

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 834**

Introduced by Arch, 14.

Read first time January 08, 2020

Committee: Health and Human Services

1 A BILL FOR AN ACT relating to the Engineers and Architects Regulation  
2 Act; to amend sections 81-3401, 81-3403, 81-3416.01, 81-3428,  
3 81-3429, 81-3432, 81-3433, 81-3438, 81-3448, and 81-3451, Revised  
4 Statutes Cumulative Supplement, 2018, and section 81-3453, Revised  
5 Statutes Supplement, 2019; to define and redefine terms; to change  
6 and eliminate provisions related to the Board of Engineers and  
7 Architects, credentials issued under the act, and the practice of  
8 engineering; to harmonize provisions; and to repeal the original  
9 sections.

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

1 Section 1. Section 81-3401, Revised Statutes Cumulative Supplement,  
2 2018, is amended to read:

3 81-3401 Sections 81-3401 to 81-3455 and section 3 of this act shall  
4 be known and may be cited as the Engineers and Architects Regulation Act.

5 Sec. 2. Section 81-3403, Revised Statutes Cumulative Supplement,  
6 2018, is amended to read:

7 81-3403 For purposes of the Engineers and Architects Regulation Act,  
8 the definitions found in sections 81-3404 to 81-3427 and section 3 of  
9 this act shall be used.

10 Sec. 3. ABET means an entity incorporated as the Accreditation  
11 Board for Engineering and Technology, Inc., which is a nongovernmental  
12 organization that accredits postsecondary education programs.

13 Sec. 4. Section 81-3416.01, Revised Statutes Cumulative Supplement,  
14 2018, is amended to read:

15 81-3416.01 Intern architect means a person who has enrolled in the  
16 Architectural Experience Intern—Development Program of the National  
17 Council of Architectural Registration Boards and holds a degree from a  
18 program accredited by the National Architectural Accrediting Board or  
19 equivalent.

20 Sec. 5. Section 81-3428, Revised Statutes Cumulative Supplement,  
21 2018, is amended to read:

22 81-3428 (1) The Board of Engineers and Architects is created to  
23 administer the Engineers and Architects Regulation Act. The board shall  
24 consist of eight members appointed by the Governor for terms of five  
25 years terminating on the last day of February. The board shall consist  
26 of:

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

1 (b) Four professional engineer members, three of whom shall be  
2 appointed after consulting with the appropriate engineering professional  
3 organizations, and one education member who is a faculty member of the  
4 University of Nebraska appointed upon the recommendation of the Dean of  
5 Engineering of the University of Nebraska; and

6 (c) One public member.

7 (2) Each member shall hold office after the expiration of his or her  
8 term until his or her successor is duly appointed and qualified.  
9 Vacancies in the membership of the board, however created, shall be  
10 filled for the unexpired term by appointment by the Governor. The  
11 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 his or her term. The Governor may remove any member of the  
14 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 had direct supervision of work~~ for at least five years at the  
21 time of his or her appointment, ~~and shall be licensed in the relevant~~  
22 ~~profession.~~

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

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

28 Sec. 6. Section 81-3429, Revised Statutes Cumulative Supplement,  
29 2018, is amended to read:

30 81-3429 (1) Each member of the board shall receive as compensation  
31 not more than one hundred dollars per day or portion of a day for (a)

1 ~~participating in meetings for each day or substantial portion of a day~~  
2 ~~spent traveling to and from and attending sessions~~ of the board and its  
3 committees, (b) traveling to or attending authorized meetings of the  
4 National Council of Architectural Registration Boards, the National  
5 Council of Examiners for Engineering and Surveying, or their subdivisions  
6 or committees on which the member serves, and (c) ~~or~~ other business as  
7 authorized by the board. Participation in, attendance at, and conduct of  
8 such authorized activities by telephone or electronic means shall be  
9 eligible for such compensation.

