

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 471

Introduced by Geist, 25.

Read first time January 17, 2023

Committee: Health and Human Services

1 A BILL FOR AN ACT relating to public health and welfare; to amend
2 sections 2-3256, 13-2039, 13-2903, 13-2907, 23-1901, 33-151,
3 39-1311.02, 46-1616, 54-2429, 61-201, 81-3405, 81-3426, 81-3440, and
4 81-3455, Reissue Revised Statutes of Nebraska, and sections 37-1719,
5 37-1723, 39-2306, 39-2504, 39-2514, 39-2814, 76-3505, 81-8,126,
6 81-8,198.01, 81-1609, 81-3401, 81-3402, 81-3403, 81-3407, 81-3408,
7 81-3409, 81-3411, 81-3416, 81-3420, 81-3421, 81-3422.01, 81-3428,
8 81-3429, 81-3430, 81-3432, 81-3432.01, 81-3433, 81-3434, 81-3435,
9 81-3436, 81-3436.01, 81-3437, 81-3437.01, 81-3437.02, 81-3438,
10 81-3441, 81-3442, 81-3443, 81-3444, 81-3446, 81-3448, 81-3449,
11 81-3450, 81-3451, 81-3453, and 81-3454, Revised Statutes Cumulative
12 Supplement, 2022; to provide for regulation of registered interior
13 designers under the Engineers and Architects Regulation Act; to
14 rename the act; to provide and change definitions; to rename the
15 Board of Engineers and Architects and change provisions relating to
16 its powers, duties, and membership; to rename a fund; to provide for
17 payment of qualified education debts of registered interior
18 designers; to provide for a fee; to create a voluntary registry for
19 interior designers; to authorize registered interior designers to
20 obtain and use a seal as prescribed; to harmonize provisions; and to
21 repeal the original sections.

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

1 Section 1. Section 2-3256, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 2-3256 All design or construction by a district of structural works
4 costing more than one hundred thousand dollars shall be under the
5 supervision of a licensed engineer except as otherwise provided in the
6 Engineers, and Architects, and Registered Interior Designers Regulation
7 Act. The Board of Engineers, and Architects, and Registered Interior
8 Designers shall adjust the dollar amount in this section every fifth
9 year. The first such adjustment after August 27, 2011, shall be effective
10 on July 1, 2014. The adjusted amount shall be equal to the then current
11 amount adjusted by the cumulative percentage change in the Consumer Price
12 Index for All Urban Consumers published by the Federal Bureau of Labor
13 Statistics for the five-year period preceding the adjustment date. The
14 amount shall be rounded to the next highest one-thousand-dollar amount.

15 Sec. 2. Section 13-2039, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 13-2039 (1)(a) A landfill may accept yard waste without condition
18 from December 1 through March 31 of each year.

19 (b) A landfill may accept yard waste year-round if such yard waste:

20 (i) Will be used for the production and recovery of methane gas for
21 use as fuel (A) with the approval of the department and (B) at a landfill
22 operating as a solid waste management facility with a permit issued
23 pursuant to the department's rules and regulations; or

24 (ii) Has been separated at its source from other solid waste and
25 will be used for the purpose of soil conditioning or composting.

26 (c) State and local governmental entities responsible for the
27 maintenance of public lands shall give preference to the use of composted
28 materials in all land maintenance activities. This section does not
29 prohibit the use of yard waste as land cover or as soil-conditioning
30 material.

31 (2) Land disposal of lead-acid batteries and waste oil is

1 prohibited.

2 (3)(a) Land disposal of waste tires in any form is prohibited except
3 tires that are nonrecyclable. For purposes of this subsection,
4 nonrecyclable tire means a press-on solid tire, a solid pneumatic shaped
5 tire, or a foam pneumatic tire.

6 (b) On and after September 1, 2003, placing or causing the placement
7 or disposal of scrap tires in any form into the waters of the state is
8 prohibited except as provided in section 13-2033.

9 (c) Tires are not considered disposed if they are (i) processed into
10 crumb rubber form and reused or recycled in manufactured products such
11 as, but not limited to, products used for schools, playgrounds, and
12 residential, lawn, and garden applications, (ii) used as safety barriers
13 for race courses for motorized vehicles, on the condition that the tires
14 are bolted together and properly wrapped, and not in loose, compressed,
15 or baled form, (iii) used as tire-derived fuel, (iv) retreaded, (v)
16 processed into chip or shred form and used as drainage media in landfill
17 construction or septic drain fields, (vi) used as a raw material in
18 steelmaking, or (vii) processed into shred form and used as an
19 alternative daily cover in a landfill or for a civil engineering project
20 if such project is designed and constructed in compliance with the
21 Engineers, and Architects, and Registered Interior Designers Regulation
22 Act and prior approval for such project is obtained from the department
23 by the tire shredder and the end user, except that departmental approval
24 is not necessary for a tire project involving three thousand five hundred
25 or fewer passenger tire equivalents of waste tires if the department
26 receives notification of the project not later than thirty days prior to
27 any construction on such project. The notification shall contain the name
28 and address of the tire shredder and end user, the location of the
29 project, a description of the type of project, the number of passenger
30 tire equivalents of waste tires to be used, and any additional
31 information the council determines is necessary to accomplish the

1 purposes of the Integrated Solid Waste Management Act.

2 A race sponsor using tires as safety barriers pursuant to
3 subdivision (3)(c)(ii) of this section prior to October 1, 2006, shall
4 file an approved tire disposal plan with the department on or before
5 January 1, 2007. A race sponsor using tires as safety barriers on or
6 after October 1, 2006, shall file an approved tire disposal plan with the
7 department prior to the sponsor's first such use of tires. An approved
8 tire disposal plan shall provide for the disposal of tires which cease to
9 be used as safety barriers in accordance with subsection (3) of section
10 13-2033, and any such race sponsor who ceases to use tires as safety
11 barriers or whose facility ceases operation shall dispose of such tires
12 in accordance with his or her approved tire disposal plan. Any
13 modification to an approved tire disposal plan shall be submitted to and
14 approved by the department prior to implementation of such modified plan.
15 An approved tire disposal plan shall continue in effect as long as such
16 sponsor uses tires as safety barriers.

17 (4) Land disposal of discarded household appliances is prohibited.

18 (5) Land disposal of unregulated hazardous wastes, except household
19 hazardous wastes, which are exempt from the regulations under the
20 Environmental Protection Act is prohibited unless such disposal occurs at
21 a licensed hazardous waste disposal facility.

22 (6) For purposes of this section, land disposal shall include, but
23 not be limited to, incineration at a landfill.

24 Sec. 3. Section 13-2903, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 13-2903 For purposes of the Political Subdivisions Construction
27 Alternatives Act:

28 (1) Construction management at risk contract means a contract by
29 which a construction manager (a) assumes the legal responsibility to
30 deliver a construction project within a contracted price to the political
31 subdivision, (b) acts as a construction consultant to the political

1 subdivision during the design development phase of the project when the
2 political subdivision's architect or engineer designs the project, and
3 (c) is the builder during the construction phase of the project;

4 (2) Construction manager means the legal entity which proposes to
5 enter into a construction management at risk contract pursuant to the
6 act;

7 (3) Design-build contract means a contract which is subject to
8 qualification-based selection between a political subdivision and a
9 design-builder to furnish (a) architectural, engineering, and related
10 design services for a project pursuant to the act and (b) labor,
11 materials, supplies, equipment, and construction services for a project
12 pursuant to the act;

13 (4) Design-builder means the legal entity which proposes to enter
14 into a design-build contract which is subject to qualification-based
15 selection pursuant to the act;

16 (5) Letter of interest means a statement indicating interest to
17 enter into a design-build contract or a construction management at risk
18 contract for a project pursuant to the act;

19 (6) Performance-criteria developer means any person licensed or any
20 organization issued a certificate of authorization to practice
21 architecture or engineering pursuant to the Engineers, and Architects,
22 and Registered Interior Designers Regulation Act who is selected by a
23 political subdivision to assist the political subdivision in the
24 development of project performance criteria, requests for proposals,
25 evaluation of proposals, evaluation of the construction under a design-
26 build contract to determine adherence to the performance criteria, and
27 any additional services requested by the political subdivision to
28 represent its interests in relation to a project;

29 (7) Political subdivision means a city, village, county, natural
30 resources district, metropolitan utilities district, public power
31 district, public power and irrigation district, school district,

1 community college, or state college;

2 (8) Project performance criteria means the performance requirements
3 of the project suitable to allow the design-builder to make a proposal.
4 Performance requirements include the following, if required by the
5 project: Capacity, durability, standards, ingress and egress
6 requirements, description of the site, surveys, soil and environmental
7 information concerning the site, interior space requirements, material
8 quality standards, design and construction schedules, site development
9 requirements, provisions for utilities, storm water retention and
10 disposal, parking requirements, applicable governmental code
11 requirements, and other criteria for the intended use of the project;

12 (9) Proposal means an offer in response to a request for proposals
13 (a) by a design-builder to enter into a design-build contract for a
14 project pursuant to the Political Subdivisions Construction Alternatives
15 Act or (b) by a construction manager to enter into a construction
16 management at risk contract for a project pursuant to the act;

17 (10) Qualification-based selection process means a process of
18 selecting a design-builder based first on the qualifications of the
19 design-builder and then on the design-builder's proposed approach to the
20 design and construction of the project;

21 (11) Request for letters of interest means the documentation or
22 publication by which a political subdivision solicits letters of
23 interest;

24 (12) Request for proposals means the documentation by which a
25 political subdivision solicits proposals; and

26 (13) School district means any school district classified under
27 section 79-102.

28 Sec. 4. Section 13-2907, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 13-2907 A political subdivision shall prepare a request for
31 proposals for each design-build contract in accordance with this section.

1 Notice of the request for proposals shall be published in a newspaper of
2 general circulation within the political subdivision at least thirty days
3 prior to the deadline for receiving and opening proposals. A notice of
4 the request for proposals by a school district shall be filed with the
5 State Department of Education at least thirty days prior to the deadline
6 for receiving and opening proposals. The request for proposals shall
7 contain, at a minimum, the following elements:

8 (1) The identity of the political subdivision for which the project
9 will be built and the political subdivision that will execute the design-
10 build contract;

11 (2) Policies adopted by the political subdivision in accordance with
12 section 13-2905;

13 (3) The proposed terms and conditions of the design-build contract,
14 including any terms and conditions which are subject to further
15 negotiation. The proposed general terms and conditions shall be
16 consistent with nationally recognized model general terms and conditions
17 which are standard in the design and construction industry in Nebraska.
18 The proposed terms and conditions may set forth an initial determination
19 of the manner by which the design-builder selects any subcontractor and
20 may require that any work subcontracted be awarded by competitive
21 bidding;

22 (4) A project statement which contains information about the scope
23 and nature of the project;

24 (5) Project performance criteria;

25 (6) Budget parameters for the project;

26 (7) Any bonds and insurance required by law or as may be
27 additionally required by the political subdivision;

28 (8) The criteria for evaluation of proposals and the relative weight
29 of each criterion;

30 (9) A requirement that the design-builder provide a written
31 statement of the design-builder's proposed approach to the design and

1 construction of the project, which may include graphic materials
2 illustrating the proposed approach to design and construction but shall
3 not include price proposals;

4 (10) A requirement that the design-builder agree to the following
5 conditions:

6 (a) An architect or engineer licensed to practice in Nebraska will
7 participate substantially in those aspects of the offering which involve
8 architectural or engineering services;

9 (b) At the time of the design-build offering, the design-builder
10 will furnish to the governing body of the political subdivision a written
11 statement identifying the architect or engineer who will perform the
12 architectural or engineering work for the design-build project;

13 (c) The architect or engineer engaged by the design-builder to
14 perform the architectural or engineering work with respect to the design-
15 build project will have direct supervision of such work and may not be
16 removed by the design-builder prior to the completion of the project
17 without the written consent of the governing body of the political
18 subdivision;

19 (d) A design-builder offering design-build services with its own
20 employees who are design professionals licensed to practice in Nebraska
21 will (i) comply with the Engineers, and Architects, and Registered
22 Interior Designers Regulation Act by procuring a certificate of
23 authorization to practice architecture or engineering and (ii) submit
24 proof of sufficient professional liability insurance; and

25 (e) The rendering of architectural or engineering services by a
26 licensed architect or engineer employed by the design-builder will
27 conform to the Engineers, and Architects, and Registered Interior
28 Designers Regulation Act and rules and regulations adopted under the act;
29 and

30 (11) Other information which the political subdivision chooses to
31 require.

