecting means and the controllers shall be located in sight from the machine or apparatus.

(B) **Motor.** A separate disconnecting means shall be located in sight from the motor location and the driven machinery location.

Exception: A disconnecting means, in addition to the controller disconnecting means as required in accordance with Section 430.102(A), shall not be required for the motor where the disconnecting means for the controller is individually capable of being locked in the open position.

RULE NUMBER 19

Certified State Electrical Inspector

The term "Certified State Electrical Inspector" shall mean a person who meets the following minimum requirements set forth by the State Electrical Board:

1. A person licensed as an Electrical Contractor, Class A Electrical Contractor, Class A Master Electrician, Journeyman Electrician or Class A Journeyman Electrician under a program approved by the Board; and
2. A person certified as an electrical inspector by an examination administered through a nationally recognized electrical inspector certification organization.

STATE ELECTRICAL ACT

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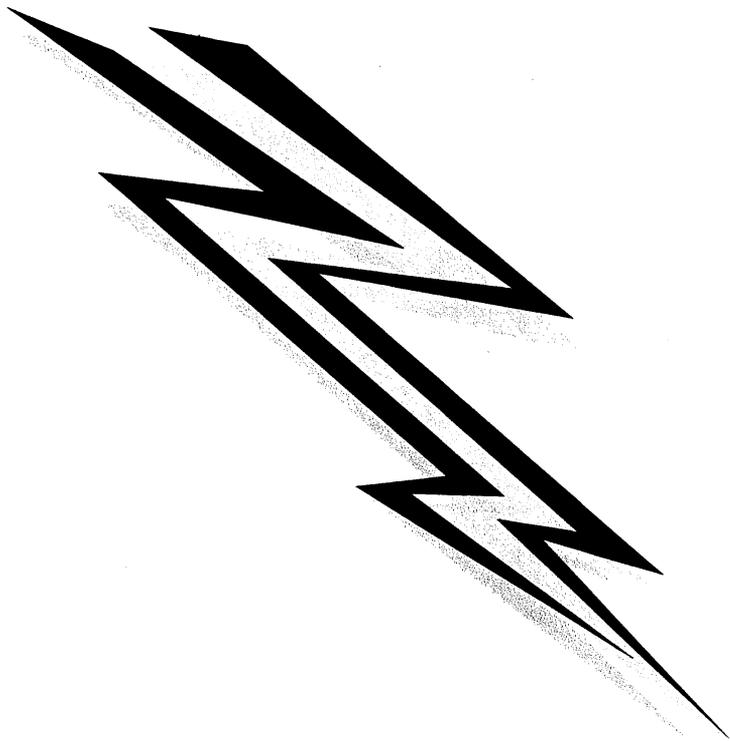
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Dave Heineman
Governor

STATE OF NEBRASKA

DEPARTMENT OF ADMINISTRATIVE SERVICES
Gerry Oligmueller
Acting Director

October 20, 2006

Senator Ray Janssen
Chair, General Affairs Committee
Room 1015, State Capitol
Lincoln, NE 68509

Dear Senator Janssen:

Please accept this written testimony regarding Legislative Resolution 344 scheduled for hearing on October 20. The State of Nebraska, Office of the Chief Information Officer (CIO) is taking a neutral stance on LR 344.

A bill resulting from LR 344 could require the installers of low-voltage devices and infrastructure in Nebraska to obtain a license to do so. The Office of the CIO is not in favor of creating a new licensing program. We do support the certification programs offered by national industry associations (Building Industry Consulting Services International is one such group). Many Nebraska State employees are currently BICSI certified.

With this bill, any low voltage installation would need to be done by a licensed technician, and would need to be certified. In addition to the people in the Office of the CIO that install computer wiring that would need to be licensed (at a cost in time and training), we would also have to train, license, and certify anyone that installs sound systems, mounted projectors, intercoms, paging systems, low voltage lighting systems, etc. Anything that is installed with cables, in which the amount of line voltage doesn't require the installer to hold an electrical license, would now require a low-voltage licensed individual to install it. This greatly expands the list of people that the State would need to train, license, and certify.

LR 344 refers to the licensing and regulation of electronic systems technicians (EST). It should be noted that the EST designation is a certification program offered by CEDIA (Custom Electronic Design and Installation Association), and supported by NSCA (National Systems Contractors Association). Currently there are fewer than 200 certified Electronic Systems Technicians (EST's) in the United States and none in Nebraska. If the installation of low voltage systems in the state of Nebraska would require a license, and obtaining a license would require all technicians to be certified as an EST, there would be a considerable fiscal impact on State agencies as well as private industry.

We would ask for further study as to the licensing process and who provides the training and certification process and who would monitor those requirements.

Thank you for your consideration of this testimony regarding LR 344.

Sincerely,

Brenda L. Decker
Chief Information Officer

DAS Information Technology Services

Office of the CIO, Division of Communications, Information Management Services Division,
Intergovernmental Data Services

Brenda L. Decker, Chief Information Officer

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Eickholt,Anna

From: Betsy Jaffe - InfoComm [BJaffe@infocomm.org]
Sent: Thursday, October 19, 2006 3:14 PM
To: Sen. Janssen, Ray
Subject: LR 344 Testimony -- Randal A. Lemke, Ph.D.

**TESTIMONY ON LR 344
STUDY ON EST LOW VOLTAGE LICENSING**

**Randal A. Lemke, Ph.D.
Executive Director, InfoComm International
October 20, 2006**

My name is Randal A. Lemke, Ph.D. and I am the Executive Director of InfoComm International. Thank you for letting me present the views of our association, which is composed of 4,000 members, including 13 companies and state institutions with employees who live and work in Nebraska, some of whom will join me in testifying today in vehemently opposing further studying implementation of an EST licensing program. While I join you from the nation's greater capitol area, I was born and raised in Nebraska, and am a graduate of the University of Nebraska, Lincoln.

InfoComm International is the trade association of the professional audiovisual and information communications industries. Established in 1939, our members include manufacturers, systems integrators, dealers and distributors, independent consultants, programmers, rental and staging companies, end-users and multimedia professionals from more than 60 countries. InfoComm's training and education programs, along with its Certified Technology Specialist (CTS) and Certified Audiovisual Solutions Provider (CAVSP) credentials, set a standard of excellence for AV professionals.