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

14 Sec. 7. Section 81-3432, Revised Statutes Cumulative Supplement,  
15 2018, is amended to read:

16 81-3432 The Engineers and Architects Regulation Fund is created. The  
17 ~~secretary of the~~ board shall receive and account for all money derived  
18 from the operation of the Engineers and Architects Regulation Act and  
19 shall remit the money to the State Treasurer for credit to the Engineers  
20 and Architects Regulation Fund. All expenses certified by the board as  
21 properly and necessarily incurred in the discharge of duties, including  
22 compensation and administrative staff, and any expense incident to the  
23 administration of the act relating to other states shall be paid out of  
24 the fund. Debt repayments payable pursuant to section 81-3432.01 shall be  
25 paid out of the fund. Warrants for the payment of expenses shall be  
26 issued by the Director of Administrative Services and paid by the State  
27 Treasurer upon presentation of vouchers regularly drawn by the  
28 chairperson and secretary of the board and approved by the board. At no  
29 time shall the total amount of warrants exceed the total amount of the  
30 fees collected under the act and to the credit of the fund. Any money in  
31 the fund available for investment shall be invested by the state

1 investment officer pursuant to the Nebraska Capital Expansion Act and the  
2 Nebraska State Funds Investment Act. Money in the Engineers and  
3 Architects Regulation Fund may be transferred to the General Fund at the  
4 direction of the Legislature.

5 ~~The State Treasurer shall transfer three hundred thousand dollars~~  
6 ~~from the Engineers and Architects Regulation Fund to the General Fund on~~  
7 ~~or before June 15, 2018, on such dates and in such amounts as directed by~~  
8 ~~the budget administrator of the budget division of the Department of~~  
9 ~~Administrative Services.~~

10 Sec. 8. Section 81-3433, Revised Statutes Cumulative Supplement,  
11 2018, is amended to read:

12 81-3433 The board shall maintain and make available to the public a  
13 complete roster of all architects and professional engineers showing  
14 their names and last-known addresses. The board ~~shall file the roster~~  
15 ~~with the Secretary of State and~~ may distribute a copy of the roster to  
16 each licensed person as well as county and municipal officials. The board  
17 may charge a fee for distributing the roster.

18 Sec. 9. Section 81-3438, Revised Statutes Cumulative Supplement,  
19 2018, is amended to read:

20 81-3438 Certificates of licensure and certificates of authorization  
21 shall expire on a date established by the board and shall become invalid  
22 after that date unless renewed. The board shall notify every person  
23 licensed under the Engineers and Architects Regulation Act and every  
24 organization holding a certificate of authorization under the act of the  
25 date of the expiration of the certificate of licensure or certificate of  
26 authorization and the amount of the fee required for renewal. The notice  
27 shall be provided ~~mailed~~ at least one month in advance of the date of the  
28 expiration to the licensee or organization at the last-known address on  
29 file with the board. Valid certificates may be renewed prior to  
30 expiration upon application and payment of applicable fees. Expired  
31 certificates may be renewed in accordance with rules and regulations of

1 the board. Renewal fees shall not exceed two hundred dollars per year.  
2 The board may require licensees to obtain continuing education as a  
3 condition of license renewal.

4 Sec. 10. Section 81-3448, Revised Statutes Cumulative Supplement,  
5 2018, is amended to read:

6 81-3448 ~~(1) The following shall be considered as the minimum~~  
7 ~~evidence satisfactory to the board that an applicant is eligible for~~  
8 ~~admission to an examination on technical and professional subjects of~~  
9 ~~architecture as prescribed by the board:~~

10 ~~(a) Graduation from a program accredited by the National~~  
11 ~~Architectural Accrediting Board, or satisfying the requirements of the~~  
12 ~~Education Standard of the National Council of Architectural Registration~~  
13 ~~Boards as determined by the council;~~

14 ~~(b) Establishment of a record maintained by the National Council of~~  
15 ~~Architectural Registration Boards for the purpose of documenting~~  
16 ~~architectural work experience for the council's Intern Development~~  
17 ~~Program; and~~

