

LEGISLATIVE BILL 310

Approved by the Governor April 16, 1986

Introduced by Schmit, 23

AN ACT relating to water; to amend sections 46-602 and 46-606, Reissue Revised Statutes of Nebraska, 1943; to adopt the Water Well Standards and Contractors' Licensing Act; to require additional information on a well registration form; to change provisions relating to certain well abandonment rules and regulations; to increase certain fees as prescribed; to provide an operative date; to provide severability; and to repeal the original sections.

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

Section 1. Sections 1 to 41 of this act shall be known and may be cited as the Water Well Standards and Contractors' Licensing Act.

Sec. 2. It is hereby declared that the purpose of the Water Well Standards and Contractors' Licensing Act is to: (1) Provide for the protection of ground water through the licensing and regulation of water well contractors and pump installation contractors and the certification of water well drilling supervisors and pump installation supervisors in the State of Nebraska; (2) protect the health and general welfare of the citizens of the state; (3) protect ground water resources from potential pollution by providing for proper siting and construction of water wells and proper plugging of abandoned wells; and (4) provide data on potential water supplies through well logs which will promote the economic and efficient utilization and management of the water resources of the state.

Sec. 3. For the purposes of the Water Well Standards and Contractors' Licensing Act, unless the context otherwise requires, the definitions found in sections 4 to 16 of this act shall be used.

Sec. 4. Abandoned well shall mean any water well the use of which has been accomplished or permanently discontinued. Removal of any necessary operating equipment or a well which is in such a state of disrepair that continued use for the purpose for which it was constructed is impractical shall constitute evidence of abandonment.

Sec. 5. Board shall mean the Water Well Standards and Contractors' Licensing Board created in section 17 of this act.

Sec. 6. Construction of water wells shall mean and include all acts necessary to make a water well usable for the purpose for which it is intended including, without limitation, the siting of and excavation for the water well and its construction, alteration, or repair, but excluding the installation of pumps and pumping equipment.

Sec. 7. Department shall mean the Department of Health.

Sec. 8. Installation of pumps and pumping equipment shall mean the procedure employed in the placement and preparation for operation of pumps and pumping equipment at the well location, including all construction or repair involved in making entrance to the water well, which involves the breaking of the well seal.

Sec. 9. Pump installation contractor shall mean the principal officer, director, manager, or owner-operator of any business engaged in the installation of pumps and pumping equipment. The term shall not include: (1) An individual who installs or repairs pumps and pumping equipment for a water well which is on land owned by him or her and used by him or her for farming, ranching, or agricultural purposes or as his or her place of abode; (2) a pump installation supervisor; or (3) an individual who repairs pumps and pumping equipment at a location other than a water well location.

Sec. 10. Pump installation supervisor shall mean any individual engaged in the installation of pumps and pumping equipment. Such supervisor may have discretionary and supervisory authority over other employees of a pump installation contractor. The term shall not include: (1) An individual who installs or repairs pumps or pumping equipment for a water well which is on land owned by him or her and used by him or her for farming, ranching, or agricultural purposes or as his or her place of abode; (2) an individual who repairs pumps and pumping equipment at a location other than a water well location; or (3) any licensed pump installation contractor.

Sec. 11. Pumps and pumping equipment shall mean any equipment or materials utilized or intended for use in withdrawing or obtaining ground water including, but not limited to, seals, tanks, fittings, and controls.

Sec. 12. Water well shall mean any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed for the purpose of exploring for ground water, monitoring ground water, utilizing the geothermal properties of the ground, or extracting water from or injecting water into the underground water reservoir. Water well shall not include any excavation made for obtaining or prospecting for oil, natural gas, minerals, or products mined or quarried or for inserting media to repressure oil or natural gas bearing formations.

Sec. 13. Water well contractor shall mean the principal officer, director, manager, or owner-operator of any business engaged in the construction of water wells. The term shall not include: (1) An individual who constructs a water well which is on land owned by him or her and used by him or her for farming, ranching, or agricultural purposes or as his or her place of abode; or (2) a water well drilling supervisor.

Sec. 14. Water well drilling supervisor shall mean any individual engaged in the construction of water wells. Such supervisor may have discretionary and supervisory authority over other employees of a contractor engaged in the construction of water wells. The term shall not include: (1) An individual who constructs a water well which is on land owned by him or her and used by him or her for farming, ranching, or agricultural purposes or as his or her place of abode; or (2) any licensed water well contractor.

Sec. 15. Well repairs shall mean any change, replacement, or other alteration of any water well, pump, or pumping equipment or any other activity which requires a breaking or opening of the well seal.

Sec. 16. Well seal shall mean an arrangement or device used to cap a water well or to establish and maintain a junction between the casing or curbing of a water well and the piping or equipment installed therein, the purpose or function of which is to prevent pollutants from entering the water well.