1 Sec. 5. Section 23-1901, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 23-1901 (1) It shall be the duty of the county surveyor to make or
4 cause to be made all surveys within his or her county that the county
5 surveyor may be called upon to make and record the same.

6 (2) In all counties having a population of at least one hundred
7 thousand inhabitants but less than one hundred fifty thousand
8 inhabitants, the county surveyor shall be ex officio county engineer and
9 shall be either a professional engineer as provided in the Engineers, ~~and~~
10 Architects, and Registered Interior Designers Regulation Act or a
11 registered land surveyor as provided in the Land Surveyors Regulation Act
12 or both. In such counties, the office of surveyor shall be full time.

13 In counties having a population of one hundred fifty thousand
14 inhabitants or more, a county engineer shall be a professional engineer
15 as provided in the act and shall be elected as provided in section
16 32-526.

17 (3) The county engineer or ex officio county engineer shall:

18 (a) Prepare all plans, specifications, and detail drawings for the
19 use of the county in advertising and letting all contracts for the
20 building and repair of bridges, culverts, and all public improvements
21 upon the roads;

22 (b) Make estimates of the cost of all such contemplated public
23 improvements, make estimates of all material required for such public
24 improvements, inspect the material and have the same measured and
25 ascertained, and report to the county board whether the same is in
26 accordance with its requirements;

27 (c) Superintend the construction of all such public improvements and
28 inspect and require that the same shall be done according to contract;

29 (d) Make estimates of the cost of all labor and material which shall
30 be necessary for the construction of all bridges and improvements upon
31 public highways, inspect all of the work and materials placed in any such

1 public improvements, and make a report in writing to the county board
2 with a statement in regard to whether the same comply with the plans,
3 specifications, and detail drawings of the county board prepared for such
4 work or improvements and under which the contract was let; and

5 (e) Have charge and general supervision of work or improvements
6 authorized by the county board, inspect all materials, direct the work,
7 and make a report of each piece of work to the county board.

8 The county engineer or surveyor shall also have such other and
9 further powers as are necessarily incident to the general powers granted.

10 (4) The county surveyor shall prepare and file the required annual
11 inventory statement of county personal property in his or her custody or
12 possession as provided in sections 23-346 to 23-350.

13 (5) In counties having a population of one hundred fifty thousand
14 inhabitants or more, the county engineer shall appoint a full-time county
15 surveyor. The county surveyor shall perform all the duties prescribed in
16 sections 23-1901 to 23-1913 and any other duties assigned to him or her
17 by the county engineer. The county surveyor shall be a registered land
18 surveyor as provided in the Land Surveyors Regulation Act.

19 Sec. 6. Section 33-151, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 33-151 All money now in the state treasury to the credit of the
22 Board of Barber Examiners; ~~the State Real Estate Commission;~~ ~~the~~
23 Board of Engineers, ~~and Architects,~~ and Registered Interior Designers;
24 the State Athletic Commissioner; ~~the Nebraska Oil and Gas Conservation~~
25 Commission pursuant to sections 57-906 and 57-911; ~~and any other state~~
26 board, bureau, division, fund, or commission not mentioned in this
27 section, and all money collected by each of such boards, bureaus,
28 divisions, or commissions during any biennium, if and when specifically
29 appropriated by the Legislature for that purpose, are made immediately
30 available for the use and benefit of such board, bureau, division, or
31 commission. This section shall not be construed to apply to the fees

1 inuring to the Nebraska Brand Inspection and Theft Prevention Fund.

2 Sec. 7. Section 37-1719, Revised Statutes Cumulative Supplement,
3 2022, is amended to read:

4 37-1719 The commission may hire an architect licensed pursuant to
5 the Engineers, ~~and~~ Architects, and Registered Interior Designers
6 Regulation Act or an engineer licensed pursuant to the act to assist the
7 commission with the development of project performance criteria and
8 requests for proposals, with evaluation of proposals, with evaluation of
9 the construction to determine adherence to the project performance
10 criteria, and with any additional services requested by the commission to
11 represent its interests in relation to a project. The procedures used to
12 hire such person or organization shall comply with the Nebraska
13 Consultants' Competitive Negotiation Act. The person or organization
14 hired shall be ineligible to be included as a provider of other services
15 in a proposal for the project for which he or she has been hired and
16 shall not be employed by or have a financial or other interest in a
17 design-builder or construction manager who will submit a proposal.

18 Sec. 8. Section 37-1723, Revised Statutes Cumulative Supplement,
19 2022, is amended to read:

20 37-1723 The commission shall prepare a request for proposals for
21 each design-build contract. The request for proposals shall contain, at a
22 minimum, the following elements:

23 (1) The guidelines adopted by the commission in accordance with
24 section 37-1720. The identification of a publicly accessible location of
25 the guidelines, either physical or electronic, shall be considered
26 compliance with this subdivision;

27 (2) The proposed terms and conditions of the design-build contract,
28 including any terms and conditions which are subject to further
29 negotiation;

30 (3) A project statement which contains information about the scope
31 and nature of the project;

1 (4) A statement regarding alternative technical concepts including
2 the process and time period in which such concepts may be submitted,
3 confidentiality of the concepts, and ownership of the rights to the
4 intellectual property contained in such concepts;

5 (5) Project performance criteria;

6 (6) Budget parameters for the project;

7 (7) Any bonding and insurance required by law or as may be
8 additionally required by the commission;

9 (8) The criteria for evaluation of proposals and the relative weight
10 of each criterion. The criteria shall include, but are not limited to,
11 the cost of the work, construction experience, design experience, and the
12 financial, personnel, and equipment resources available for the project.
13 The relative weight to apply to any criterion shall be at the discretion
14 of the commission based on each project, except that in all cases, the
15 cost of the work shall be given a relative weight of at least fifty
16 percent;

17 (9) A requirement that the design-builder provide a written
18 statement of the design-builder's proposed approach to the design and
19 construction of the project, which may include graphic materials
20 illustrating the proposed approach to design and construction and shall
21 include price proposals;

22 (10) A requirement that the design-builder agree to the following
23 conditions:

24 (a) At the time of the design-build proposal, the design-builder
25 must furnish to the commission a written statement identifying the
26 architect or engineer who will perform the architectural or engineering
27 work for the project. The architect or engineer engaged by the design-
28 builder to perform the architectural or engineering work with respect to
29 the project must have direct supervision of such work and may not be
30 removed by the design-builder prior to the completion of the project
31 without the written consent of the commission;

1 (b) At the time of the design-build proposal, the design-builder
2 must furnish to the commission a written statement identifying the
3 general contractor who will provide the labor, material, supplies,
4 equipment, and construction services. The general contractor identified
5 by the design-builder may not be removed by the design-builder prior to
6 completion of the project without the written consent of the commission;

7 (c) A design-builder offering design-build services with its own
8 employees who are design professionals licensed to practice in Nebraska
9 must (i) comply with the Engineers, and Architects, and Registered
10 Interior Designers Regulation Act by procuring a certificate of
11 authorization to practice architecture or engineering and (ii) submit
12 proof of sufficient professional liability insurance in the amount
13 required by the commission; and

14 (d) The rendering of architectural or engineering services by a
15 licensed architect or engineer employed by the design-builder must
16 conform to the Engineers, and Architects, and Registered Interior
17 Designers Regulation Act; and

18 (11) Other information or requirements which the commission, in its
19 discretion, chooses to include in the request for proposals.

20 Sec. 9. Section 39-1311.02, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 39-1311.02 (1) A review of a preliminary subdivision plat shall be
23 required for all proposals to subdivide land or to make public or private
24 improvements on all land within an approved corridor.

25 (2) A building permit shall be required for all structures within an
26 approved corridor if the actual cost of the structure exceeds one
27 thousand dollars. Structures include, but are not limited to, any
28 construction or improvement to land such as public or private streets,
29 sidewalks, and utilities; golf course tee boxes, fairways, or greens;
30 drainage facilities; storm water detention areas; mitigation sites; green
31 space; landscaped areas; or other similar uses. Any application for a

1 building permit shall include a plat drawn by a person licensed as a
2 professional engineer or architect under the Engineers, ~~and~~ Architects,
3 and Registered Interior Designers Regulation Act or registered as a land
4 surveyor as provided in the Land Surveyors Regulation Act showing the
5 location of all existing and proposed structures in the area subject to
6 corridor protection.

7 Sec. 10. Section 39-2306, Revised Statutes Cumulative Supplement,
8 2022, is amended to read:

9 39-2306 (1) Any person desiring to be issued a Class B license under
10 section 39-2308 shall apply to the board of examiners upon forms
11 prescribed and furnished by the board. Such application shall be
12 accompanied by an application fee of twenty-five dollars.

13 (2) Any professional engineer licensed pursuant to the Engineers,
14 ~~and~~ Architects, and Registered Interior Designers Regulation Act shall be
15 entitled to a Class B license under section 39-2308 without examination.

16 Sec. 11. Section 39-2504, Revised Statutes Cumulative Supplement,
17 2022, is amended to read:

18 39-2504 (1) A reduced incentive payment shall be made to any county
19 or municipal county having appointed and employed either (a) a licensed
20 county highway superintendent for only a portion of the calendar year
21 preceding the year in which the payment is made or (b) two or more
22 successive licensed county highway superintendents for the calendar year
23 preceding the year in which the payment is made. Such reduced payment
24 shall be in the proportion of the payment amounts listed in section
25 39-2503 as the number of full months each such licensed superintendent
26 was appointed and employed is of twelve.

27 (2) Any county or municipal county that contracts for the services
28 of and appoints a consulting engineer licensed under the County Highway
29 and City Street Superintendents Act or any other person licensed under
30 the act to perform the duties outlined in section 39-2502 rather than
31 appointing and employing a licensed county highway superintendent shall

1 be entitled to an incentive payment equal to two-thirds the payment
2 amount provided in section 39-2503 or two-thirds of the reduced incentive
3 payment provided in subsection (1) of this section, as determined by the
4 Department of Transportation pursuant to section 39-2505.

5 (3) Any county or municipal county that contracts with another
6 county or municipal county or with any city or village for the services
7 of and appoints a licensed county highway superintendent as provided in
8 section 39-2114 shall be entitled to the incentive payment provided in
9 section 39-2503 or the reduced incentive payment provided in subsection
10 (1) of this section.

11 (4) Beginning in calendar year 2022, any county or municipal county
12 having a total population of sixty thousand or more inhabitants, as
13 determined by the most recent official United States census, shall
14 receive the full twelve-month Class A incentive payment amount provided
15 in section 39-2503 applicable to such county's or municipal county's
16 rural population as determined by the most recent federal census.

17 (5) Beginning in calendar year 2022, a county or municipal county
18 having a total population of less than sixty thousand inhabitants, as
19 determined by the most recent official United States census, may appoint
20 and employ a professional engineer, who is licensed pursuant to the
21 Engineers, and Architects, and Registered Interior Designers Regulation
22 Act but is not licensed under the County Highway and City Street
23 Superintendents Act, to perform the duties of county highway
24 superintendent outlined in section 39-2502. In such case, the
25 professional engineer's license under the Engineers, and Architects, and
26 Registered Interior Designers Regulation Act shall serve as a Class A
27 license for purposes of incentive payments under sections 39-2502 to
28 39-2505. This subsection only applies to a professional engineer in the
29 direct employ of a county or municipal county and does not apply to an
30 engineer serving as a contractor or consultant.

31 Sec. 12. Section 39-2514, Revised Statutes Cumulative Supplement,

1 2022, is amended to read:

2 39-2514 (1) A reduced incentive payment shall be made to any
3 municipality or municipal county having appointed and employed either (a)
4 a licensed city street superintendent for only a portion of the calendar
5 year preceding the year in which the payment is made or (b) two or more
6 successive licensed city street superintendents for the calendar year
7 preceding the year in which the payment is made. Such reduced payment
8 shall be in the proportion of the payment amounts listed in section
9 39-2513 as the number of full months each such licensed superintendent
10 was appointed and employed is of twelve.

11 (2) Any municipality or municipal county that contracts for the
12 services of and appoints a consulting engineer licensed under the County
13 Highway and City Street Superintendents Act or any other person licensed
14 under the act to perform the duties outlined in section 39-2512 rather
15 than appointing and employing a licensed city street superintendent shall
16 be entitled to an incentive payment as provided in section 39-2513 or to
17 the reduced incentive payment provided in subsection (1) of this section,
18 as determined by the Department of Transportation pursuant to section
19 39-2515.

20 (3) Any municipality or municipal county that contracts with another
21 municipality, county, or municipal county for the services of and
22 appoints a licensed city street superintendent as provided in section
23 39-2114 shall be entitled to the incentive payment provided in section
24 39-2513 or the reduced incentive payment provided in subsection (1) of
25 this section.