18 ~~(c) Submittal of an application accompanied by the fee established~~  
19 ~~by the board.~~

20 (1) (2) The following shall be considered as the minimum evidence  
21 satisfactory to the board that an applicant is eligible for initial  
22 licensure as an architect:

23 (a)(i) Graduation from a program accredited by the National  
24 Architectural Accrediting Board;

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

27 (iii) Satisfying the requirements of the Education Standard of the  
28 National Council of Architectural Registration Boards as determined by  
29 the council;

30 (b) (a) Passage of an examination on technical and professional  
31 subjects of architecture as prescribed by the board as set forth in

1 ~~subsection (1) of this section;~~

2       (c) ~~(b)~~ Completion of the Architectural Experience Intern  
3 ~~Development~~ Program of the National Council of Architectural Registration  
4 Boards, or its equivalent as determined by the council or the Board of  
5 Engineers and Architects;

6       (d) ~~(c)~~ Passage of an examination on the statutes, rules, and other  
7 requirements unique to this state; and

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

12       (2) ~~(3)~~ An individual holding a license to practice architecture  
13 issued by a proper authority of any jurisdiction, based on credentials  
14 that do not conflict with subsection (1) ~~(2)~~ of this section and other  
15 provisions of the Engineers and Architects Regulation Act, may, upon  
16 application, be 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       (3) ~~(4)~~ An individual who holds a current and valid certification  
24 issued by the National Council of Architectural Registration Boards and  
25 who submits satisfactory evidence of such certification to the board may,  
26 upon application, be licensed as an architect after:

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

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

1 licensure.

2 ~~(4) (5)~~ An individual who has been licensed to practice architecture  
3 for fifteen years or more in one or more jurisdictions and who has  
4 practiced architecture for fifteen years in compliance with the licensing  
5 laws in the jurisdictions where his or her architectural practice has  
6 occurred since initial licensure may, upon application, be licensed as an  
7 architect after:

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

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

14 ~~(5) Upon application to the board in writing and payment of a fee~~  
15 ~~established by the board, an (6)~~ An individual who holds a valid license  
16 to practice architecture in another jurisdiction may be issued a  
17 temporary permit, valid for a definite period of time, to provide  
18 architectural services for a specific project. An individual may not be  
19 issued more than one temporary permit. No right to practice architecture  
20 accrues to such applicant with respect to any other work not set forth in  
21 the temporary permit. Temporary permit holders are subject to all of the  
22 provisions of the Engineers and Architects Regulation Act governing the  
23 practice of architecture.

24 ~~(6) (7)~~ None of the examination materials described in this section  
25 shall be considered public records.

26 ~~(7) (8)~~ The board or its agent shall direct the time and place of  
27 the architectural examinations referenced in subsection ~~subsections~~ (1)  
28 ~~and (2)~~ of this section.

29 ~~(8) (9)~~ The board may adopt the examinations and grading procedures  
30 of the National Council of Architectural Registration Boards. The board  
31 may also adopt guidelines published by the council.



1           (9) ~~(10)~~ Licensure shall be effective upon issuance.

2           Sec. 11. Section 81-3451, Revised Statutes Cumulative Supplement,  
3 2018, is amended to read:

4           81-3451 (1) The following shall be considered as the minimum  
5 evidence satisfactory to the board that an applicant is eligible for  
6 enrollment as an engineer-intern:

7           (a)(i) ~~(a)~~ Graduation from a program accredited by the Engineering  
8 Accreditation Commission of ABET; ~~or meeting~~

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

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

13           (b) Passage of an examination in the fundamentals of engineering as  
14 accepted by the Board of Engineers and Architects board;

15           (c) Submittal of an application accompanied by the fee established  
16 by the board; and

17           (d) 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 enrollment.