InfoComm strongly supports objective testing of skills and knowledge as the basis for any state licensure program for the low voltage workers, because that is in the best interest of the consumer and ultimately the industry. Similarly, InfoComm's certification program has always stressed that it is based upon measuring candidates' knowledge and ability. Additionally, candidates can take the exam without paying for InfoComm courses and they do not have to be members of the association. We will continue to promote a fair and open environment to prepare today's technology workers for tomorrow's technology. The Department of Labor included InfoComm as the important information resource for those looking to explore entering into a career as an audiovisual technician in its Occupational Outlook Handbook. InfoComm has the support of the industry for its certification program. With more than 5,600 holders of the Certified Technology Specialist designation, it is the industry standard, compared to about 200 EST holders around the world. Currently, 27 Nebraska audiovisual industry professionals have earned their CTS, as compared with not one EST holder.

For two years the Custom Electronic Design Industry Association and the National Systems Contractors Association has attempted to get industry support for the EST program. It has been widely ignored. There are several reasons for this, but the major reason is that the program is too long, too basic and is not subject to adequate outside review. From a content standpoint, as an analogy, the EST program teaches the equivalent of the alphabet, rather than teaching students to read.

The manuals that have been developed for the EST program have not been kept up-to-date, which is critical for the education of high-tech workers. While I was earning my Ph.D. in education, it was drilled into us that one of the most important parts of developing curricula is keeping the texts that accompany it relevant, and I ensure that InfoComm updates its educational materials every six months. But this is even more critical when contemplating a licensing program, as workers should not be required to take a specific class from a single private company, but should be able to take a state test based on the books alone. Among other problems, the current EST books do not reflect the current National Electrical Code or current IT operating systems or hardware.

For instance:

Task Module 33205, page 27 states, "...NEC Section 800-11 specifies that the point of entry for communications wiring and cables be within 20' if the electrical service point." Looking at Section 800.11 in the 2002 NEC, it states no such thing.

Task Module 33205, page 27 states, "...a separate grounding electrode must be installed in accordance with NEC Section 800-40(b)(3)..." Section 800-40(b)(3) does not exist in the 2005 or 2002 NEC.

Task Module 33205, page 30 states, "The CATV company grounds the shield of the incoming coaxial cable in accordance with the one of the many approved methods described in NEC Section 800-20, Part D." There is no NEC 800-20 since at least the 2002 NEC.

Task Module 33209, Page 27, Fig. 20 and page 47, Fig. 41 show typical crimping tools. No mention is made of the newer (and superior) linear compression tools and connectors which save many hours of technician time with increased consistency and reliability.

Task Module 33209, Page 83, Appendix A, could be updated to include the practice of lead free soldering, as it is getting to be more important with the EU banning lead based solder with their WEEE / RoHS directives.

The IT section is completely unusable and is on the level, at best, for a fourth grader. It is several years out of date as it relates to hardware and servers and is too basic to be of value to anyone contemplating entering the IT field. There is barely any reference to the Internet.

Beyond the problems with the books, the EST program also overlooks that there is no such thing as an electronic systems or "low voltage" industry. It makes little sense in trying to characterize an industry by the amount of current it uses. It only serves to differentiate industry workers from electricians who do high voltage. But so much more specialized knowledge is required to properly install a videoconferencing system, digital signage or a command and control center.

One of the claims of CEDIA and NSCA is that the EST is a federally supported apprenticeship program. Reviewing the number of apprentices in this program you find only 45 people who have signed up over a four year period. And that does not reflect the numbers who have dropped out. While it may be a federally supported program, it is not supported by the industry and incidentally not even by CEDIA and NSCA members.

Trying to create the illusion of an electronic systems industry fails as well. That would include computer makers, telephony, consumer electronics, security, AV, sprinkler systems and just about anything invented since the transistor was introduced in the 1950s. I don't think the electronic systems industry is going to replace the IT, telecommunications, security or, for that matter, the AV industry. Each of these industries is using technology for the benefits of the customer, but they each have distinct areas of expertise and skills that keep them separate. That is why people who work in these industries hire people who have certifications in these specific areas and why these specialized industries refuse to expend their training dollars for an industry certification for an industry that does not exist.

Despite the lack of overall support for the EST program, CEDIA and NSCA seek the state's assistance to create a competitive marketing advantage for EST over many other generally accepted programs by branding the license with the EST name. If a study goes forward, these out-of-state associations will tell consumers that the state of Nebraska is seriously considering mandating the EST for all low voltage workers and they should invest their training dollars in it now, at the expense of other more generally accepted programs. All of this will be at the expense of Nebraska's businesses and taxpayers.

Why has this legislation been introduced when not one company in Nebraska has chosen to invest in the EST training program and other groups are ably serving the needs of their industries? Because two out-of-state associations created an ineffective, undesirable certification program at considerable expense to their memberships. Now they stand before you, unable to convince their memberships and other industries to invest in this program, and are seeking to create a state mandate for it.

They targeted Nebraska not because there is any compelling state interest or benefit to Nebraska consumers or to the Nebraska workforce, but because they were hoping to quietly sneak it through the single Unicameral system, and then shop it to other states throughout the country with the State of Nebraska's approval. They tried a similar tactic in the small state of New Hampshire, which has a fast-acting legislature, and were soundly rejected. If you agree to even study this ill-conceived licensing proposal, these interest groups will proceed to other states with the message that Nebraska is seriously investigating instituting an EST license. They will approach small and medium sized business people in Nebraska and state that they ought to invest in this training program now, because Nebraska is looking at mandating it, and other states are sure to follow.

InfoComm respectfully asks this committee to reject this call to study instituting an EST licensing program because there is no salient public policy reason to do so. It is a solution in search of a problem. Since I have a deep-seeded belief that common sense is the hallmark of Nebraskans, I believe that upon hearing from more people and industries today you will see that this proposal has little to do with safety or quality education, but is instead an attempt to force Nebraska businesses to accept the EST program it has rejected in the free marketplace. InfoComm is ready to work with the state of Nebraska on legitimate licensing or workforce development programs.

Thank you for your kind consideration.

BICSI WORLD HEADQUARTERS

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TESTIMONY ON LR 344

**David C. Cranmer, RCDD
Executive Director – BICSI
October 20, 2006**

Mr. Chairman and members of the General Affairs Committee. Thank you for allowing me the opportunity to address your committee. I am David Cranmer and I am the Executive Director of BICSI as well as a Past President. BICSI is the worldwide preeminent source of information, education and knowledge for the constantly evolving information transport systems industry. Our mission is to lead the information transport systems industry with excellence in publications, education and knowledge assessments. Our aim is to advance our member's ability to deliver the highest quality products and services. It is also our goal to provide our members with opportunities for continued improvement and enhanced professional stature.