26 (4) Beginning in calendar year 2022, a municipality or municipal
27 county may appoint and employ a professional engineer who is licensed
28 pursuant to the Engineers, and Architects, and Registered Interior
29 Designers Regulation Act but is not licensed under the County Highway and
30 City Street Superintendents Act and who is serving as city engineer,
31 village engineer, public works director, city manager, city

1 administrator, or street commissioner to perform the duties of city
2 street superintendent outlined in section 39-2512. In such case, the
3 professional engineer's license under the Engineers, ~~and~~ Architects, and
4 Registered Interior Designers Regulation Act shall serve as a Class A
5 license for purposes of incentive payments under sections 39-2512 to
6 39-2515. This subsection only applies to a professional engineer in the
7 direct employ of a municipality or municipal county and does not apply to
8 an engineer serving as a contractor or consultant.

9 Sec. 13. Section 39-2814, Revised Statutes Cumulative Supplement,
10 2022, is amended to read:

11 39-2814 A contracting agency shall prepare a request for proposals
12 for each design-build or progressive design-build contract. The request
13 for proposals shall contain, at a minimum, the following elements:

14 (1) The guidelines adopted in accordance with section 39-2811. The
15 identification of a publicly accessible location of the guidelines,
16 either physical or electronic, shall be considered compliance with this
17 subdivision;

18 (2) The proposed terms and conditions of the design-build or
19 progressive design-build contract, including any terms and conditions
20 which are subject to further negotiation;

21 (3) A project statement which contains information about the scope
22 and nature of the project;

23 (4) If applicable, a statement regarding alternative technical
24 concepts including the process and time period in which such concepts may
25 be submitted, confidentiality of the concepts, and ownership of the
26 rights to the intellectual property contained in such concepts;

27 (5) Project performance criteria;

28 (6) Budget parameters for the project;

29 (7) Any bonding and insurance required by law or as may be
30 additionally required by the contracting agency;

31 (8) The criteria for evaluation of proposals and the relative weight

1 of each criterion. For both design-build and progressive design-build
2 contracts, the criteria shall include, but are not limited to,
3 construction experience, design experience, and the financial, personnel,
4 and equipment resources available for the project. For design-build
5 contracts only, the criteria shall also include the cost of the work. For
6 progressive design-build contracts only, the criteria shall also include
7 consideration of the historic reasonableness of the progressive design-
8 builder's costs and expenses when bidding and completing projects,
9 whether such projects were completed using the progressive design-build
10 process or another bidding and contracting process. The relative weight
11 to apply to any criterion shall be at the discretion of the contracting
12 agency based on each project, except that for all design-build contracts,
13 the cost of the work shall be given a relative weight of at least fifty
14 percent;

15 (9) A requirement that the design-builder or progressive design-
16 builder provide a written statement of the design-builder's or
17 progressive design-builder's proposed approach to the design and
18 construction of the project, which may include graphic materials
19 illustrating the proposed approach to design and construction;

20 (10) A requirement that the design-builder or progressive design-
21 builder agree to the following conditions:

22 (a) At the time of the design-build or progressive design-build
23 proposal, the design-builder or progressive design-builder must furnish
24 to the contracting agency a written statement identifying the architect
25 or engineer who will perform the architectural or engineering work for
26 the project. The architect or engineer engaged by the design-builder or
27 progressive design-builder to perform the architectural or engineering
28 work with respect to the project must have direct supervision of such
29 work and may not be removed by the design-builder or progressive design-
30 builder prior to the completion of the project without the written
31 consent of the contracting agency;

1 (b) At the time of the design-build or progressive design-build
2 proposal, the design-builder or progressive design-builder must furnish
3 to the contracting agency a written statement identifying the general
4 contractor who will provide the labor, material, supplies, equipment, and
5 construction services. The general contractor identified by the design-
6 builder or progressive design-builder may not be removed by the design-
7 builder or progressive design-builder prior to completion of the project
8 without the written consent of the contracting agency;

9 (c) A design-builder or progressive design-builder offering design-
10 build or progressive design-build services with its own employees who are
11 design professionals licensed to practice in Nebraska must (i) comply
12 with the Engineers, and Architects, and Registered Interior Designers
13 Regulation Act by procuring a certificate of authorization to practice
14 architecture or engineering and (ii) submit proof of sufficient
15 professional liability insurance in the amount required by the
16 contracting agency; and

17 (d) The rendering of architectural or engineering services by a
18 licensed architect or engineer employed by the design-builder or
19 progressive design-builder must conform to the Engineers, and Architects,
20 and Registered Interior Designers Regulation Act;

21 (11) The amount and terms of the stipend required pursuant to
22 section 39-2815, if any; and

23 (12) Other information or requirements which the contracting agency,
24 in its discretion, chooses to include in the request for proposals.

25 Sec. 14. Section 46-1616, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 46-1616 Engineer means a professional engineer licensed under the
28 Engineers, and Architects, and Registered Interior Designers Regulation
29 Act who (1) is competent in areas related to dam investigation, design,
30 construction, and operation for the type of dam being investigated,
31 designed, constructed, or operated, (2) has at least four years of

1 relevant experience in investigation, design, construction,
2 reconstruction, enlargement, alteration, breach, removal, or abandonment
3 of dams, and (3) understands adverse consequences and dam failures.

4 Sec. 15. Section 54-2429, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 54-2429 (1) An applicant for a National Pollutant Discharge
7 Elimination System permit or a construction and operating permit under
8 the Environmental Protection Act or the Livestock Waste Management Act
9 shall, before issuance by the Department of Environment and Energy,
10 obtain any necessary approvals from the Department of Natural Resources
11 under the Safety of Dams and Reservoirs Act and certify such approvals to
12 the Department of Environment and Energy. The Department of Environment
13 and Energy, with the concurrence of the Department of Natural Resources,
14 may require the applicant to obtain approval from the Department of
15 Natural Resources for any dam, holding pond, or lagoon structure which
16 would not otherwise require approval under the Safety of Dams and
17 Reservoirs Act but which in the event of a failure could result in a
18 significant discharge into waters of the state and have a significant
19 impact on the environment. The Department of Environment and Energy may
20 provide for the payment of such costs of the Department of Natural
21 Resources with revenue generated under section 54-2428.

22 (2) An applicant required to obtain a National Pollutant Discharge
23 Elimination System permit is subject to the requirements of the
24 Engineers, and Architects, and Registered Interior Designers Regulation
25 Act.

26 (3) An applicant who has a large concentrated animal feeding
27 operation, as defined in 40 C.F.R. 122 and 123, as such regulations
28 existed on January 1, 2004, and who is required to obtain a construction
29 and operating permit is subject to the requirements of the Engineers, and
30 Architects, and Registered Interior Designers Regulation Act.

31 (4) An applicant who has a small or medium animal feeding operation,

1 as defined in 40 C.F.R. 122 and 123, as such regulations existed on
2 January 1, 2004, and who is required to obtain a construction and
3 operating permit, but not required to obtain a National Pollutant
4 Discharge Elimination System permit, is exempt from the Engineers, and
5 Architects, and Registered Interior Designers Regulation Act.

6 (5) The department may require an engineering evaluation or
7 assessment performed by a licensed professional engineer for a livestock
8 waste control facility if after an inspection: (a) The department
9 determines that the facility has (i) visible signs of structural breakage
10 below the permanent pool, (ii) signs of discharge or proven discharge due
11 to structural weakness, (iii) improper maintenance, or (iv) inadequate
12 capacity; or (b) the department has reason to believe that an animal
13 feeding operation with a livestock waste control facility has violated or
14 threatens to violate the Environmental Protection Act, the Livestock
15 Waste Management Act, or any rules or regulations adopted and promulgated
16 under such acts. Animal feeding operations not required to have a permit
17 under the Environmental Protection Act, the Livestock Waste Management
18 Act, or the rules and regulations adopted and promulgated pursuant to
19 such acts are exempt from the Engineers, and Architects, and Registered
20 Interior Designers Regulation Act.

21 Sec. 16. Section 61-201, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 61-201 The Director of Natural Resources shall be qualified by
24 training and business experience to manage and supervise the Department
25 of Natural Resources. The director shall be a professional engineer as
26 provided in the Engineers, and Architects, and Registered Interior
27 Designers Regulation Act and have had at least five years' experience in
28 a position of responsibility in irrigation work.

29 Sec. 17. Section 76-3505, Revised Statutes Cumulative Supplement,
30 2022, is amended to read:

31 76-3505 New construction after September 1, 2019, shall not be

1 required to use radon resistant new construction if (1) the construction
2 project utilizes the design of an architect or professional engineer
3 licensed under the Engineers, and Architects, and Registered Interior
4 Designers Regulation Act, (2) the construction project is located in a
5 county in which the average radon concentration is less than two and
6 seven-tenths picocuries per liter of air as determined by the department
7 pursuant to section 76-3507, or (3) other than for any residential
8 dwelling unit, a local building official makes a determination, after a
9 review of relevant guidelines for the intended use of the structure and
10 property conditions, that radon resistant new construction is not
11 necessary.

12 Sec. 18. Section 81-8,126, Revised Statutes Cumulative Supplement,
13 2022, is amended to read:

14 81-8,126 The Land Surveyors Regulation Act shall not apply to (1)
15 any land surveyor working for the United States Government while
16 performing his or her duties as an employee of the government, (2) any
17 person employed as an assistant to a land surveyor registered under the
18 act, or (3) any professional engineer or person working under the direct
19 supervision of a professional engineer licensed under the Engineers, and
20 Architects, and Registered Interior Designers Regulation Act doing work
21 which does not involve the location, description, establishment, or
22 reestablishment of property corners or property lines or work which does
23 not create descriptions, definitions, or areas for transfer of an estate
24 in real property.

25 Sec. 19. Section 81-8,198.01, Revised Statutes Cumulative
26 Supplement, 2022, is amended to read:

27 81-8,198.01 (1) Landscape architecture design projects involving
28 more than one design professional shall have a designated coordinating
29 professional for the entire project. The coordinating professional may,
30 but need not, provide professional services on the project. The
31 coordinating professional shall apply his or her seal in accordance with

1 the Engineers, ~~and~~ Architects, and Registered Interior Designers
2 Regulation Act or the Professional Landscape Architects Act to the cover
3 sheet of all documents and denote the seal as that of the coordinating
4 professional.

5 (2) The coordinating professional shall be responsible for reviewing
6 and coordinating technical documents prepared by any other design
7 professional for compatibility with the design of the project.

8 Sec. 20. Section 81-1609, Revised Statutes Cumulative Supplement,
9 2022, is amended to read:

10 81-1609 As used in sections 81-1608 to 81-1626, unless the context
11 otherwise requires:

12 (1) Department means the Department of Environment and Energy;

13 (2) Contractor means the person or entity responsible for the
14 overall construction of any building or the installation of any component
15 which affects the energy efficiency of the building;

16 (3) Architect or engineer means any person licensed as an architect
17 or professional engineer under the Engineers, ~~and~~ Architects, and
18 Registered Interior Designers Regulation Act;

19 (4) Building means any new structure, renovated building, or
20 addition which is used or intended for supporting or sheltering any use
21 or occupancy, but not including any structure which has a consumption of
22 traditional energy sources for all purposes not exceeding the energy
23 equivalent of three and four-tenths British Thermal Units per hour or one
24 watt per square foot;

25 (5) Residential building means a building three stories or less that
26 is used primarily as one or more dwelling units;

27 (6) Renovation means alterations on an existing building which will
28 cost more than fifty percent of the replacement cost of such building at
29 the time work is commenced or which was not previously heated or cooled,
30 for which a heating or cooling system is now proposed, except that the
31 restoration of historical buildings shall not be included;

1 (7) Addition means an extension or increase in the height,
2 conditioned floor area, or conditioned volume of a building or structure;

3 (8) Floor area means the total area of the floor or floors of a
4 building, expressed in square feet, which is within the exterior faces of
5 the shell of the structure which is heated or cooled;

6 (9) Nebraska Energy Code means the 2018 International Energy
7 Conservation Code published by the International Code Council;

8 (10) Traditional energy sources means electricity, petroleum-based
9 fuels, uranium, coal, and all nonrenewable forms of energy; and

10 (11) Equivalent or equivalent code means standards that meet or
11 exceed the requirements of the Nebraska Energy Code.