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

25           (i)(A) ~~(i)~~ Graduation from a program accredited by the Engineering  
26 Accreditation Commission of ABET;

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

29           (C) Meeting ~~or meeting~~ the Education Standard of the National  
30 Council of Examiners for Engineering and Surveying as determined by the  
31 council;

1           ~~(ii) A record of four years or more of progressive post-accredited-~~  
2 ~~degree experience on engineering projects of a grade and character which~~  
3 ~~indicates to the board that the applicant may be competent to practice~~  
4 ~~engineering;~~

5           ~~(ii)~~ ~~(iii)~~ Passage of an examination in the fundamentals of  
6 engineering as accepted by the Board of Engineers and Architects board;

7           ~~(iii)~~ ~~(iv)~~ Submittal of an application accompanied by the fee  
8 established by the board; and

9           ~~(iv)~~ ~~(v)~~ Demonstration of good reputation and good ethical character  
10 by attestation of references. The names and complete addresses of  
11 references acceptable to the board shall be included in the application.

12           (b) A candidate who fails the principles and practice of engineering  
13 examination may apply for reexamination, which may be granted upon  
14 payment of a fee established by the board. In the event of a second or  
15 subsequent failure, the examinee may, at the discretion of the board, be  
16 required to appear before the board with evidence of having acquired the  
17 necessary additional knowledge to qualify before admission to the  
18 examination.

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

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

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

28           (c) 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; and

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

3 (4) An individual holding a license to practice engineering issued  
4 by a proper authority of any jurisdiction, based on credentials that do  
5 not conflict with subsections (2) and (3) of this section and other  
6 provisions of the Engineers and Architects Regulation Act, may, upon  
7 application, be licensed as a professional engineer after:

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

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

14 (5) An individual who has been licensed to practice engineering for  
15 fifteen years or more in one or more jurisdictions and who has practiced  
16 engineering for fifteen years in compliance with the licensing laws in  
17 the jurisdictions where his or her engineering practice has occurred  
18 since initial licensure may, upon application, be licensed as a  
19 professional engineer after:

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

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

29 (7) Upon application to the board in writing and payment of a fee  
30 established by the board, an ~~an~~ individual who holds a valid license to  
31 practice engineering in another jurisdiction may be issued a temporary

1 permit, valid for a definite period of time, to provide engineering  
2 services for a specific project. An individual may not be issued more  
3 than one temporary permit. No right to practice engineering accrues to  
4 such applicant with respect to any other work not set forth in the  
5 temporary permit. Temporary permit holders are subject to all of the  
6 provisions of the Engineers and Architects Regulation Act governing the  
7 practice of engineering.

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

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

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

16 (11) Licensure shall be effective upon issuance.

17 Sec. 12. Section 81-3453, Revised Statutes Supplement, 2019, is  
18 amended to read:

19 81-3453 The provisions of the Engineers and Architects Regulation  
20 Act regulating the practice of engineering do not apply to the following  
21 activities:

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

31 (2) The construction, remodeling, alteration, or renovation of a

1 one-story commercial or industrial building or structure of less than  
2 five thousand square feet above grade finished space which does not  
3 exceed thirty feet in height unless such building or structure, or the  
4 remodeling or repairing thereof, provides for the employment, housing, or  
5 assembly of twenty or more persons. Any detached or attached sheds,  
6 storage buildings, and garages incidental to the building or structure  
7 are not included in the tabulation of finished space. Such exemption may  
8 be increased by rule and regulation of the board adopted pursuant to the  
9 Negotiated Rulemaking Act but shall not exceed the Type V, column B,  
10 limitations set forth by the allowable height and building areas table in  
11 the state building code adopted in section 71-6403;

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

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

29 (5) Any alteration, renovation, or remodeling of a building if the  
30 alteration, renovation, or remodeling does not affect architectural or  
31 engineering safety features of the building;