I will make my remarks brief today. Our members and we are opposed to LR344. This resolution was introduced with the stated purpose to examine matters and issues relating to the licensing and regulating of electronic systems technicians. This Technician program is a certification program that is not very well known or accepted by members of the low voltage-limited energy community of installers and technicians. To the best of our knowledge, there are less than 200 worldwide of these certified Technicians and in the state of Nebraska there are none. It is not recognized by any state as a licensing program. We believe that an association from Indiana is now trying to get the State of Nebraska to legitimize a program that they themselves could not get acceptance to by the industry. Your state endorsement of this little known program could add some type of credibility to a program that could eventually force our members into taking a certification program that they do not need or can afford.

BICSI is 100% in favor of licensing, with everything being equal and based upon knowledge and not membership or participation in a particular associations certification program. We firmly believe that associations should administer certification programs and licensing should be a state controlled function.

October 20, 2006

Page 2

If LR 344 is given a favorable report by this committee, and it would eventually pass through the Senate, we believe that our members in the state of Nebraska would be under a major disadvantage, and at some point in time would be forced to spend their time and money and resources to pursue the EST certification. It is our belief that what the association from Indiana and another association from Iowa couldn't achieve with industry support, they are now turning to the state of Nebraska to promote their training program.

Our members have been in the low voltage end of the business for over 25 years, and they have the necessary training, skills and certifications to assist them in continuing and growing their businesses in the state of Nebraska. We do not feel that your state needs this licensing of the EST designation, and we do not feel it would be in the best interests of the residents of Nebraska to impose this structure on the tax paying small business owners and employees who are residents of Nebraska.

We have found that in reviewing the EST – Level One – Trainee Guide (printed 2004) is that although it contains good-to-know information, very little of it is actually related to Voice/Data/Video Information Transport Systems and in our opinion should never be viewed as a state requirement for a Low Voltage License. The majority of this training guide is in reference to construction and all of the references to ANSI/TIA/EIA Standards and NEC Article 770 and 800 are outdated. Actually, much of the information in the Low-Voltage Cabling Chapter is very similar to the BICSI Information Transport Systems Installation Manual. In our opinion, this EST certification program should not be considered as the basis for any state mandated legislation regarding licensing.

In closing, I would ask, on behalf of our members, that the State of Nebraska and this General Affairs committee reject this resolution. BICSI and our members are more than willing to work with the state of Nebraska on future programs that will protect the life and safety of the residents of your great state. This blatant attempt by an association to promote the EST certification program by way of a state license does not benefit the residents of your state or our members who work and reside in your state.

Thank you again for allowing me the opportunity to speak here today.

Lage, Laurie

From: Sen. Janssen, Ray
Sent: Monday, May 15, 2006 8:29 AM
To: Lage, Laurie
Subject: FW: Nebraska LR 344

-----Original Message-----

From: Brad Reiber [mailto:b_reiber@protexcentral.com]
Sent: Thursday, May 04, 2006 5:42 PM
To: Sen. Janssen, Ray; Dennis Mullen; Shawn Mullen (E-mail); Shane Mullen (E-mail); Kevin Turner
Subject: Nebraska LR 344

Dear Mr. Janssen:

As a business owner with 50+ employees at Protex Central Inc, I wish to express an opinion regarding LR 344. Our company utilizes many sources to ensure code compliance, professional development and competency. Protex Central Inc. provides systems to consumer's across the states of Nebraska and Iowa. We have offices in Hastings and Papillion NE as well as Des Moines IA. We are familiar with EST certification and are a current as well as charter member of its founding organization (NSCA). A few we use to ensure the consumer get what they pay for include:

1. All our installers are licensed by the State Electrical Board and some are required to hold Journeyman Electrical Licenses.
2. We maintain a Master Electrical Contractors License.
2. Our personnel maintain NICET certifications at Level II and above depending upon job description.
3. Personnel are BICSI Certified for Data, Telephone and TV systems.
4. Our personnel participate and are certified via Factory Training by our Manufacturer's for specific disciplines such as; Fire Alarm, Data Network, CCTV, MATV, Sound Systems, Home Theater, Lightning Suppression, Security, Mass Notification, etc.
5. We maintain Insurance for all aspects of our business.

We do not feel that one organizations certification program reflects all that is needed to aid this industry. While we agree that there needs to be more regulation in our industry we do not feel that EST Certification covers all the ground needed and adds yet one more cost to doing business while providing no additional benefits to the consumer or our company. The EST program is not all encompassing and does not cover enough area to be deemed "the certification" of choice. We have investigated the EST Certification and conclude that it certainly is a good program but it is not the only program available, nor should it be. BICSI for example provides a much better training certification and recertification program for Data, Telephone systems. The EST program is geared towards Sound and Intercom and does a good job of it. It covers many basics. NICET has certification programs for Sprinkler, Fire Alarm, Special Hazard Suppression, and Engineering in general. BICSI does not cover the needs for these, nor does EST. To say that all personnel installing cable for Data, Sound, Telephone, Video 100 Volts and below does not provide a round enough certification level. As long as BICSI is available it is much better than the EST program for its individual disciplines.

Nebraska is a "right to work" state and we feel it should stay that way. Organizations such as the Electrical Union look out for themselves before anyone else. Being "Union" does not ensure that your work is better. It does insure that the consumer will pay more for the same

services. We fight this battle in Des Moines IA every year or so with similar regulation being pushed by the Union. It is important to clearly understand the motives of the source of such legislation. I am not implying that this is the case with LR 344 but use it as an example.

We feel a program which would require licensing for Low Voltage Contractors would be a better avenue to enable enforcement of current codes and practices. A program which includes a requirement that each contractor maintain and provide proof of insurance. Permits, Submittal and fees for the work to be performed with mandatory inspections by either the NSFM, Nebraska Electrical Board or both. At this point you will rid the industry of the "undesirable organizations". Once a contracting requirement is established other requirements should be brought to the table such as certification requirements for the company and individuals. A Statewide organization made up of contractors and regulators needs to be formed so that contractors and enforcement personnel can provide and input that will best suite the consumer and the industry as a whole.

A permit/inspection program has worked for years for the electrical industry within this State, it simply needs to be expanded to the low voltage side of the industry. Being a company which installs fire alarm detection/life safety systems, special hazard suppression system and others we are already familiar and engage in this process. We would be wiling to meet with you discuss this issue, please feel free to call us on our toll free 800 number listed below.

Please visit our Web Site @ www.protexcentral.com to learn more about us. Read about our core values and you will know what we are all about at Protex. I urge you to explore other avenues before pushing this legislation.