12 Sec. 21. Section 81-3401, Revised Statutes Cumulative Supplement,
13 2022, is amended to read:

14 81-3401 Sections 81-3401 to 81-3455 and sections 29, 30, 34, 36, 37,
15 38, 65, 66, and 67 of this act shall be known and may be cited as the
16 Engineers, and Architects, and Registered Interior Designers Regulation
17 Act.

18 Sec. 22. Section 81-3402, Revised Statutes Cumulative Supplement,
19 2022, is amended to read:

20 81-3402 (1) In order to safeguard life, health, and property and to
21 promote the public welfare, the professions of architecture, and
22 engineering, and registered interior design are declared to be subject to
23 regulation in the public interest.

24 (2) The practice of architecture and engineering and use of the
25 titles architect or professional engineer is a privilege granted by the
26 state through the board based on the qualifications of the individual as
27 evidenced by a certificate of licensure which is not transferable.

28 (3) The use of the title registered interior designer is a privilege
29 granted by the state through the board based on the qualifications of the
30 individual as evidenced by inclusion on the registry. After January 1,
31 2024, it shall be unlawful for any person to use the title or imply that

1 such person is a registered interior designer unless the person is
2 registered under the Engineers, Architects, and Registered Interior
3 Designers Regulation Act.

4 Sec. 23. Section 81-3403, Revised Statutes Cumulative Supplement,
5 2022, is amended to read:

6 81-3403 For purposes of the Engineers, ~~and~~ Architects, and
7 Registered Interior Designers Regulation Act, the definitions found in
8 sections 81-3403.01 to 81-3427 and sections 29, 30, 34, 36, 37, and 38 of
9 this act shall be used.

10 Sec. 24. Section 81-3405, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 81-3405 Board means the Board of Engineers, ~~and~~ Architects, and
13 Registered Interior Designers.

14 Sec. 25. Section 81-3407, Revised Statutes Cumulative Supplement,
15 2022, is amended to read:

16 81-3407 Continuing education means lifelong learning and training
17 relevant to a licensee's or registrant's professional practice.

18 Sec. 26. Section 81-3408, Revised Statutes Cumulative Supplement,
19 2022, is amended to read:

20 81-3408 Coordinating professional means a licensee or registrant who
21 coordinates, as appropriate, the work of all licensees or registrants
22 involved in a project.

23 Sec. 27. Section 81-3409, Revised Statutes Cumulative Supplement,
24 2022, is amended to read:

25 81-3409 Design means the preparation of schematics, layouts, plans,
26 drawings, specifications, calculations, and other diagnostic documents
27 which show the features of an architectural, ~~or~~ engineering, or
28 registered interior design project.

29 Sec. 28. Section 81-3411, Revised Statutes Cumulative Supplement,
30 2022, is amended to read:

31 81-3411 Direct supervision means having full professional knowledge

1 and control over work that constitutes the practice of architecture, ~~or~~
2 engineering, or registered interior design.

3 Sec. 29. Interior alteration or construction project means a
4 project for an interior space or area within a proposed or existing
5 building or structure, including construction, modification, renovation,
6 rehabilitation, or historic preservation that involves changing or
7 altering:

8 (1) The design function or layout of rooms; or

9 (2) The state or permanent fixtures or equipment.

10 Sec. 30. Interior nonstructural element means an element or
11 component of a building that does not require structural bracing, is not
12 load-bearing, and is not essential to the structural or seismic integrity
13 of the building.

14 Sec. 31. Section 81-3416, Revised Statutes Cumulative Supplement,
15 2022, is amended to read:

16 81-3416 Good ethical character means such character as will enable a
17 person to discharge the fiduciary duties of an architect, ~~or~~ professional
18 engineer, or registered interior designer to his or her client and to the
19 public for the protection of the public health, safety, and welfare.

20 Sec. 32. Section 81-3420, Revised Statutes Cumulative Supplement,
21 2022, is amended to read:

22 81-3420 (1) Practice of architecture means providing or offering to
23 provide design services in connection with the construction, enlargement,
24 or alteration of a building or group of buildings and the space within
25 and surrounding the buildings. The services may include, but not be
26 limited to, planning, providing studies, designs, drawings,
27 specifications, and other technical submissions, and administering
28 construction contracts. The practice of architecture does not include the
29 practice of engineering.

30 (2) A person shall be construed to practice architecture, within the
31 meaning and intent of the Engineers, ~~and~~ Architects, and Registered

1 Interior Designers Regulation Act, if he or she:

2 (a) Practices the profession of architecture or holds himself or
3 herself out as able and entitled to practice architecture;

4 (b) By verbal claim, sign, advertisement, letterhead, or card or in
5 any other way, represents himself or herself to be an architect; or

6 (c) Through the use of some other title, implies that he or she is
7 an architect or licensed under the Engineers, ~~and~~ Architects, and
8 Registered Interior Designers Regulation Act.

9 Sec. 33. Section 81-3421, Revised Statutes Cumulative Supplement,
10 2022, is amended to read:

11 81-3421 (1) Practice of engineering means any service or creative
12 work that requires engineering education, training, and experience in the
13 application of special knowledge of the mathematical, physical, and
14 engineering sciences. The services may include, but not be limited to,
15 planning, providing studies, designs, drawings, specifications, and other
16 technical submissions, and administering construction contracts. The
17 practice of engineering does not include the practice of architecture.

18 (2) A person shall be construed to practice engineering, within the
19 meaning and intent of the Engineers, ~~and~~ Architects, and Registered
20 Interior Designers Regulation Act, if he or she:

21 (a) Practices any discipline of the profession of engineering or
22 holds himself or herself out as able and entitled to practice any
23 discipline of engineering;

24 (b) By verbal claim, sign, advertisement, letterhead, or card or in
25 any other way, represents himself or herself to be a professional
26 engineer; or

27 (c) Through the use of some other title, implies that he or she is a
28 professional engineer or licensed under the Engineers, ~~and~~ Architects,
29 and Registered Interior Designers Regulation Act.

30 Sec. 34. (1) Practice of registered interior design means the
31 design of interior spaces as part of an interior alteration or

1 construction project in conformity with public health, safety, and
2 welfare requirements, including the preparation of any document relating
3 to a building code description, any project egress plan that does not
4 require additional exits in the space affected, any space planning, any
5 finish material, any furnishing, any fixture, any equipment, and the
6 preparation of any document and technical submission relating to interior
7 construction.

8 (2) Practice of registered interior design does not include:

9 (a) Services that constitute:

10 (i) The practice of professional engineering; or

11 (ii) The practice of professional architecture, except as
12 specifically provided for within the act;

13 (b) The construction or alteration of:

14 (i) The structural system of a building, including changing the
15 building's live or dead load on the structural system;

16 (ii) The building envelope, including an exterior wall, wall
17 covering or wall opening, an exterior window, an exterior door, any
18 architectural trim, a balcony or similar projection, a bay, an oriel
19 window, any roof assembly and rooftop structure, and any glass and
20 glazing for exterior use in both vertical and sloped applications;

21 (iii) Any mechanical, plumbing, heating, air conditioning,
22 ventilation, electrical, vertical transportation, fire sprinkler, or fire
23 alarm system;

24 (iv) An egress system beyond the exit access component of such
25 system; and

26 (v) Any life safety system such as a fire safety or fire protection
27 of structural elements and smoke evacuation and compartmentalization
28 system or a fire-rated vertical shaft in multistory structures;

29 (c) Changes to an occupancy of greater hazard as determined by the
30 International Building Code; and

31 (d) Changes to the construction classification of the building or

1 structure according to the International Building Code.

2 Sec. 35. Section 81-3422.01, Revised Statutes Cumulative Supplement,
3 2022, is amended to read:

4 81-3422.01 Project means one or more related activities that require
5 the practice of architecture, ~~or~~ engineering, or registered interior
6 design for completion.

7 Sec. 36. Registered interior designer means a person who is listed
8 on the registry of interior designers under the Engineers, Architects,
9 and Registered Interior Designers Regulation Act.

10 Sec. 37. Registrant means a registered interior designer.

11 Sec. 38. Section 81-3426, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 81-3426 Rules and regulations means rules and regulations adopted
14 and promulgated under the Engineers, ~~and~~ Architects, and Registered
15 Interior Designers Regulation Act by the board.

16 Sec. 39. Section 81-3428, Revised Statutes Cumulative Supplement,
17 2022, is amended to read:

18 81-3428 (1) The Board of Engineers, ~~and~~ Architects, and Registered
19 Interior Designers is created to administer the Engineers, ~~and~~
20 Architects, and Registered Interior Designers Regulation Act. The board
21 shall consist of ~~ten~~ eight members appointed by the Governor for terms of
22 five years terminating on the last day of February. The board shall
23 consist of:

24 (a) Three architect members, two of whom shall be appointed after
25 consulting with the appropriate architectural professional organizations,
26 and one education member who is a faculty member of the University of
27 Nebraska appointed upon the recommendation of the Dean of Architecture of
28 the University of Nebraska;

29 (b) Four professional engineer members, three of whom shall be
30 appointed after consulting with the appropriate engineering professional
31 organizations, and one education member who is a faculty member of the

1 University of Nebraska appointed upon the recommendation of the Dean of
2 Engineering of the University of Nebraska; ~~and~~

3 (c) Two registered interior design members, who shall be appointed
4 within ninety days after the effective date of this act after consulting
5 with the appropriate interior design professional organizations; and

6 (d) ~~(e)~~ One public member.

7 (2) Each member shall hold office after the expiration of such
8 member's ~~his or her~~ term until a ~~his or her~~ successor is duly appointed
9 and qualified. Vacancies in the membership of the board, however created,
10 shall be filled for the unexpired term by appointment by the Governor.
11 The Governor shall reappoint or replace existing members as their terms
12 expire, and the public member shall be reappointed or replaced in the
13 fifth year of such member's ~~his or her~~ term. The Governor may remove any
14 member of the board for misconduct, incompetency, or neglect of duty.

15 (3) Each member of the board shall be a citizen of the United States
16 and a resident of the State of Nebraska for at least one year immediately
17 preceding appointment. Each architect or professional engineer member
18 shall have been engaged in the active practice of the design profession
19 for at least ten years and shall have been licensed in the relevant
20 profession for at least five years at the time of such member's ~~his or~~
21 ~~her~~ appointment. Each registered interior designer member shall have been
22 engaged in the active practice of registered interior design for at least
23 ten years at the time of such member's appointment.

24 (4) The board may designate a former member of the board as an
25 emeritus member, but for no more than ten years after his or her original
26 board membership expires. Emeritus member status, when conferred, must be
27 renewed annually.

28 (5) The board offices shall be located in Lincoln, Nebraska.

29 Sec. 40. Section 81-3429, Revised Statutes Cumulative Supplement,
30 2022, is amended to read:

31 81-3429 (1) Each member of the board shall receive as compensation

1 not more than one hundred dollars per day or portion of a day for (a)
2 participating in meetings of the board and its committees, (b) traveling
3 to or attending authorized meetings of the National Council of
4 Architectural Registration Boards, the National Council of Examiners for
5 Engineering and Surveying, or their subdivisions or committees on which
6 the member serves, and (c) other business as authorized by the board.
7 Participation in, attendance at, and conduct of such authorized
8 activities by telephone or electronic means shall be eligible for such
9 compensation.

10 (2) Each member of the board shall be reimbursed for all necessary
11 and authorized expenses incident to the performance of such member's his
12 ~~or her~~ duties under the Engineers, ~~and~~ Architects, and Registered
13 Interior Designers Regulation Act as provided in sections 81-1174 to
14 81-1177.

15 Sec. 41. Section 81-3430, Revised Statutes Cumulative Supplement,
16 2022, is amended to read:

17 81-3430 Each member of the board shall receive a certificate of
18 appointment from the Governor and, before beginning his or her term of
19 office, shall file with the Secretary of State the constitutional oath of
20 office. The board or any committee of the board is entitled to the
21 services of the Attorney General in connection with the affairs of the
22 board, and the board may compel the attendance of witnesses, administer
23 oaths, and take testimony and proofs concerning all matters within its
24 jurisdiction. The Attorney General shall act as legal advisor to the
25 board and render such legal assistance as may be necessary in carrying
26 out the Engineers, ~~and~~ Architects, and Registered Interior Designers
27 Regulation Act. The board shall adopt and have an official seal, which
28 shall be affixed to all certificates of licensure granted, and shall
29 adopt and promulgate rules and regulations to carry out the act.

