

LEGISLATIVE BILL 542

Approved by the Governor March 23, 1983

Introduced by Wesely, 26

AN ACT to amend sections 71-3708, 71-3709, and 71-3710, Reissue Revised Statutes of Nebraska, 1943, relating to sanitarians; to change provisions relating to renewal fees; to require continuing education for sanitarians as prescribed; to provide duties; and to repeal the original sections.

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

Section 1. That section 71-3708, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-3708. (1) The members of the board shall organize as soon as appointed, and annually thereafter in the month of April shall elect from their number a chairperson, vice-chairperson, and a secretary. The secretary shall continue in office at the pleasure of the board.

(2) The board shall make such rules as are necessary to carry out the provisions of sections 71-3701 to 71-3715.

(3) The board shall hold at least one meeting each year to review and evaluate applications for registration as sanitarians and sanitarians-in-training, conduct examinations, review and approve all bills, prepare and approve reports, and transact all other business as may be necessary to carry out the provisions of sections 71-3701 to 71-3715. Only board members shall be entitled to vote at board meetings.

(4) The board shall issue certificates of registration to applicants who have been found qualified as sanitarians or sanitarians-in-training, to which certificate the official seal of the board has been affixed.

(5) Three members of the board shall constitute a quorum and special meetings of the board shall be called by the secretary upon written request of any two members of the board, or upon a written request signed by ten registered sanitarians.

(6) All board meetings shall be open to any registered sanitarian.

(7) The secretary of the board shall transmit any and all funds received by the board to the Department of Health, Bureau of Examining Boards. Such funds shall be remitted to the State Treasurer and by him or her be credited to a fund to be known as Board of Registration for Sanitarians Fund. All expenses of the board shall be paid from the fund by voucher signed by the chief of the Bureau of Examining Boards and no part of the General Fund shall be expended for this purpose.

(8) Funds collected under the provisions of sections 71-3701 to 71-3715 shall be used to pay expenses. All expenses certified by the board as properly and necessarily incurred in the discharge of duties including authorized compensation and clerical help, and any expenses incident to the administration of such sections relating to other states, shall be paid out of such funds. Any surplus at the end of the fiscal year or biennium shall be retained by the board for future expenditures.

(9) The Board of Registration for Sanitarians shall receive all registration renewal funds above the necessary operating expenses incurred by the Department of Health, Bureau of Examining Boards, for annual renewal of registration. This expense shall not exceed three dollars and fifty cents per registered sanitarian.

Sec. 2. That section 71-3709, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-3709. (1) The board shall keep a record of its proceedings.

(2) The board shall maintain a register of all applications for registration, which shall show (a) the place of residence, name, and age of each applicant, (b) the name and address of the employer or business connection of each applicant, (c) the date of application, (d) complete information of educational and experience qualifications, (e) the action taken by the board, (f) the serial number of the certificate of registration issued to the applicant, (g) the date on which the board reviewed and acted upon the application, and (h) such other pertinent information as may be deemed necessary by the board.

(3) The board shall maintain a current registry of all sanitarians and sanitarians-in-training in the State of Nebraska who have been registered in accordance with the provisions of sections 71-3701 to 71-3715.

(4) The board shall maintain a current registry of the hours of continuing education earned by each registered sanitarian and each registered sanitarian-in-training in accordance with section

71-3710.

Sec. 3. That section 71-3710, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-3710. (1) The board shall prescribe and provide an application form for the use of all applicants. Applicants for registration as sanitarians shall submit a fee of ten dollars, and applicants for registration as sanitarians-in-training shall submit a fee of five dollars at the time of making application for registration. Such fee shall not be refundable. The board may also assess an additional fee for the cost of the examination when necessary.

A sanitarian registered under provisions of sections 71-3701 to 71-3715 may renew his or her certificate by paying the board a renewal fee of not less than ~~two~~ five dollars, nor more than ~~ten~~ twenty-five dollars, as the board shall direct. Such fee shall be due and payable on or before January 1 of each calendar year, for which a renewal certificate shall be issued. All certificates shall expire on December 31 of each calendar year. Registrations which have expired for failure to pay renewal fees may be reinstated under the rules and regulations adopted by the board.

In no case shall registration for a sanitarian-in-training exceed a two-year period.

(2) Commencing January 1, 1984, each registered sanitarian or sanitarian-in-training in active practice in the state shall be required on or before December 31 of each year, to attend twelve hours annually of such approved scientific schools, clinics, forums, lectures, or sanitarian educational seminars as may be announced and approved by the director of the Bureau of Examining Boards under direction from the board, as a prerequisite for the registrant's next subsequent annual certificate of registration renewal. At least twelve hours of such educational program shall be conducted annually within the State of Nebraska.

Each registered sanitarian and sanitarian-in-training in active practice within the State of Nebraska shall, on or before December 31 of each year, certify to the director of the Bureau of Examining Boards that he or she has complied with this subsection during the preceding year. The director of the Bureau of Examining Boards shall, on or before December 31 of each year, report all registrants who have complied with the educational requirements to the board. Any registrant who has not complied with such requirements shall not be issued a renewal certificate of registration, except if he or she is exempt as provided in subsection (3) of this section. Procedures for denial of renewal of the certificate of registration

of such registrants shall be identical to those for nonpayment of renewal fees as provided in sections 71-110 and 71-149.

(3) A registrant shall be exempt from the requirements of subsection (2) of this section if he or she:

(a) Holds a Nebraska certificate of registration but is not practicing as a registered sanitarian or registered sanitarian-in-training in Nebraska;

(b) Serves in the regular armed forces of the United States during any part of the twelve months immediately preceding the annual certificate of registration renewal date;

(c) Attends a college, university, or other institution of higher education for a residence period of time in excess of four months during any part of the twelve months immediately preceding the annual certificate of registration renewal date;

(d) Submits proof that he or she was suffering from a serious or disabling illness or physical disability which prevented his or her attendance at any qualified educational seminar within the State of Nebraska during the twelve months immediately preceding the annual certificate of registration renewal date;

(e) Had first registered within the twelve months immediately preceding the annual certificate of registration renewal date; or

(f) Is a registered sanitarian in good standing with the board and who has completely retired from the active practice of environmental sanitation.

Sec. 4. That original sections 71-3708, 71-3709, and 71-3710, Reissue Revised Statutes of Nebraska, 1943, are repealed.