Sincerely,

Brad S. Reiber
VP Engineering & Design
Protex Central Inc.
1239 North Minnesota Ave
Hastings, NE 68901
800-274-0888

Lage, Laurie

From: Sen. Janssen, Ray
Sent: Wednesday, April 19, 2006 1:19 PM
To: Lage, Laurie
Subject: FW: LR344

-----Original Message-----

From: Kershaw, Mike [mailto:Mike.Kershaw@adc.com]
Sent: Tuesday, April 18, 2006 2:34 PM
To: Sen. Erdman, Philip; Sen. Janssen, Ray
Subject: LR344

Dear Senators,

I am writing in regards to bill LR344.

This bill, introduced by CEDIA, would require telecommunications professionals such as myself to obtain an EST certification to install and design low voltage commercial and residential systems in the state of Nebraska.

- First of all CEDIA is primarily a home system association. This legislation, that they have introduced in five states including Nebraska, is nothing more than them trying to establish a presence in the commercial market.
- Secondly, the EST certification is not recognized by the industry. There are several well respected and industry recognized designations that are far more broad and useful than the EST certification, including RCDD and it's sub-specialties. By passing this bill we could actually be lowering the quality of installers and designers available, not to mention the quantity, as now it can be difficult to find installers and designers to work in the more sparsely populated areas of Nebraska.
- If this legislation were to pass the need to hire or contract a smaller base of installers and designers could increase cost to companies doing or considering business in Nebraska.
- It can be difficult for telecommunications professionals in more rural areas as it is, this will put more burden on them with no real benefit, and could encourage more installers and designers to leave the state, costing Nebraska what are generally higher wage jobs.

I am a 20 year veteran in the telecommunications industry and I can tell you this bill will do far more harm than benefit we can ever expect to see from it.

It is not good for installers and designers, customers or Nebraska and ultimately will not improve the quality of low voltage systems in Nebraska.

Please oppose consideration of this bill.

Thank you,

Mike Kershaw, RCDD

Sr. Account Specialist

ADC

Tel:800-366-3891, ext. 73481

Fax:308-254-0950

5/22/2006

Lage, Laurie

From: Sen. Janssen, Ray
Sent: Monday, May 15, 2006 8:30 AM
To: Lage, Laurie
Subject: FW: LR344

-----Original Message-----

From: Ryan Theil [mailto:rtheil@kidwellcompanies.com]
Sent: Monday, May 08, 2006 3:56 PM
To: Sen. Janssen, Ray
Subject: LR344

I am sending this email to voice my concerns about LR344. This resolution to study the licensing of an EST is not needed and will only cost the taxpayers money that could be spent on more important studies. The EST certification is not recognized and does not have a broad standing in the industry, and a license based upon this certification, voluntary or required, is not needed in Nebraska. The current Nebraska electrical code addresses any licensing and all life safety issues that arise out of the installation or design of low voltage systems. This brings no value to my customers or the state of Nebraska, just more regulation. The industry has more widely accepted certifications; this EST is being driven by two organizations that have spent a lot of money creating a certification that was not accepted by the industry so they are trying to get acceptance through legislation. Please don't waste my tax payer dollars on studying legislation that is not needed. Please feel free to contact me if you have any questions or need any information on this topic.

Ryan Theil, RCDD
Chief Operating Officer

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Lage, Laurie

From: Sen. Janssen, Ray
Sent: Monday, May 15, 2006 8:29 AM
To: Lage, Laurie
Subject: FW: LR 344

-----Original Message-----

From: rr [mailto:rphares@neb.rr.com]
Sent: Thursday, May 04, 2006 7:51 PM
To: Sen. Janssen, Ray; Sen. Wehrbein, Roger; Sen. Landis, David; Sen. Friend, Mike; Sen. Connealy, Matt; Sen. Cornett, Abbie; Sen. Erdman, Philip; Sen. Fischer, Deb
Cc: rr; Jim Sheets
Subject: LR 344

Dear: Ladies and Gentlemen, I am concerned that LR 344 is looking for solution not found in CEDIA. CEDIA is focused on residential only. Although I believe that customers should receive a quality Design and the proper method of installation should be provided, it should comply with ANSI/TIA/EIA and NFPA, along with authority having jurisdiction. I would support a bill that would follow the above Organizations/Associations and be recognized by the industry as a known Registration / License for **Commercial Building Design or Commercial Cabling Installation**.

The link below will provide you some information to assist you during your research on Commercial Cabling codes. <http://en.wikipedia.org/wiki/TIA-568B>

A organization that is well known and recognized world wide as providing training courses and rigorous testing is (BICSI) Building Industry Consulting Services International. <http://bicsi.org/>

At BICSI there is several levels of expertise. Installation Program has the following: Commercial Installer Level 1, Commercial Installer Level 2, and Technician (3)

The Designer Program has the following: RCDD, RCDD/OSP, RCDD/NTS, RCDD/WD

Below I have provided more detail on each of the programs.

If you have and questions regarding my email please feel free to respond to this email or call me at 402-432-9003.

Don L. Phares RCDD/NTS, Technician
Lincoln, NE

RCDD A Professional Designation Recognizing Superior Design Knowledge

Information transport systems (ITS) professionals pursuing excellence within the industry should consider becoming a **Registered Communications Distribution Designer (RCDD®)**.

Those awarded with the RCDD designation have demonstrated their knowledge in the design, implementation and integration of information transport systems and related infrastructure.

BICSI telecommunications distribution design courses serve as a career path for those seeking advanced knowledge in this area. Several design courses are recommended for candidates preparing to take the RCDD examination.

5/22/2006

The RCDD status conveys instant advantages over the competition:

- A professional designation of excellence
- A highly regarded status recognized and mandated by many private and state organizations
- A noted mark of design knowledge valued internationally
- An indication of experience and knowledge known throughout the ITS industry

Individuals with a minimum of two years of experience in distribution design are urged to apply to sit for the RCDD exam. Those passing the exam earn and can advertise the RCDD designation, valid for three calendar years, through completion of continuing education requirements. The RCDD qualification may be extended for additional three-year periods, through completion of continuing education requirements.

Continuing Education Requirements

RCDDs are required to continue their education in order to renew their RCDD registration. Within a three-year registration period (after the exam is passed), all RCDDs must obtain a minimum of 45 BICSI continuing education credits (CECs) of technical ITS training. The RCDD registration must be renewed every three years.