30 Sec. 42. Section 81-3432, Revised Statutes Cumulative Supplement,
31 2022, is amended to read:

1 81-3432 The Engineers, ~~and~~ Architects, and Registered Interior
2 Designers Regulation Fund is created. The board shall receive and account
3 for all money derived from the operation of the Engineers, ~~and~~
4 Architects, and Registered Interior Designers Regulation Act and shall
5 remit the money to the State Treasurer for credit to the Engineers, ~~and~~
6 Architects, and Registered Interior Designers Regulation Fund. All
7 expenses certified by the board as properly and necessarily incurred in
8 the discharge of duties, including compensation and administrative staff,
9 and any expense incident to the administration of the act relating to
10 other states shall be paid out of the fund. Debt repayments payable
11 pursuant to section 81-3432.01 shall be paid out of the fund. Warrants
12 for the payment of expenses shall be issued by the Director of
13 Administrative Services and paid by the State Treasurer upon presentation
14 of vouchers regularly drawn by the chairperson and secretary of the board
15 and approved by the board. At no time shall the total amount of warrants
16 exceed the total amount of the fees collected under the act and to the
17 credit of the fund. Any money in the fund available for investment shall
18 be invested by the state investment officer pursuant to the Nebraska
19 Capital Expansion Act and the Nebraska State Funds Investment Act. Money
20 in the Engineers, ~~and~~ Architects, and Registered Interior Designers
21 Regulation Fund may be transferred to the General Fund at the direction
22 of the Legislature.

23 Sec. 43. Section 81-3432.01, Revised Statutes Cumulative Supplement,
24 2022, is amended to read:

25 81-3432.01 (1) The board may repay qualified educational debt owed
26 by an eligible graduate. Such repayment shall be made from the Engineers,
27 ~~and~~ Architects, and Registered Interior Designers Regulation Fund. To be
28 eligible for debt repayment, a recipient shall be a graduate of (a) a
29 National Architectural Accrediting Board-accredited architecture program
30 in Nebraska, ~~or~~ (b) an ABET-accredited engineering program in Nebraska,
31 or (c) a Council for Interior Design Accreditation-accredited interior

1 design program in Nebraska and shall have obtained qualified educational
2 debt.

3 (2) For purposes of this section, qualified educational debt means
4 government and commercial loans obtained by a student for postsecondary
5 education tuition, other educational expenses, and reasonable living
6 expenses, as determined by the board.

7 (3) The board may adopt and promulgate rules and regulations
8 governing any debt repayment under this section.

9 Sec. 44. Section 81-3433, Revised Statutes Cumulative Supplement,
10 2022, is amended to read:

11 81-3433 The board shall maintain and make available to the public a
12 complete roster of all architects, ~~and~~ professional engineers, and
13 registered interior designers showing their names and last-known
14 addresses. The board may distribute a copy of the roster to each licensee
15 or registrant licensed person as well as county and municipal officials.
16 The board may charge a fee for distributing the roster.

17 Sec. 45. Section 81-3434, Revised Statutes Cumulative Supplement,
18 2022, is amended to read:

19 81-3434 (1) The Legislature hereby finds and declares that a code of
20 practice established by the board by which architects, ~~and~~ professional
21 engineers, and registered interior designers could govern their
22 professional conduct would be beneficial to the state and would safeguard
23 the life, health, and property and promote the public welfare of the
24 citizens of this state.

25 (2) The code of practice established by this section shall include
26 provisions on:

27 (a) Professional competence;

28 (b) Conflict of interest;

29 (c) Full disclosure of financial interest;

30 (d) Full disclosure of matters affecting public safety, health, and
31 welfare;

- 1 (e) Compliance with laws;
2 (f) Professional conduct and good ethical character standards; and
3 (g) Practice of architecture, ~~and~~ engineering, and registered
4 interior design.

5 (3) The board may adopt and promulgate rules and regulations to
6 implement the code of practice.

7 (4) The board may publish commentaries regarding the code of
8 practice. The commentaries shall explain the meaning of interpretations
9 given to the code by the board.

10 Sec. 46. Section 81-3435, Revised Statutes Cumulative Supplement,
11 2022, is amended to read:

12 81-3435 (1) Applications for licensure, examination, intern
13 enrollment, a certificate of authorization, ~~or~~ emeritus status, or
14 interior design registration shall be made on a form prescribed and
15 furnished by the board. Applications shall be made under oath.

16 (2) The board may accept the verified information contained in a
17 valid Council Record issued by the National Council of Architectural
18 Registration Boards, ~~or~~ the National Council of Examiners for Engineering
19 and Surveying, or the Council for Interior Design Qualification in lieu
20 of the same information that is required on the form prescribed and
21 furnished by the board.

22 (3)(a) The board shall establish application, ~~and~~ licensure, and
23 registration fees as provided in this subsection. All fees are
24 nonrefundable.

25 (b) The fee for license applications may not exceed three hundred
26 dollars.

27 (c) The fee for examination applications may be set to recover the
28 costs of examination and its administration.

29 (d) The fee for intern enrollment may not exceed one hundred
30 dollars.

31 (e) The certificate of authorization fee for organizations may not

1 exceed three hundred dollars per year.

2 (f) The fee for emeritus status may not exceed one hundred dollars
3 per year.

4 (g) The fee for interior design registration may not exceed two
5 hundred dollars.

6 Sec. 47. Section 81-3436, Revised Statutes Cumulative Supplement,
7 2022, is amended to read:

8 81-3436 (1) An individual licensed under the Engineers, ~~and~~
9 Architects, and Registered Interior Designers Regulation Act may practice
10 or offer to practice the profession of architecture or engineering
11 through an organization if the criteria for organizational practice
12 established by the board are met and the organization has been issued a
13 certificate of authorization by the board.

14 (2) An organization applying for a certificate of authorization
15 shall designate at least one licensed architect as the person in
16 responsible charge of any practice of architecture by the organization
17 and at least one professional engineer as the person in responsible
18 charge of any practice of engineering by the organization. One who
19 renders only occasional professional services for an organization may not
20 be designated as being in responsible charge of the professional
21 activities of an organization under this section.

22 (3) To obtain a certificate of authorization, a board-approved
23 application shall be filed with the board. The application shall contain
24 the names and license numbers of the individual or individuals designated
25 as in responsible charge and licensed to practice architecture or
26 engineering in Nebraska. Certificates of authorization shall be for a
27 defined period and may be renewed.

28 (4) An organization shall notify the board of any changes in the
29 status of any individual designated as in responsible charge within
30 thirty days after the effective date of the change.

31 (5) All technical submissions issued or filed for public record

1 through an organization involving the practice of architecture or
2 engineering shall be sealed in accordance with the act by the licensee
3 who prepared the submissions or under whose direct supervision they were
4 prepared.

5 (6) An organization is not relieved of responsibility for the
6 conduct or acts of its agents, employees, officers, or partners by reason
7 of its compliance with this section. An individual practicing
8 architecture or engineering is not relieved of responsibility for
9 services performed by reason of employment or any other relationship with
10 an organization holding a certificate of authorization.

11 (7) The Secretary of State shall not issue a certificate of
12 authority to do business in the state to an applicant or issue a
13 registration of name in the state to an organization which intends to
14 engage in the practice of architecture or engineering unless the board
15 has issued the applicant a certificate of authorization or a letter
16 indicating the eligibility of the applicant to receive a certificate or
17 to register the name.

18 (8) Except as otherwise authorized in the Engineers, ~~and~~ Architects,
19 and Registered Interior Designers Regulation Act or in the Professional
20 Landscape Architects Act, the Secretary of State shall not register any
21 trade name or service mark which includes the words architect or
22 engineer, or any modification or derivative of such words, in an
23 applicant's firm name or logotype unless the board has issued the
24 applicant a certificate of authorization or a letter indicating the
25 eligibility of the applicant to register the trade name or service mark.

26 (9) A public service provider or an organization may engage in the
27 practice of architecture or engineering for itself without obtaining a
28 certificate of authorization.

29 Sec. 48. Section 81-3436.01, Revised Statutes Cumulative Supplement,
30 2022, is amended to read:

31 81-3436.01 (1) Providing combined services involving the practice of

1 architecture, ~~or~~ engineering, or registered interior design, or any
2 combination of such practices ~~or both~~, with construction services is
3 allowed if:

4 (a) An architect participates substantially in, and has direct
5 supervision of, the architectural services provided on the project;

6 (b) A professional engineer participates substantially in, and has
7 direct supervision of, the engineering services provided on the project;
8 and

9 (c) The rendering of architectural or professional engineering
10 services conforms to the Engineers, and Architects, and Registered
11 Interior Designers Regulation Act and the rules and regulations.

12 (2) A temporary permit holder under the act may perform engineering
13 or architectural services pursuant to this section.

14 Sec. 49. Section 81-3437, Revised Statutes Cumulative Supplement,
15 2022, is amended to read:

16 81-3437 (1) The board shall issue to any applicant who, on the basis
17 of education, experience, and examination, has met the requirements of
18 the Engineers, and Architects, and Registered Interior Designers
19 Regulation Act a certificate of licensure giving the licensee proper
20 authority to carry out the prerogatives of the act. If a professional
21 engineer's license has been issued in a specific discipline, the
22 discipline shall be specified on the certificate of licensure. The
23 certificate of licensure shall carry the designation Licensed Architect
24 or Licensed Professional (discipline) Engineer. The certificate shall
25 give the full name of the licensee and license number and shall be signed
26 by the chairperson of the board, the secretary of the board, and one
27 other board member.

28 (2) The certificate of licensure shall be prima facie evidence that
29 the person is entitled to all rights, privileges, and responsibilities of
30 an architect or a professional engineer while the certificate of
31 licensure remains unrevoked and unexpired.

1 (3) The board shall issue to any applicant who, on the basis of
2 education and examination, has met the requirements of the Engineers, ~~and~~
3 Architects, and Registered Interior Designers Regulation Act a
4 certificate of enrollment as an engineer-intern. The engineer-intern
5 certificate does not authorize the holder to practice as a professional
6 engineer.

7 Sec. 50. Section 81-3437.01, Revised Statutes Cumulative Supplement,
8 2022, is amended to read:

9 81-3437.01 (1)(a) ~~(1)~~ Each licensee authorized to practice
10 architecture or engineering must obtain a seal. The design of the seal
11 shall be determined by the board. If a professional engineer's license
12 has been issued in a specific discipline, the discipline shall be
13 specified on the seal. The following information shall be on the seal:
14 State of Nebraska; licensee's name; licensee's license number; and the
15 words Architect or Professional (discipline) Engineer.

16 (b) Each registrant shall obtain a seal. The design of the seal
17 shall be determined by the board. The following information shall be on
18 the seal: State of Nebraska; registrant's name; registrant's business
19 city; and the words Registered Interior Designer.

20 (2) Whenever the seal is applied, the licensee's or registrant's
21 signature shall be across the seal. The board may adopt and promulgate
22 rules and regulations for application of the seal.

23 (3) The seal and the date of its placement shall be on all technical
24 submissions and calculations whenever presented to a client or any public
25 or governmental agency. It shall be unlawful for a licensee or registrant
26 to affix such licensee's or registrant's ~~his or her~~ seal or to permit
27 such ~~his or her~~ seal to be affixed to any document after the expiration
28 of the certificate or registration or for the purpose of aiding or
29 abetting any other person to evade or attempt to evade the Engineers, ~~and~~
30 Architects, and Registered Interior Designers Regulation Act.

31 (4) The seal and date shall be placed on all originals, copies,

1 tracings, or other reproducible drawings and the first and last pages of
2 specifications, reports, and studies in such a manner that the seal,
3 signature, and date will be reproduced and be in compliance with rules
4 and regulations of the board. The application of the licensee's or
5 registrant's seal shall constitute certification that the work was done
6 by the licensee or registrant or under the licensee's or registrant's
7 control.

8 (5) In the case of a temporary permit issued to a licensee of
9 another state, the licensee shall use his or her state of licensure seal
10 and shall affix his or her signature and temporary permit to all his or
11 her work.

12 Sec. 51. Section 81-3437.02, Revised Statutes Cumulative Supplement,
13 2022, is amended to read:

14 81-3437.02 (1) Projects involving more than one licensed architect
15 or professional engineer shall have an architect or professional engineer
16 designated as the coordinating professional for the entire project. The
17 coordinating professional may, but need not, provide architectural or
18 engineering services on the project. The coordinating professional shall
19 apply such coordinating professional's his or her seal in accordance with
20 the Engineers, and Architects, and Registered Interior Designers
21 Regulation Act to the cover sheet of all documents and denote the seal as
22 that of the coordinating professional.

23 (2) The coordinating professional shall be responsible for reviewing
24 and coordinating technical documents prepared by others for compatibility
25 with the design of the project.

