

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 471**

Introduced by Geist, 25.

Read first time January 17, 2023

Committee:

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.