RCDD/NTS A Professional Designation Recognizing Superior Network Design Knowledge

Rapid growth and technological advancements have created high demand for those able to demonstrate knowledge in network transport systems design. Many BICSI data distribution design courses serve as a career path for those pursuing excellence in network transport system design. Several of these courses are recommended for candidates preparing to take the RCDD/NTS Specialist examination.

The NTS Specialty is available only to individuals who possess the RCDD designation and have a minimum of two years of NTS design experience. Industry-wide, RCDDs are recognized as having advanced knowledge of network design. With that foundation, those achieving the NTS Specialty designation have demonstrated outstanding network design qualities.

RCDD/NTS Specialty candidates are rigorously tested on their ability to understand and apply a vast collection of information assembled from many sources that are continually changing and developing. In order to acquire the RCDD/NTS Specialty designation, candidates demonstrate through testing that they:

- Have a thorough, vendor-neutral understanding of both networking and cabling technologies and are able to successfully integrate the components of these two industries to maximize or optimize performance.
- Have the knowledge needed to properly evaluate existing, as well as proposed designs for premises and campus networking.
- Can discuss both cabling and networking issues with network users, administrators, consultants, architects and electrical engineers.
- Can make recommendations based on current and future network requirements.
- Are able to produce incremental "phase-in" upgrade designs to accommodate increases in network traffic.

Eligible RCDDs may apply and sit for the RCDD/NTS Specialty exam, which is based on BICSI's *Network Design Reference Manual*. Those passing the exam earn and may advertise the RCDD/NTS Specialty designation, valid for three calendar years.

Continuing Education Requirements

RCDD/NTS Specialists are required to continue their education in order to renew their credential every three years. Within the three-year period after passing the exam, all RCDD/NTS Specialists must obtain a minimum of 45 BICSI continuing education credits (CECs) of network-specific training

RCDD/OSP A Professional Designation Recognizing Superior Customer-Owned Outside Plant Design Knowledge

In response to industry and member demand, BICSI has established a credential program for those who are able to demonstrate knowledge in customer-owned outside plant (CO-OSP) design.

The OSP designation is available only to individuals who currently hold the RCDD designation and have a minimum of two years of OSP experience. Industry-wide, RCDDs are recognized as having advanced knowledge of telecommunications design. With that foundation, those achieving the OSP designation also have demonstrated outstanding OSP knowledge.

RCDD/OSP Specialty candidates are rigorously tested on their ability to understand and apply a vast collection of OSP technology and design information. Those who have earned the OSP designation have demonstrated through testing, their knowledge in OSP right-of-way and route design; OSP space design (maintenance holes, ducts, vaults); underground, direct-buried, and aerial plant design; OSP cabling hardware; and OSP grounding, bonding and electrical protection systems.

Eligible RCDDs may apply and sit for the RCDD/OSP exam, which is based on BICSI's *Customer-Owned Outside Plant Design Manual*. Those passing the exam hold the RCDD/OSP Specialty designation, valid for three calendar years.

Continuing Education Requirements

RCDD/OSP Specialists are required to continue their education in order to renew their credential. Within the three-year renewal period (after passing the exam), all RCDD/OSP Specialists must attend a minimum of 24 hours of OSP-specific training.

RCDD/WD A Professional Designation Recognizing Superior Wireless Design Knowledge

Cell phones, personal digital assistants (PDAs) and laptop computers have become essential in today's world, both for business and personal use. With flexible configurations and versatile roaming, technical knowledge of the wireless design field is vital for designing future networks. From the business industry to the household sector, the proliferation of wireless LAN networking hardware makes proficiency in the subject a necessity for network designers.

Application for the WD Specialty is available to individuals who hold a current RCDD designation and have a minimum of two years of wireless design experience. Throughout the industry, RCDDs are recognized as having advanced knowledge of network design. With that foundation, those achieving the WD Specialty designation have also demonstrated, through testing, outstanding knowledge of wireless systems and wireless design.

Eligible RCDDs may apply and sit for the RCDD/WD Specialty exam, which is based on BICSI's *Wireless Design Reference Manual (WDRM)*. Those passing the exam hold the RCDD/WD Specialty designation, valid for two calendar years.

Continuing Education Requirements

RCDD/WD Specialists are required to continue their education in order to renew their credential. Within the two-year registration period (after passing the exam) all RCDD/WD Specialists must attend a minimum of 30 hours of WD-specific training.

A Three-Level Credentialing Program for the Information Transport Industry

The goal of BICSI's Telecommunications Cabling Installation Training and Registration Program is to produce highly competent cabling installers in a minimal amount of time and at a reasonable cost. Upon completion of training, program participants should be able to conduct site surveys, pull wire/cable, and terminate and test copper and optical fiber cable to the highest level of specification (currently Category 6).

BICSI's program provides three levels of increased knowledge and experience: Installer, Level 1; Installer, Level 2; and Technician. The program offers core skills training, registration examinations, and structured on-the-job training (OJT) to meet the diverse needs of the telecommunications cabling industry.

The multiple levels of competency provide a career path for cabling installers. BICSI's cabling installation training provides the opportunity for continued professional and career development. Since the program's beginning, BICSI has registered more than 21,000 installers and technicians.

Prerequisites, course descriptions and exam details for each level are available at the links below:

- ▶ [Commercial Installer, Level 1](#)

- ▶ Commercial Installer, Level 2
- ▶ Technician Level

Registration Renewal

BICSI Registered Installers, Level 2 and Technicians are required to obtain a minimum of 12 BICSI CECs, complete the OJT Booklet, and show proof of current installation activity within the two-year registration period after the exam is passed in order to renew registration.

X

Jefferson L. Roberts

Business Media Inc
300 Oak Creek Drive
Lincoln, NE 68528
402-476-6222

I am writing this letter because I am opposed to LR 344.

I am a technician in the audiovisual (AV) industry and I am currently working on my Certified Technical Specialist (CTS) certification issued by InfoComm International. I am opposed to LR 344 for several reasons. 1.) LR 344 does not support AV specific certifications such as CTS, CTS-D, CTS-I, etc. CTS certification is more specific to my field. EST certification would include other aspects that are not applicable to my field. 2.) LR 344 is not in the best interests of the small and medium businesses of the AV industry. LR 344 would require training that is not necessary for all fields. 3.) The audio and video industry does not need legislated standards. If AV technicians are required to acquire a license it would create unneeded expenses for businesses to train their employees. 4.) Many of the businesses that would be affected by LR 344 are specialized in one form of AV or another. LR 344 attempts to somehow put them all into one field of business and this is simply not the way it works.