26 Sec. 52. Section 81-3438, Revised Statutes Cumulative Supplement,
27 2022, is amended to read:

28 81-3438 Certificates of licensure, and certificates of
29 authorization, and interior design registration shall expire on a date
30 established by the board and shall become invalid after that date unless
31 renewed. The board shall notify every person licensed or registered under

1 the Engineers, ~~and~~ Architects, and Registered Interior Designers
2 Regulation Act and every organization holding a certificate of
3 authorization under the act of the date of the expiration of the
4 certificate of licensure, ~~or~~ certificate of authorization, or interior
5 design registration and the amount of the fee required for renewal. The
6 notice shall be provided at least one month in advance of the date of the
7 expiration to the licensee, registrant, or organization at the last-known
8 address on file with the board. Valid certificates or registrations may
9 be renewed prior to expiration upon application and payment of applicable
10 fees. Expired certificates or registrations may be renewed in accordance
11 with rules and regulations of the board. Renewal fees shall not exceed
12 two hundred dollars per year. The board may require licensees or
13 registrants to obtain continuing education as a condition of license
14 renewal or continued registry listing.

15 Sec. 53. Section 81-3440, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 81-3440 The board shall enforce the Engineers, ~~and~~ Architects, and
18 Registered Interior Designers Regulation Act and the rules and
19 regulations, including enforcement against any unlicensed person. If any
20 person refuses to obey any decision or order of the board, the board or,
21 upon the request of the board, the Attorney General or the appropriate
22 county attorney shall file an action for the enforcement of the decision
23 or order, including injunctive relief, in the district court. After a
24 hearing, the court shall order enforcement of the decision or order, or
25 any part thereof, if legally and properly made by the board and, if
26 appropriate, injunctive relief.

27 Sec. 54. Section 81-3441, Revised Statutes Cumulative Supplement,
28 2022, is amended to read:

29 81-3441 Except as provided in sections 81-3414, 81-3415, 81-3449,
30 and 81-3453, an individual shall not directly or indirectly engage in the
31 practice of architecture or engineering in the state or use the title

1 architect or professional engineer or display or use any words, letters,
2 figures, titles, sign, card, advertisement, or other symbol or device
3 indicating or tending to indicate that such person ~~he or she~~ is an
4 architect or professional engineer or is practicing architecture or
5 engineering unless such person ~~he or she~~ is licensed under the Engineers,
6 ~~and Architects,~~ and Registered Interior Designers Regulation Act. A
7 licensee shall not aid or abet any person not licensed under the act in
8 the practice of architecture or engineering.

9 Sec. 55. Section 81-3442, Revised Statutes Cumulative Supplement,
10 2022, is amended to read:

11 81-3442 (1) It is unlawful for any person to:

12 (a) Practice or offer to practice architecture or engineering in
13 this state without being licensed in accordance with the Engineers, ~~and~~
14 Architects, and Registered Interior Designers Regulation Act unless such
15 practice or offer to practice is otherwise exempt under the act;

16 (b) Knowingly and intentionally employ or retain a person to
17 practice architecture or engineering in this state who is not licensed in
18 accordance with the act, except as provided in sections 81-3414 and
19 81-3415, and who is not exempted by section 81-3449 or 81-3453;

20 (c) Use the words architect, engineer, or any modification or
21 derivative of such words in its name or form of business activity except
22 as authorized in the act or in the Professional Landscape Architects Act;

23 (d) Advertise any title or description tending to convey the
24 impression that he or she is a licensed architect or professional
25 engineer unless the person is duly licensed under the Engineers, ~~and~~
26 Architects, and Registered Interior Designers Regulation Act;

27 (e) Use the title registered interior designer or similar
28 description to convey the impression that such person is a registered
29 interior designer unless the person is registered under the Engineers,
30 Architects, and Registered Interior Designers Regulation Act;

31 (f) (e) Present or attempt to use the certificate of licensure, the

1 registration, or the seal of another person;

2 (g) ~~(f)~~ Give any false or forged evidence of any kind to the board
3 or to any member of the board in obtaining or attempting to obtain a
4 certificate or registration;

5 (h) ~~(g)~~ Falsely impersonate any other licensee or registrant of like
6 or different name;

7 (i) ~~(h)~~ Attempt to use an expired, suspended, revoked, or
8 nonexistent certificate of licensure or practice or offer to practice
9 when not qualified;

10 (j) Claim to be a registered interior designer when such
11 registration is expired, suspended, revoked, or nonexistent;

12 (k) ~~(i)~~ Falsely claim that such person ~~he or she~~ is licensed or
13 authorized under the act; or

14 (1) ~~(j)~~ Violate the act.

15 (2) Any person who performs any of the actions described in
16 subsection (1) of this section is guilty of a Class I misdemeanor for the
17 first offense and a Class IV felony for the second or any subsequent
18 offense.

19 Sec. 56. Section 81-3443, Revised Statutes Cumulative Supplement,
20 2022, is amended to read:

21 81-3443 (1) A complaint against any person or organization involving
22 any matter coming within the jurisdiction of the board shall be in
23 writing and shall be filed with the board.

24 (2) A hearing on the complaint shall be held within a reasonable
25 time in accordance with the rules and regulations and may be heard
26 through the use of a hearing officer. The accused shall have the right to
27 appear personally with or without counsel, to cross-examine adverse
28 witnesses, and to produce evidence and witnesses in such person's or
29 organization's ~~his, her, or its~~ defense.

30 (3) The board shall set the time and place for the hearing and shall
31 cause a copy of the complaint, together with a notice of the time and

1 place fixed for the hearing, to be sent by registered mail to the
2 accused, at such person's or organization's ~~his, her, or its~~ last-known
3 business or residence address known to the board, at least thirty days
4 before the hearing.

5 (4) If after the hearing the board finds the accused has violated
6 the Engineers, and Architects, and Registered Interior Designers
7 Regulation Act or any rules or regulations, it may issue any order or
8 take any action described in section 81-3444. If the order revokes,
9 suspends, or cancels a license or registration, the board shall notify,
10 in writing, the Secretary of State. If the board finds no violation, it
11 shall enter an order dismissing the complaint.

12 (5) The board may reissue a license or registration that has been
13 revoked. Application for the reissuance of a license or registration
14 shall be made in such a manner as the board directs and shall be
15 accompanied by a fee established by the board.

16 Sec. 57. Section 81-3444, Revised Statutes Cumulative Supplement,
17 2022, is amended to read:

18 81-3444 (1) The board, after hearing and upon proof satisfactory to
19 the board, may determine by two-thirds majority vote that any person or
20 organization has violated the Engineers, and Architects, and Registered
21 Interior Designers Regulation Act or any rules or regulations.

22 (2) Upon a finding that a person or organization has committed a
23 violation, one or more of the following actions may be taken against such
24 person or organization upon a two-thirds majority vote of the board:

25 (a) Issuance of censure or reprimand;

26 (b) Suspension of judgment;

27 (c) Placement of the offender on probation;

28 (d) Placement of a limitation or limitations on the holder of a
29 license and upon the right of the holder of a license to practice the
30 profession to such extent, scope, or type of practice for such time and
31 under such conditions as are found necessary and proper;

1 (e) Placement of a limitation on the holder of a registration and
2 upon the right of the holder of a registration to use the title
3 registered interior designer to such extent, scope, or type of practice
4 for such time and under such conditions as are found necessary and
5 proper;

6 (f) (e) Imposition of a civil penalty not to exceed ten thousand
7 dollars for each offense. The amount of the penalty shall be based on the
8 severity of the violation;

9 (g) (f) Entrance of an order of revocation, suspension, or
10 cancellation of the certificate of licensure or registration;

11 (h) (g) Issuance of a cease and desist order;

12 (i) (h) Imposition of costs as in an ordinary civil action in the
13 district court, which may include reasonable attorney's fees and hearing
14 officer fees incurred by the board and the expenses of any investigation
15 undertaken by the board; or

16 (j) (i) Dismissal of the action.

17 (3) The board may take into account suitable evidence of reform when
18 determining appropriate action.

19 (4) Civil penalties collected under subdivision (2)(f) (2)(e) of
20 this section shall be remitted to the State Treasurer for distribution in
21 accordance with Article VII, section 5, of the Constitution of Nebraska.
22 All costs collected under subdivision (2)(i) (2)(h) of this section shall
23 be remitted to the State Treasurer for credit to the Engineers, and
24 Architects, and Registered Interior Designers Regulation Fund.

25 Sec. 58. Section 81-3446, Revised Statutes Cumulative Supplement,
26 2022, is amended to read:

27 81-3446 (1) A project on private land is subject to the provisions
28 of the Engineers, and Architects, and Registered Interior Designers
29 Regulation Act unless exempt under section 81-3449 or 81-3453.

30 (2) The owner of any real property who allows a project to be
31 constructed on such owner's ~~his or her~~ real property is engaged in the

1 practice of architecture or engineering unless such owner ~~he or she~~
2 employs or causes others to employ licensed architects or professional
3 engineers or persons under the direct supervision of licensed architects
4 or professional engineers to furnish at least minimum construction phase
5 services with respect to the project or is exempt from the Engineers, ~~and~~
6 Architects, and Registered Interior Designers Regulation Act under
7 sections 81-3449 and 81-3453.

8 (3) For purposes of this section:

9 (a) Construction phase service includes at least the following
10 services: (i) Visiting the project site on a regular basis as is
11 necessary to determine that the work is proceeding generally in
12 accordance with the technical submissions submitted to the building
13 official at the time the project permit was issued; and (ii) processing
14 technical submissions required of the contractor by the terms of contract
15 documents. The term does not include supervision of construction, review
16 of payment applications, resolution of disputes between the owner and
17 contractor, and other such items which are considered additional
18 construction administration services which the owner may or may not elect
19 to include in the architect's or engineer's scope of work; and

20 (b) Owner means with respect to any real property the following
21 persons: (i) The record owner of such real property; (ii) the lessee of
22 all or any portion of the real property when the lease covers all of that
23 portion of the real property upon which the project is being constructed,
24 the lessee has significant approval rights with respect to the project,
25 and the lease, at the time the project begins, has a remaining term of
26 not less than ten years; or (iii) the grantee of an easement granting
27 right-of-way to construct the project.

28 Sec. 59. Section 81-3448, Revised Statutes Cumulative Supplement,
29 2022, is amended to read:

30 81-3448 (1) The following shall be considered as the minimum
31 evidence satisfactory to the board that an applicant is eligible for

1 initial licensure as an architect:

2 (a)(i) Graduation from a program accredited by the National
3 Architectural Accrediting Board;

4 (ii) Graduation from a program accredited by the Canadian
5 Architectural Certification Board; or

6 (iii) Satisfying the requirements of the Education Standard of the
7 National Council of Architectural Registration Boards as determined by
8 the council;

9 (b) Passage of an examination on technical and professional subjects
10 of architecture;

11 (c) Completion of the Architectural Experience Program of the
12 National Council of Architectural Registration Boards, or its equivalent
13 as determined by the council or the Board of Engineers, ~~and~~ Architects,
14 and Registered Interior Designers;

15 (d) Passage of an examination on the statutes, rules, and other
16 requirements unique to this state; and

17 (e) Demonstration of good reputation and good ethical character by
18 attestation of references. The names and complete addresses of references
19 acceptable to the board shall be included in the application for
20 licensure.

21 (2) An individual holding a license to practice architecture issued
22 by a proper authority of any jurisdiction, based on credentials that do
23 not conflict with subsection (1) of this section and other provisions of
24 the Engineers, ~~and~~ Architects, and Registered Interior Designers
25 Regulation Act, may, upon application, be licensed as an architect after:

26 (a) Successful passage of an examination on the statutes, rules, and
27 other requirements unique to this state; and

28 (b) Demonstration of good reputation and good ethical character by
29 attestation of references. The names and complete addresses of references
30 acceptable to the board shall be included in the application for
31 licensure.

1 (3) An individual who holds a current and valid certification issued
2 by the National Council of Architectural Registration Boards and who
3 submits satisfactory evidence of such certification to the board may,
4 upon application, be licensed as an architect after:

5 (a) Successful passage of an examination on the statutes, rules, and
6 other requirements unique to this state; and

7 (b) Demonstration of good reputation and good ethical character by
8 attestation of references. The names and complete addresses of references
9 acceptable to the board shall be included in the application for
10 licensure.

11 (4) An individual who has been licensed to practice architecture for
12 fifteen years or more in one or more jurisdictions and who has practiced
13 architecture for fifteen years in compliance with the licensing laws in
14 the jurisdictions where such individual's ~~his or her~~ architectural
15 practice has occurred since initial licensure may, upon application, be
16 licensed as an architect after:

17 (a) Successful passage of an examination on the statutes, rules, and
18 other requirements unique to this state; and

19 (b) Demonstration of good reputation and good ethical character by
20 attestation of references. The names and complete addresses of references
21 acceptable to the board shall be included in the application for
22 licensure.