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

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

6 (8) The practice by a qualified member of another legally recognized  
7 profession who is otherwise licensed or certified by this state or any  
8 political subdivision to perform services consistent with the laws of  
9 this state, the training, and the code of ethics of such profession, if  
10 such qualified member does not represent himself or herself to be  
11 practicing engineering and does not represent himself or herself to be a  
12 professional engineer;

13 ~~(9) The offer to practice engineering by a person not a resident of~~  
14 ~~and having no established place of business in this state if the person~~  
15 ~~is legally qualified by licensure to practice engineering in his or her~~  
16 ~~own state or country. The person shall make application to the board in~~  
17 ~~writing and after payment of a fee established by the board may be~~  
18 ~~granted a temporary permit for a definite period of time not to exceed~~  
19 ~~one year to do a specific job. No right to practice engineering accrues~~  
20 ~~to such applicant with respect to any other work not set forth in the~~  
21 ~~permit;~~

22 (9) ~~(10)~~ The work of an employee or a subordinate of a person  
23 holding a certificate of licensure or a temporary permit under the  
24 Engineers and Architects Regulation Act ~~or an employee of a person~~  
25 ~~practicing lawfully under subdivision (9) of this section~~ if the work is  
26 done under the direct supervision of a person holding a certificate of  
27 licensure or a temporary permit under the act ~~person practicing lawfully~~  
28 ~~under such subdivision;~~

29 (10) ~~(11)~~ Those services ordinarily performed by subordinates under  
30 direct supervision of a professional engineer or those commonly  
31 designated as locomotive, stationary, marine operating engineers, power

1 plant operating engineers, or manufacturers who supervise the operation  
2 of or operate machinery or equipment or who supervise construction within  
3 their own plant;

4 (11) ~~(12)~~ Financial institutions making disbursements of funds in  
5 connection with construction projects;

6 (12) ~~(13)~~ Earthmoving and related work associated with soil and  
7 water conservation practices performed on farmland or any land owned by a  
8 political subdivision that is not subject to a permit from the Department  
9 of Natural Resources or for work related to livestock waste facilities  
10 that are not subject to a permit by the Department of Environment and  
11 Energy;

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

19 (14) ~~(15)~~ Work performed exclusively in the exploration for and  
20 development of energy resources and base, precious, and nonprecious  
21 minerals, including sand, gravel, and aggregate, which does not have a  
22 substantial impact upon public health, safety, and welfare, as determined  
23 by the board, or require the submission of reports or documents to public  
24 agencies;

25 (15) ~~(16)~~ The construction of water wells as defined in section  
26 46-1212, the installation of pumps and pumping equipment into water  
27 wells, and the decommissioning of water wells, unless such construction,  
28 installation, or decommissioning is required by the owner thereof to be  
29 designed or supervised by an engineer or unless legal requirements are  
30 imposed upon the owner of a water well as a part of a public water  
31 supply;

1           ~~(16)~~ ~~(17)~~ Work performed in the exploration, development, and  
2 production of oil and gas or before the Nebraska Oil and Gas Conservation  
3 Commission; and

4           ~~(17)~~ ~~(18)~~ Siting, layout, construction, and reconstruction of a  
5 private onsite wastewater treatment system with a maximum flow from the  
6 facility of one thousand gallons of domestic wastewater per day if such  
7 system meets all of the conditions required pursuant to the Private  
8 Onsite Wastewater Treatment System Contractors Certification and System  
9 Registration Act unless the siting, layout, construction, or  
10 reconstruction by an engineer is required by the Department of  
11 Environment and Energy, mandated by law or rules and regulations imposed  
12 upon the owner of the system, or required by the owner.

13           Sec. 13. Original sections 81-3401, 81-3403, 81-3416.01, 81-3428,  
14 81-3429, 81-3432, 81-3433, 81-3438, 81-3448, and 81-3451, Revised  
15 Statutes Cumulative Supplement, 2018, and section 81-3453, Revised  
16 Statutes Supplement, 2019, are repealed.