Concerned,





October 20, 2006

RE: LR 344

To Whom It May Concern:

"Equality before the law." It's stated on the seal of the State of Nebraska and legislative resolution 344 may serve to undermine the equality currently present in a self-regulating, competitive marketplace.

The low voltage industry has a large number of segments such as: networking, telecommunications, life safety, security, audio, video, cable television, and more. The current competitive nature of these segments requires current businesses and its employees to maintain a high degree of professionalism and minimum standards to establish and maintain a viable business. Small businesses in the low voltage industry must keep up with rapidly changing product lines, technologies and must have highly trained individuals integrating these technologies. Licensure and regulation of electronic systems technicians would be detrimental to this current environment creating a competitive advantage for the larger businesses.

By requiring broad certification for electronic systems technicians will require small businesses in narrow segments of the low voltage industry to send their technicians off for training they will not need in their everyday activities. Audiovisual integrators would be required to understand the wiring fundamentals of network, telephone and alarm system cabling. Pulling technicians out of the field to obtain training for skills they will never need on a day to day basis only serves the largest businesses that employ technicians working in all aspects of the low voltage industry. Small businesses that have chosen to provide services in a narrow segment of the market will be required by this legislation and regulation to an undue burden of training and ongoing recertification that isn't specific to the employee's day to day tasks.

Free enterprise and the American dream is still alive in the low voltage industry's small businesses. Supporting legislative resolution 344 will only serve the largest businesses in this industry and neglect the thousands, if not tens of thousands of small businesses engaged in small segments of this larger industry. I oppose LR-344 because it is detrimental to a competitive, self-regulating industry that does not need regulation or legislation to provide safe and quality low-voltage services to Nebraskans.

Sincerely,


Bruce Christensen,
President
Business Media, Inc.

X

Regional Office
Service Center
1-800-531-2166
300 Oak Creek Drive
Lincoln, NE 68528

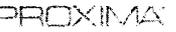
e-mail: sales@bmi-hcd.com
http://www.bmi-hcd.com

Local Offices
Lincoln, Nebraska
402-476-6222
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Kansas City
913-677-3870
913-677-5908 fax

Omaha, Nebraska
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5-15-06

An open letter to:

Nebraska State Senators;
and members of the General Affairs Committee:

Regarding LR: 344

Ray Janssen (Chairperson) & sponsoring Senator
Deb Fischer (Vice Chairperson)
Mike Friend
Matt Connealy
Abbie Cornett
Philip Erdman
David Landis
Roger Wehrbein

State Capitol Building
PO Box 94604
Lincoln, NE 68509-4604

Dear Senators:

I am prompted to write regarding my great concern over a recently introduced bill: Nebraska LR 344, calling for, or apparently aimed at requiring regulation and licensing for "Electronics Systems Technicians" (EST) operating in the State of Nebraska; and to describe some of the negative impact and contingent problems that passing such new regulations might entail.

As a partner/owner of an ongoing Communications Contracting company, it is with great interest that I, and my partners and employees will be following debate on such proposed legislation, which, for numerous reasons, we are staunchly against.

Allow me to further explain, and somewhat critique the nature, and perceived intent of this introduced bill.



They have, for many years, spoken for the industry, created the means/mechanism for establishing standards and practices, and have developed an in-depth educational system of professional classroom training, plus frequent world-wide conferences; all for the express purpose of promoting uniformity, quality, professionalism, and competence in the industry.

One of the "late comers" to the arena of "electronic systems" sales and installation companies, have been the plethora of small contractors who arose in support of the "smart home" movement; where (particularly) new-home construction was enhanced with the installation of comprehensive cabling systems to accommodate everything from telephone & LAN cabling, to Audio-Visual home entertainment distribution. The advent of "office in the home" has been a part and parcel of this trend towards equipping today's homes with "state of the art" communications infrastructure and facilities.

However, most, if not all of this process is already covered by standards, practices and commonly-recognized procedures for equipping and installing such systems, that were formulated and implemented and promoted by BICSI; and which, at least by reputable firms, have been widely adopted and implemented.

NOW COMES a rather new, and unknown agency/organization, i.e. the CEDIA, with their proposal to further "regulate" and "license" the practices of EST's for whatever motive they, as a special interest group, may have.

Now it may be important to comprehend the term "EST" and appreciate the implications of how it could be interpreted very broadly, to not only include those "electronics systems technicians" that may be affiliated through the CEDIA; but in addition the many hundreds of other types of technical occupations that could be included under this umbrella of EST. For example, you have all of the specialized technicians that install telephone systems, those that install paging, fire alarm systems, nurse call systems, automated clock systems, security and access control systems; technicians that install wireless antenna and/or wireless LAN systems, and of course those that, like many of our own employees, install simple wiring and cabling distribution systems. Some of these specialized installation technicians may work for established Electrical Contractors, while others may have evolved into their own specialty installation companies.

EACH AND EVERY ONE of these "specialty" ESTs requires it's own specialized expertise, training and experience, and it is rare indeed that one individual will possess skills in multiple of these areas, since most require in-depth training (usually provided by the manufacturer of the equipment) and to become proficient, further years of field experience.

If one analyzes the breadth of the occupation: "EST" there could well be many thousands of affected individuals, and, since each "specialty" is so unique, a many-fold increase in the complexity and work needed to "license" and regulate them effectively.

My questions are: FOR WHAT POSSIBLE PURPOSE is this sort of legislation being pursued? It appears to be more a matter of trying to create a "solution" where no problem exists, or if there is a problem, it is most likely in the realm of the EST's who may already be affiliated with CEDIA, and they are having problems policing their own "specialty" of ESTs, or their performance.

SECONDLY, and more importantly, where will this sort of legislation lead? and how intrusive will it be to all the existing & established firms that exist and currently employ hundreds and hundreds of technicians and installers? Perhaps there would be some sort of "grandfather" clause for all existing firms and their employees, but beyond that, there are a whole host of related problems and concerns that arise.

FOR EXAMPLE: Who would establish the "licensing" procedure and promote it? Who would write all the rules and regulations pertaining to the governing and control? Who would issue licenses, and further, conduct testing and evaluations to insure that the EST's were qualified, and that the entire process was legitimate and of worth? In short, there are numerous contingent requirements that would have to be resolved. I think an in-depth investigation would show that overall, there is no "problem" with the current state of conducting business in this arena, and therefore no need for a "solution" particularly one that creates more bureaucracy.