23 (5) Upon application to the board in writing and payment of a fee
24 established by the board, an individual who holds a valid license to
25 practice architecture in another jurisdiction may be issued a temporary
26 permit, valid for a definite period of time, to provide architectural
27 services for a specific project. An individual may not be issued more
28 than one temporary permit. No right to practice architecture accrues to
29 such applicant with respect to any other work not set forth in the
30 temporary permit. Temporary permit holders are subject to all of the
31 provisions of the Engineers, and Architects, and Registered Interior

1 Designers Regulation Act governing the practice of architecture.

2 (6) None of the examination materials described in this section
3 shall be considered public records.

4 (7) The board or its agent shall direct the time and place of the
5 architectural examinations referenced in subsection (1) of this section.

6 (8) The board may adopt the examinations and grading procedures of
7 the National Council of Architectural Registration Boards. The board may
8 also adopt guidelines published by the council.

9 (9) Licensure shall be effective upon issuance.

10 Sec. 60. Section 81-3449, Revised Statutes Cumulative Supplement,
11 2022, is amended to read:

12 81-3449 The provisions of the Engineers, ~~and~~ Architects, and
13 Registered Interior Designers Regulation Act regulating the practice of
14 architecture do not apply to the following activities:

15 (1) The construction, remodeling, alteration, or renovation of a
16 detached single-family through four-family dwelling of less than five
17 thousand square feet of above grade finished space. Any detached or
18 attached sheds, storage buildings, and garages incidental to the dwelling
19 are not included in the tabulation of finished space. Such exemption may
20 be increased by rule and regulation of the board adopted pursuant to the
21 Negotiated Rulemaking Act but shall not exceed the Type V, column B,
22 limitations set forth by the allowable height and building areas table in
23 the state building code adopted in section 71-6403;

24 (2) The construction, remodeling, alteration, or renovation of a
25 one-story commercial or industrial building or structure of less than
26 five thousand square feet of above grade finished space which does not
27 exceed thirty feet in height unless such building or structure, or the
28 remodeling or repairing thereof, provides for the employment, housing, or
29 assembly of twenty or more persons. Any detached or attached sheds,
30 storage buildings, and garages incidental to the building or structure
31 are not included in the tabulation of finished space. Such exemption may

1 be increased by rule and regulation of the board adopted pursuant to the
2 Negotiated Rulemaking Act but shall not exceed the Type V, column B,
3 limitations set forth by the allowable height and building areas table in
4 the state building code adopted in section 71-6403;

5 (3) The construction, remodeling, alteration, or renovation of farm
6 buildings, including barns, silos, sheds, or housing for farm equipment
7 and machinery, livestock, poultry, or storage, if the structures are
8 designed to be occupied by no more than twenty persons. Such exemption
9 may be increased by rule and regulation of the board adopted pursuant to
10 the Negotiated Rulemaking Act but shall not exceed the Type V, column B,
11 limitations set forth by the allowable height and building areas table in
12 the state building code adopted in section 71-6403;

13 (4) Any public works project with contemplated expenditures for a
14 completed project that do not exceed one hundred thousand dollars. The
15 board shall adjust the dollar amount in this subdivision every fifth
16 year. The first such adjustment after August 27, 2011, shall be effective
17 on July 1, 2014. The adjusted amount shall be equal to the then current
18 amount adjusted by the cumulative percentage change in the Consumer Price
19 Index for All Urban Consumers published by the Federal Bureau of Labor
20 Statistics for the five-year period preceding the adjustment date. The
21 amount shall be rounded to the next highest one-thousand-dollar amount;

22 (5) Any alteration, renovation, or remodeling of a building if the
23 alteration, renovation, or remodeling does not affect architectural or
24 engineering safety features of the building;

25 (6) The teaching, including research and service, of architectural
26 subjects in a college or university offering a degree in architecture
27 accredited by the National Architectural Accrediting Board;

28 (7) The preparation of submissions to architects, building
29 officials, or other regulating authorities by the manufacturer, supplier,
30 or installer of any materials, assemblies, components, or equipment that
31 describe or illustrate the use of such items, the preparation of any

1 details or shop drawings required of the contractor by the terms of the
2 construction documents, or the management of construction contracts by
3 persons customarily engaged in contracting work;

4 (8) The preparation of technical submissions or the administration
5 of construction contracts by employees of a person or organization
6 lawfully engaged in the practice of architecture if such employees are
7 acting under the direct supervision of an architect;

8 (9) A public service provider or an organization who employs a
9 licensee performing professional services for itself;

10 (10) A nonresident who holds the certification issued by the
11 National Council of Architectural Registration Boards offering to render
12 the professional services involved in the practice of architecture. The
13 nonresident shall not perform any of the professional services involved
14 in the practice of architecture until licensed as provided in the
15 Engineers, and Architects, and Registered Interior Designers Regulation
16 Act. The nonresident shall notify the board in writing that such
17 nonresident (a) ~~he or she~~ holds a National Council of Architectural
18 Registration Boards certificate and is not currently licensed in Nebraska
19 but will be present in Nebraska for the purpose of offering to render
20 architectural services, (b) ~~he or she~~ will deliver a copy of the notice
21 to every potential client to whom the applicant offers to render
22 architectural services, and (c) ~~he or she~~ promises to apply immediately
23 to the board for licensure if selected as the architect for the project;

24 (11) The practice by a qualified member of another legally
25 recognized profession who is otherwise licensed or certified by this
26 state or any political subdivision to perform services consistent with
27 the laws of this state, the training, and the code of ethics of the
28 respective profession, if such qualified member does not represent
29 himself or herself to be practicing architecture and does not represent
30 himself or herself to be an architect;

31 (12) Financial institutions making disbursements of funds in

1 connection with construction projects;

2 (13) Earthmoving and related work associated with soil and water
3 conservation practices performed on farmland or any land owned by a
4 political subdivision that is not subject to a permit from the Department
5 of Natural Resources or for work related to livestock waste facilities
6 that are not subject to a permit by the Department of Environment and
7 Energy; and

8 (14) The work of employees and agents of a political subdivision or
9 a nonprofit entity organized for the purpose of furnishing electrical
10 service performing, in accordance with other requirements of law, their
11 customary duties in the administration and enforcement of codes, permit
12 programs, and land-use regulations and their customary duties in utility
13 and public works construction, operation, and maintenance.

14 Sec. 61. Section 81-3450, Revised Statutes Cumulative Supplement,
15 2022, is amended to read:

16 81-3450 (1) An architect shall not affix his or her seal and
17 signature to technical submissions that are subject to the Engineers, ~~and~~
18 Architects, and Registered Interior Designers Regulation Act unless the
19 technical submissions were:

20 (a) Prepared entirely by the architect;

21 (b) Prepared entirely under the direct supervision of the architect;

22 or

23 (c) Prepared partially by others if the architect has reviewed and
24 integrated the work into his or her own technical submissions.

25 (2) An architect may affix his or her seal to technical submissions
26 not subject to the act if the architect has reviewed or adapted in whole
27 or in part such submissions and integrated them into his or her work.

28 Sec. 62. Section 81-3451, Revised Statutes Cumulative Supplement,
29 2022, is amended to read:

30 81-3451 (1) The following shall be considered as the minimum
31 evidence satisfactory to the board that an applicant is eligible for

1 enrollment as an engineer-intern:

2 (a)(i) Graduation from a program accredited by the Engineering
3 Accreditation Commission of ABET;

4 (ii) Graduation from a program accredited by the Canadian
5 Engineering Accreditation Board; or

6 (iii) Meeting the Education Standard of the National Council of
7 Examiners for Engineering and Surveying as determined by the council;

8 (b) Passage of an examination in the fundamentals of engineering as
9 accepted by the Board of Engineers, ~~and Architects,~~ and Registered
10 Interior Designers;

11 (c) Submittal of an application accompanied by the fee established
12 by the board; and

13 (d) Demonstration of good reputation and good ethical character by
14 attestation of references. The names and complete addresses of references
15 acceptable to the board shall be included in the application for
16 enrollment.

17 (2)(a) The following shall be considered as the minimum evidence
18 satisfactory to the board that an applicant is eligible for admission to
19 the examination on the principles and practice of engineering that is
20 adopted by the board:

21 (i)(A) Graduation from a program accredited by the Engineering
22 Accreditation Commission of ABET;

23 (B) Graduation from a program accredited by the Canadian Engineering
24 Accreditation Board; or

25 (C) Meeting the Education Standard of the National Council of
26 Examiners for Engineering and Surveying as determined by the council;

27 (ii) Passage of an examination in the fundamentals of engineering as
28 accepted by the Board of Engineers, ~~and Architects,~~ and Registered
29 Interior Designers;

30 (iii) Submittal of an application accompanied by the fee established
31 by the board; and

1 (iv) Demonstration of good reputation and good ethical character by
2 attestation of references. The names and complete addresses of references
3 acceptable to the board shall be included in the application.

4 (b) A candidate who fails the principles and practice of engineering
5 examination may apply for reexamination, which may be granted upon
6 payment of a fee established by the board. In the event of a second or
7 subsequent failure, the examinee may, at the discretion of the board, be
8 required to appear before the board with evidence of having acquired the
9 necessary additional knowledge to qualify before admission to the
10 examination.

11 (3) The following shall be considered as the minimum evidence
12 satisfactory to the board that an applicant is eligible for licensure as
13 a professional engineer:

14 (a) Passage of the principles and practice of engineering
15 examination as set forth in subsection (2) of this section;

16 (b) A record of four years or more of progressive post-accredited-
17 degree experience on engineering projects of a grade and character which
18 indicates to the board that the applicant may be competent to practice
19 engineering;

20 (c) Demonstration of good reputation and good ethical character by
21 attestation of references. The names and complete addresses of references
22 acceptable to the board shall be included in the application for
23 licensure; and

24 (d) Successful passage of an examination on the statutes, rules, and
25 other requirements unique to this state.

26 (4) An individual holding a license to practice engineering issued
27 by a proper authority of any jurisdiction, based on credentials that do
28 not conflict with subsections (2) and (3) of this section and other
29 provisions of the Engineers, ~~and~~ Architects, and Registered Interior
30 Designers Regulation Act, may, upon application, be licensed as a
31 professional engineer after:

1 (a) Demonstration of good reputation and good ethical character by
2 attestation of references. The names and complete addresses of references
3 acceptable to the board shall be included in the application for
4 licensure; and

5 (b) Successful passage of an examination on the statutes, rules, and
6 other requirements unique to this state.

7 (5) An individual who has been licensed to practice engineering for
8 fifteen years or more in one or more jurisdictions and who has practiced
9 engineering for fifteen years in compliance with the licensing laws in
10 the jurisdictions where his or her engineering practice has occurred
11 since initial licensure may, upon application, be licensed as a
12 professional engineer after:

13 (a) Demonstration of good reputation and good ethical character by
14 attestation of references. The names and complete addresses of references
15 acceptable to the board shall be included in the application for
16 licensure; and

17 (b) Successful passage of an examination on the statutes, rules, and
18 other requirements unique to this state.

19 (6) The board may designate a professional engineer as being
20 licensed in a specific discipline or branch of engineering signifying the
21 area in which the professional engineer has demonstrated competence.

22 (7) Upon application to the board in writing and payment of a fee
23 established by the board, an individual who holds a valid license to
24 practice engineering in another jurisdiction may be issued a temporary
25 permit, valid for a definite period of time, to provide engineering
26 services for a specific project. An individual may not be issued more
27 than one temporary permit. No right to practice engineering accrues to
28 such applicant with respect to any other work not set forth in the
29 temporary permit. Temporary permit holders are subject to all of the
30 provisions of the Engineers, and Architects, and Registered Interior
31 Designers Regulation Act governing the practice of engineering.

1 (8) None of the examination materials described in this section
2 shall be considered public records.

3 (9) The board or its agent shall direct the time and place of the
4 engineering examinations referenced in subsections (1), (2), and (3) of
5 this section.

6 (10) The board may adopt the examinations and grading procedures of
7 the National Council of Examiners for Engineering and Surveying. The
8 board may also adopt guidelines published by the council.

9 (11) Licensure shall be effective upon issuance.