FURTHER: Would establishment of a "licensing entity" also include creating and writing Nebraska State practices, procedures and rules, and if so, who would accomplish that, a specially-created task force? Existing industry entities? Which ones? . In addition, all this added regulation would also imply some sort of enforcement procedures such as routine inspections, with fines and penalties for deviation from accepted standards. Who would conduct such enforcement, and how would it be made credible? Fines? Criminal penalties?

OF COURSE all this added agency bureaucracy would need to be somehow financed; either through additional taxes or direct state funding, whether or not it was given to an established agency, or whether a totally new agency would need to be created from scratch. How would this be created and financed? A new taxing agency? Taxing on what? How much? All of this added burden would have to ultimately be paid for by higher costs to the consumers of Nebraska.

Since as long as I can recall, in the “telecommunications business”, the sale and provisioning of “electronic systems” in the state of Nebraska has been pretty much conducted in a free-market environment, given Nebraska’s popular “right to work” status. With the breakup of the Bell system in the early 80’s, many qualified workers, technicians and management from the Bell System became available in the marketplace and many eventually remained involved in the electronics of the communications industry, forming sales and equipment companies, and, like myself and associates, specialty contracting concerns for the sale, installation and servicing of telecommunications systems and technology. These were mostly “expert” individuals in their own right, or they possessed specialized knowledge that became the core of the organizations they went on to form, or join. Many have been operating in Nebraska for many years.

Coupled with the burgeoning development of new technologies and competing systems, such as “off shore” supplied phone systems and equipment, and concepts such as digital technologies, wireless technologies etc; there has been an ever-expanding marketplace of useful, (albeit technically sophisticated) products. The opportunities for business and consumer choices are now many times what they were in earlier decades, and the products and services are many times more complex than in years past.

Indeed it is a complex industry, but one that has successfully grown and changed to meet the demands of the marketplace, without intense government interference; (save for the Divestiture of the Bell System)

Along with this growth and technological change, there naturally came concerns over quality, reliability and technical competence; But, in typical fashion, the marketplace worked through those issues, and indeed developed it’s own particular “standards” practices and generally accepted procedures for installing, servicing and maintaining telecommunications and related technologies. And they have proven to work and have “policed” the industry successfully for many years.

In addition, there have been related and important changes in such regulations as the National Electric Code, with special references and changes applicable solely to telecommunications and other “electronic systems” installed in businesses, and commercial/governmental facilities. Even local jurisdictions have, from time to time, passed local rules and regulations regarding such standards and practices for their communities.

The major industry champion, and most commonly recognized leader in the efforts to not only achieve uniformity, but to insure quality, compatibility and foster a creation of standards and practices is the organization known as BICSI: Building Industry Consultant Services International.

Does the State of Nebraska really need another Frankenstein Agency to add more regulation and control to our economy? Or, can the established methods of insuring that "electronic systems" are honestly sold, expertly installed and properly serviced, ... be left to the natural regulation of the market place, and such professional organizations that now exist, such as BICSI, SCTE and the like?

I think the answer to that is obvious, and I urge you and all your fellow senators to dispense with any thought of creating such "regulatory legislation" particularly as sponsored by such a small segment of the industry, that cannot possibly speak for the entire spectrum of companies that would be affected.

We will be watching the debate and any progress on this bill, with intense interest; and at the very least I urge you to open discussions with the primary established entities, such as BICSI, for a more in-depth understanding and appreciation of what our "Telecommunications Industry" is really all about.

If I were to venture a guess, I would say that perhaps CEDIA has been receiving complaints from some of the end-user home owners who may have been disappointed with the products or installation performance of the company or individual that contracted to equip their new homes during construction. If this is the basis for their case for trying to use the sledgehammer of State Legislation to correct a few "bad apples" of poor performance in the marketplace; and worse, if the State Legislature is going to intervene for such a spurious reason, then I am truly worried about the entire concept of "government" for our State, in general.

Yours truly,



Dennis McCarty – RCDD
Vice President
Communication Services Inc.
10180 "L" St
Omaha, NE 68127

dmccarty@1csis.com

PROTEX CENTRAL

INCORPORATED

October 17, 2006

Senator Ray Janssen
Chair, Committee on General Affairs
State Capitol Bldg., Room 1015
Lincoln, NE 68509

Hearing Date: Friday, October 20, 2006
State Capitol
Room 1510
1:30 pm

RE: Protex Central Inc. LR 344-Study on EST Low Voltage Licensing

Dear Senator Janssen and Members of the Committee:

A brief Company History:

I started Protex Central Inc. on February 1, 1966 in Hastings, NE. We service thousands of customers in Nebraska and Iowa. We have offices in Omaha, NE, Des Moines, IA, Scottsbluff, NE and Hastings, NE. Many of our employees are currently licensed and regulated by the Nebraska State Fire Marshal's office and the Nebraska State Electrical Board. The Company and some of the staff have been or are members of various professional industry associations. I personally served on Chapter 7 of the National Fire Protection Code during the primary rewriting of the code in the early 1990's. Protex Central Inc. took a leading position in the licensing of Fire Alarm technicians in Nebraska in conjunction with the Nebraska State Fire Marshal's office. Additionally we supported the creation of what is now the Nebraska State Electrical Board when it was initially created within the State Fire Marshal's office.

We are charter members of the FSSA, Fire Suppression System Associations and one of our stockholders, Shawn Mullen, Company President, is an officer of this organization. I am the immediate past President of the Nebraska Association of Alarm Companies. It is also worth noting that we are members of the National Systems Contractors Association.

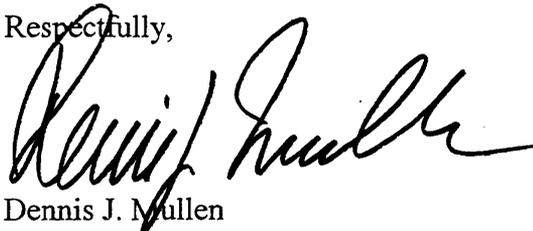
Reason for Opposition:

Based on my 40 years in the Fire Alarm and Security Industry in Nebraska, it is my opinion that when new licensing and industry standards need to be developed and adopted, that both members of our industry and our customers are fully capable of identifying the need. As evidence, in our work with the State Fire Marshal's Office in creating licensing procedures of the Fire Alarm industry. Many members of the low voltage industry are currently regulated by two very capable State Agencies, which are the Nebraska State Fire Marshal's office and the Nebraska State Electrical Board.

It is my opinion that Nebraska was identified by certain National Associations for this licensing initiative because of our unique unicameral system, not because of some overriding concern for the safety or welfare of our citizens. I think it would be grossly unfair to our industry, our customers and our citizens, if Nebraska was to get caught up in some exclusive licensing turf war of any of the many industries national associations.