10 Sec. 63. Section 81-3453, Revised Statutes Cumulative Supplement,
11 2022, is amended to read:

12 81-3453 The provisions of the Engineers, ~~and~~ Architects, and
13 Registered Interior Designers Regulation Act regulating the practice of
14 engineering do not apply to the following activities:

15 (1) The construction, remodeling, alteration, or renovation of a
16 detached single-family through four-family dwelling of less than five
17 thousand square feet above grade finished space. Any detached or attached
18 sheds, storage buildings, and garages incidental to the dwelling are not
19 included in the tabulation of finished space. Such exemption may be
20 increased by rule and regulation of the board adopted pursuant to the
21 Negotiated Rulemaking Act but shall not exceed the Type V, column B,
22 limitations set forth by the allowable height and building areas table in
23 the state building code adopted in section 71-6403;

24 (2) The construction, remodeling, alteration, or renovation of a
25 one-story commercial or industrial building or structure of less than
26 five thousand square feet above grade finished space which does not
27 exceed thirty feet in height unless such building or structure, or the
28 remodeling or repairing thereof, provides for the employment, housing, or
29 assembly of twenty or more persons. Any detached or attached sheds,
30 storage buildings, and garages incidental to the building or structure
31 are not included in the tabulation of finished space. Such exemption may

1 be increased by rule and regulation of the board adopted pursuant to the
2 Negotiated Rulemaking Act but shall not exceed the Type V, column B,
3 limitations set forth by the allowable height and building areas table in
4 the state building code adopted in section 71-6403;

5 (3) The construction, remodeling, alteration, or renovation of farm
6 buildings, including barns, silos, sheds, or housing for farm equipment
7 and machinery, livestock, poultry, or storage and if the structures are
8 designed to be occupied by no more than twenty persons. Such exemption
9 may be increased by rule and regulation of the board adopted pursuant to
10 the Negotiated Rulemaking Act but shall not exceed the Type V, column B,
11 limitations set forth by the allowable height and building areas table in
12 the state building code adopted in section 71-6403;

13 (4) Any public works project with contemplated expenditures for the
14 completed project that do not exceed one hundred thousand dollars. The
15 board shall adjust the dollar amount in this subdivision every fifth
16 year. The first such adjustment after August 27, 2011, shall be effective
17 on July 1, 2014. The adjusted amount shall be equal to the then current
18 amount adjusted by the cumulative percentage change in the Consumer Price
19 Index for All Urban Consumers published by the Federal Bureau of Labor
20 Statistics for the five-year period preceding the adjustment date. The
21 amount shall be rounded to the next highest one-thousand-dollar amount;

22 (5) Any alteration, renovation, or remodeling of a building if the
23 alteration, renovation, or remodeling does not affect architectural or
24 engineering safety features of the building;

25 (6) The teaching, including research and service, of engineering
26 subjects in a college or university offering an ABET-accredited
27 engineering curriculum of four years or more;

28 (7) A public service provider or an organization who employs a
29 licensee performing professional services for itself;

30 (8) The practice by a qualified member of another legally recognized
31 profession who is otherwise licensed or certified by this state or any

1 political subdivision to perform services consistent with the laws of
2 this state, the training, and the code of ethics of such profession, if
3 such qualified member does not represent himself or herself to be
4 practicing engineering and does not represent himself or herself to be a
5 professional engineer;

6 (9) The work of an employee or a subordinate of a person holding a
7 certificate of licensure or a temporary permit under the Engineers, ~~and~~
8 Architects, and Registered Interior Designers Regulation Act if the work
9 is done under the direct supervision of a person holding a certificate of
10 licensure or a temporary permit under the act;

11 (10) Those services ordinarily performed by subordinates under
12 direct supervision of a professional engineer or those commonly
13 designated as locomotive, stationary, marine operating engineers, power
14 plant operating engineers, or manufacturers who supervise the operation
15 of or operate machinery or equipment or who supervise construction within
16 their own plant;

17 (11) Financial institutions making disbursements of funds in
18 connection with construction projects;

19 (12) Earthmoving and related work associated with soil and water
20 conservation practices performed on farmland or any land owned by a
21 political subdivision that is not subject to a permit from the Department
22 of Natural Resources or for work related to livestock waste facilities
23 that are not subject to a permit by the Department of Environment and
24 Energy;

25 (13) The work of employees and agents of a political subdivision or
26 a nonprofit entity organized for the purpose of furnishing electrical
27 service performing, in accordance with other requirements of law, their
28 customary duties in the administration and enforcement of codes, permit
29 programs, and land-use regulations and their customary duties in utility
30 and public works construction, operation, and maintenance;

31 (14) Work performed exclusively in the exploration for and

1 development of energy resources and base, precious, and nonprecious
2 minerals, including sand, gravel, and aggregate, which does not have a
3 substantial impact upon public health, safety, and welfare, as determined
4 by the board, or require the submission of reports or documents to public
5 agencies;

6 (15) The construction of water wells as defined in section 46-1212,
7 the installation of pumps and pumping equipment into water wells, and the
8 decommissioning of water wells, unless such construction, installation,
9 or decommissioning is required by the owner thereof to be designed or
10 supervised by an engineer or unless legal requirements are imposed upon
11 the owner of a water well as a part of a public water supply;

12 (16) Work performed in the exploration, development, and production
13 of oil and gas or before the Nebraska Oil and Gas Conservation
14 Commission; and

15 (17) Siting, layout, construction, and reconstruction of a private
16 onsite wastewater treatment system with a maximum flow from the facility
17 of one thousand gallons of domestic wastewater per day if such system
18 meets all of the conditions required pursuant to the Private Onsite
19 Wastewater Treatment System Contractors Certification and System
20 Registration Act unless the siting, layout, construction, or
21 reconstruction by an engineer is required by the Department of
22 Environment and Energy, mandated by law or rules and regulations imposed
23 upon the owner of the system, or required by the owner.

24 Sec. 64. Section 81-3454, Revised Statutes Cumulative Supplement,
25 2022, is amended to read:

26 81-3454 (1) A professional engineer shall not affix his or her seal
27 and signature to technical submissions that are subject to the Engineers,
28 ~~and Architects, and Registered Interior Designers~~ Regulation Act unless
29 the technical submissions were:

30 (a) Prepared entirely by the professional engineer;

31 (b) Prepared entirely under the direct supervision of the

1 professional engineer; or

2 (c) Prepared partially by others if the professional engineer has
3 reviewed and integrated the work into such professional engineer's ~~his or~~
4 ~~her~~ own technical submissions.

5 (2) A professional engineer may affix such professional engineer's
6 ~~his or her~~ seal to technical submissions not subject to the act if the
7 professional engineer has reviewed or adapted in whole or in part such
8 submissions and integrated them into such professional engineer's ~~his or~~
9 ~~her~~ work.

10 Sec. 65. (1) The interior design registry is created.

11 (a) The board shall list each interior designer registration in the
12 registry. A listing in the registry shall be valid for the term of the
13 registration and upon renewal unless such listing is refused renewal or
14 is removed as provided in the Engineers, Architects, and Registered
15 Interior Designers Regulation Act.

16 (b) The registry shall contain (i) the individual's full name and
17 (ii) any other information as the board may require by rules and
18 regulation.

19 (2) The following shall be considered as the minimum evidence
20 satisfactory to the board that an applicant is eligible for listing on
21 the interior design registry:

22 (a) Education eligibility as outlined by the Council for Interior
23 Design Qualification to sit for an examination on technical and
24 professional subjects of interior design as required by the council;

25 (b) Experience eligibility as outlined by the Council for Interior
26 Design Qualification to sit for an examination on technical and
27 professional subjects of interior design as required by the council;

28 (c) Successful passage of an examination on technical and
29 professional subjects of interior design as required by the Council for
30 Interior Design Qualification;

31 (d) Passage of an examination on the statutes, rules and

1 regulations, and other requirements unique to this state; and

2 (e) Demonstration of good reputation and good ethical character by
3 attestation of references. The names and complete addresses of references
4 acceptable to the board shall be included in the application for
5 registration.

6 (3) An individual holding a credential to practice interior design
7 issued by a proper authority of any jurisdiction, based on credentials
8 that do not conflict with subsection (2) of this section and other
9 provisions of the Engineers, Architects, and Registered Interior
10 Designers Regulation Act, may, upon application, be listed on the
11 interior design registry after:

12 (a) Successful passage of an examination on the statutes, rules and
13 regulations, and other requirements unique to this state; and

14 (b) Demonstration of good reputation and good ethical character by
15 attestation of references. The names and complete addresses of references
16 acceptable to the board shall be included in the application for
17 registration.

18 (4) An individual who holds a current and valid certification issued
19 by the Council for Interior Design Qualification and who submits
20 satisfactory evidence of such certification to the board may, upon
21 application, be listed on the interior design registry after:

22 (a) Successful passage of an examination on the statutes, rules and
23 regulations, and other requirements unique to this state; and

24 (b) Demonstration of good reputation and good ethical character by
25 attestation of references. The names and complete addresses of references
26 acceptable to the board shall be included in the application for
27 registration.

28 (5) An individual who has been credentialed to practice interior
29 design for fifteen years or more in one or more jurisdictions and who has
30 practiced interior design for fifteen years in compliance with the
31 credentialing laws in the jurisdictions where such individual interior

1 design practice has occurred since initial issuance of the credential
2 may, upon application, be listed on the interior design registry after:

3 (a) Successful passage of an examination on the statutes, rules and
4 regulations, and other requirements unique to this state; and

5 (b) Demonstration of good reputation and good ethical character by
6 attestation of references. The names and complete addresses of references
7 acceptable to the board shall be included in the application for
8 registration.

9 (6) None of the examination materials described in this section
10 shall be considered public records.

11 (7) The board or its agent shall direct the time and place of the
12 interior design examinations referenced in this section.

13 (8) The board may adopt the examinations and grading procedures of
14 the Council for Interior Design Qualification. The board may also adopt
15 guidelines published by the council.

16 (9) Registration shall be effective upon issuance.

17 Sec. 66. (1) A registered interior designer shall not affix such
18 registered interior designer's seal and signature to technical
19 submissions that are subject to the Engineers, Architects, and Registered
20 Interior Designers Regulation Act unless the technical submissions were:

21 (a) Prepared entirely by the registered interior designer; or

22 (b) Prepared entirely under the direct supervision of the registered
23 interior designer.

24 (2) A registered interior designer may affix such registered
25 interior designer's seal to technical submissions not subject to the act
26 if the registered interior designer has reviewed or adapted in whole or
27 in part such submissions and integrated them into such registered
28 interior designer's work.

29 Sec. 67. (1) Nothing in the Engineers, Architects, and Registered
30 Interior Designers Regulation Act shall be construed to: (a) Require a
31 person to be a registered interior designer in order to engage in an

1 activity traditionally performed by an interior designer or interior
2 decorator, including any professional service limited to the planning,
3 design, and implementation of kitchen and bathroom spaces or the
4 specification of products for kitchen and bathroom areas; or (b) prevent
5 or restrict the practice, service, or activity of any person licensed to
6 practice a profession or an occupation in this state from engaging in
7 such profession or occupation.

8 (2) A licensed architect holding a license in good standing under
9 the Engineers, Architects, and Registered Interior Designers Regulation
10 Act may register with the board as a registered interior designer without
11 having to meet the registration requirements outlined in section 65 of
12 this act.

13 Sec. 68. Section 81-3455, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 81-3455 The Legislature declares that the Engineers, ~~and~~ Architects,
16 and Registered Interior Designers Regulation Act is necessary for the
17 public convenience and welfare, is remedial in nature, and shall be
18 construed liberally. Nothing in the act shall be construed to establish a
19 statewide building code.

20 Sec. 69. Original sections 2-3256, 13-2039, 13-2903, 13-2907,
21 23-1901, 33-151, 39-1311.02, 46-1616, 54-2429, 61-201, 81-3405, 81-3426,
22 81-3440, and 81-3455, Reissue Revised Statutes of Nebraska, and sections
23 37-1719, 37-1723, 39-2306, 39-2504, 39-2514, 39-2814, 76-3505, 81-8,126,
24 81-8,198.01, 81-1609, 81-3401, 81-3402, 81-3403, 81-3407, 81-3408,
25 81-3409, 81-3411, 81-3416, 81-3420, 81-3421, 81-3422.01, 81-3428,
26 81-3429, 81-3430, 81-3432, 81-3432.01, 81-3433, 81-3434, 81-3435,
27 81-3436, 81-3436.01, 81-3437, 81-3437.01, 81-3437.02, 81-3438, 81-3441,
28 81-3442, 81-3443, 81-3444, 81-3446, 81-3448, 81-3449, 81-3450, 81-3451,
29 81-3453, and 81-3454, Revised Statutes Cumulative Supplement, 2022, are
30 repealed.