Accordingly, on behalf of the employees and customers of Protex Central Inc. we ask that you kill this initiative at this interim study phase. Thank you for your service to the State of Nebraska.

Respectfully,

A handwritten signature in black ink, appearing to read "Dennis J. Mullen". The signature is written in a cursive, flowing style.

Dennis J. Mullen
Chairman of Protex Central Inc.
1239 N. Minnesota
P.O. Box 1467
Hastings, NE 68902-1467
Position: Opposition to LR 344



223 N. 6TH STREET
PLATTSMOUTH, NE 68048
402-296-4492

FIRE • SECURITY • LIFE SAFETY

October 18, 2006

Senator Ray Janssen
Chairman Committee on General Affairs
State Capitol Building Room 1510
Lincoln, NE 68509

Hearing Date: Friday –October 20, 2006 1:30 PM Room 1510

Re: First Watch Inc. – LR344 Study to license and regulate electronic systems technicians.

Dear Senator Janssen and Members of the Committee;

Position: Opposed to LR344.

The fire alarm industry in Nebraska is regulated by Nebraska State Fire Marshal, the State Electrical Board and National Codes as legislated by our laws. Working with these two State Agencies for ten years has proven their effectiveness in regulating our industry.

My understanding is a national association named CEDIA provided information that initiated this study. A quick search on the internet reveals that CEDIA is an association whose area of expertise and interest is home networking particularly home entertainment systems. They are now expanding their interests into home security.

Fire Alarm Systems are life safety systems designed to protect life in buildings for business and homes. They are engineered and installed by codes established by the National Fire Protection Association. (NFPA). The NFPA codes are presently our Nebraska Law.

Quite simply this self serving interest by a “home networking” association in regulating all low voltage applications does not make sense. We do not desire the legislature to take actions that may degrade life safety systems by meeting home entertainment standards.

We are fortunate to have the Nebraska Association of Alarm Companies, a group of professionals in our state who work together to ensure professional ethics are maintained within our industry. I am an active and proud member of this "in-state" association. Any study should include this association since a group of experts are readily at your disposal.

On behalf of the employees at First Watch we strongly request this initiative be eliminated from the agenda. We are opposed to this initiative and desire your talents be spent on important matters that pertain to our state.

Thank you for your service to our great state.

Respectfully,

A handwritten signature in black ink, appearing to read 'Tom Bulthuis', with a long horizontal flourish extending to the right.

Tom Bulthuis
President / Owner First Watch Inc.
223 N. 6th St
Plattsmouth, NE 68048

Opposed to LR 344

October 17, 2006

Senator Ray Janssen
Chair, Committee on General Affairs
State Capitol Bldg., Room 1015
Lincoln, NE 68509

Hearing Date: Friday, October 20, 2006
State Capital
Room 1510
1:30 P.M.

RE: LR 344- Study on EST Low Voltage Licensing/ Security Equipment, Inc.

Dear Senator Janssen & Members of the Committee:

Security Equipment, Inc. (SEi) is a 37 year old company that was started in 1969 in Omaha, Nebraska. We currently have offices in Omaha, Lincoln, Des Moines, Iowa, and Kansas City, Kansas. We are currently the largest locally owned alarm company in Nebraska with over 12,000 customers. We specialize in installation of security and fire alarm systems. We have been an industry leader in these fields since our inception and have grown into a "Top 100" alarm company in the county.

REASON FOR OPPOSITION

I have been in the fire and security industry for 20 years in the State of Nebraska. I currently hold the following positions in the alarm industry:

Nebraska Association of Alarm Companies, President
National Burglar and Fire Alarm Association, Government Affairs Chairman
Central Station Alarm Association, Government Liaison Committee Member
Security Network of America, Board of Director
Professional Security Alliance, National Accounts Committee Member

Based on my experience, both locally and nationally, I feel there is no need to continue this initiative as our industry is already monitoring and regulated through several different associations and offices. To name a few:

Nebraska State Fire Marshal (Fire Systems)
Nebraska State Electrical Board (Fire Systems)
National Burglar and Fire Alarm Association (Fire & Security Systems)

13505 C Street • Omaha, Nebraska 68144 • 402/333-3233
5000 Central Park Drive, #204 • Lincoln, Nebraska 68504 • 402/434-3233
10500 Hickman Road • Des Moines, Iowa 50325 • 515/270-9075
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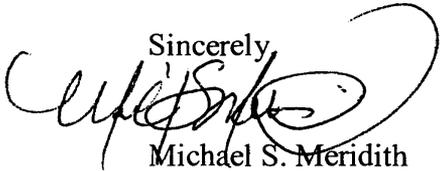
National Fire Protection Association (Fire Systems)
Central Station Alarm Association (Fire, Security, Systems and Monitoring)
Underwriter Laboratories (Fire, Security Systems and Central Station Monitoring)
Factory training from all alarm vendors.

I believe that Nebraska was targeted for this licensing initiative because of our unique unicameral system and not because of a need or concern over licensing technicians. I feel this licensing would be a big burden to our business and to our customers who would ultimately feel the financial burden of a licensing issue that has already been handled within our industry.

On behalf of the 12,000 customers and 110 employees of SEi, we ask that you defeat this initiative in the study phase.

Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael S. Meridith", written over the word "Sincerely,".

Michael S. Meridith
President
Security Equipment, Inc.
13505 "C" Street
Omaha, NE 68144

Position : Opposition to LR 344

tyco

Fire &
Security

ADT

ADT Security Services, Inc.
Customer Monitoring Center
502 Fortune Drive
Papillion, NE 68046

Tele: 402 596 8000
Fax: 402 596 8010

RECEIVED OCT 20 2006

October 18, 2006

Senator Ray Janssen
Chair, Committee on General Affairs
State Capitol Bldg, Room 1015
Lincoln, NE 68509

RE: LR 344

Dear Senator Janssen & Members of the Committee:

I'm Doug Steensma, Executive Director of ADT Customer Monitoring Center in Papillion, NE and Vice President of the Nebraska Alarm Association. We oppose LR 344 because we see no need for low voltage licensing. The Fire Alarms we installed are already regulated by the State Fire Marshals office and we have NBFAA (National Burglar & Fire Alarm Association) & U.L. for the Burglar Alarm Systems..

On behalf of the 400 employees and 11,000 customers in Nebraska we ask that you kill this initiative at this interim study phase.

Thank you for your service to the State of Nebraska.

Respectfully,



Douglas D. Steensma
Executive Director
ADT Security Services, Inc.