Sec. 17. There is hereby created a Water Well Standards and Contractors' Licensing Board. The board shall be composed of nine members, five of whom shall be appointed by the Governor as follows: (1) A water well contractor representing irrigation well contractors, (2) a water well contractor representing domestic well contractors, (3) a water well contractor representing municipal and industrial well contractors, (4) a pump installation contractor, and (5) a manufacturer or supplier of water well or pumping equipment. The

director or his or her designated representative of the Department of Health, the director or his or her designated representative of the Department of Environmental Control, the director or his or her designated representative of the Department of Water Resources, and the director or his or her designated representative of the Conservation and Survey Division of the University of Nebraska shall also serve as members of the board. Each member shall be a resident of the state. Each appointed member of the board shall have had at least five years of experience in the business of his or her category prior to appointment and shall be actively engaged in such business at the time of appointment and while serving on the board. Each member representing a category subject to licensing under the Water Well Standards and Contractors' Licensing Act, with the exception of members initially appointed, shall be licensed by the department pursuant to such act. In making appointments, the Governor may consider recommendations made by the trade associations of each category.

Sec. 18. The Governor shall make the first appointments to the board within sixty days after the operative date of this act. Successors to the first appointees to the board shall be appointed for four-year terms. Two of the initial appointees shall serve terms of two years and two of the initial appointees shall serve terms of three years as determined by lot. The term of the remaining initial appointee shall be four years. No appointed member shall be appointed to serve three consecutive full four-year terms. Each appointed member shall hold office until the expiration of his or her term or until a successor has been appointed and qualified. Any vacancy occurring in the appointed board membership, other than by expiration of a term, shall be filled within sixty days by the Governor by appointment from the appropriate category for the unexpired term.

Sec. 19. The board shall meet within sixty days after the appointment of its members and thereafter at such other times as is deemed necessary or advisable. Special meetings of the board shall be called upon the written request of any three members of the board. The place of all meetings shall be at the offices of the department, unless otherwise determined by the board. At the first meeting of the board, a chairperson and vice-chairperson shall be selected. A majority of the members of the board shall constitute a quorum for the transaction of business. Every act of a majority of the total number of members of the board shall be deemed to

be an act of the board.

Sec. 20. No member of the board shall receive any compensation for his or her services but members shall be entitled to receive their actual and necessary expenses as provided in sections 84-306.01 to 84-306.05 for state employees.

Sec. 21. The department shall designate an individual with the approval of the board to serve as executive secretary of the board, and the department shall furnish such offices and materials as may be necessary for the efficient operation of the board.

Sec. 22. The board shall adopt and promulgate rules and regulations for the administration of its duties under the Water Well Standards and Contractors' Licensing Act, including examinations, fees, and continuing education requirements.

Sec. 23. (1) The department with the assistance of the board shall cause examination to be made of applicants for initial licensure or certification. The board shall determine the type, categories, contents, and required passing grade of examinations to be administered to applicants for licensure or certification. Examinations shall be held at such times and places as the department, with the advice of the board, may determine. The department shall act within ninety days upon all completed applications for licensure or certification.

(2) Examinations shall be designed and adopted to examine the knowledge of the applicant regarding the minimum standards for water wells and water well pumps, the geological characteristics of the state, current drilling or pump installation practices and techniques, and such other knowledge as deemed appropriate by the board. The board may adopt any nationally developed standard examinations as constituting part or all of the Nebraska examinations.

(3) An examinee who fails to pass the initial examination may retake such examination without charge at any regularly scheduled examination held within four months after failing to pass the initial examination, except that when a national standardized examination is utilized which requires the payment of a fee to purchase such examination, the board shall require the applicant to pay the appropriate examination fee whether an initial examination or a retake of an examination is involved. Failure of an applicant to pass upon retaking the examination shall disqualify him or her from making further application for a period of six months.

(4) In cases of hardship, the board may

provide and direct that special arrangements for administering examinations be utilized. The board may also provide for temporary hardship licensing without examination due to the death of the current license holder or for other good cause shown.

Sec. 24. (1) Except as provided in subsections (2) and (3) of this section, the board shall set reasonable fees in an amount calculated to recover the costs incurred by the department and the board in administering the Water Well Standards and Contractors' Licensing Act. Such fees shall be paid to the department and by it paid into the state treasury, and the State Treasurer shall credit all money generated by the fees to the Water Well Standards and Contractors' Licensing Fund, which fund is hereby created. Such fund shall be used by the department and the board for the purpose of administering the Water Well Standards and Contractors' Licensing Act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1269.

(2) The board shall set an application fee of no more than twenty-five dollars regardless of the number of licenses or certificates for which the application is being made. An individual may apply for one or more licenses and one or more certificates under a single application. Application fees paid shall be retained by the department whether such initial license or certificate is issued or denied.

(3) The board shall set a license fee at not less than fifty dollars nor more than three hundred dollars annually, and a certification fee at not less than twenty-five nor more than fifty dollars annually. This subsection shall not require an individual who is licensed both as a pump installation contractor and a water well contractor or an individual who is certified as both a pump installation supervisor and water well drilling supervisor to pay more than one license or certification fee.

Sec. 25. (1) The board shall require that each individual licensed or certified pursuant to the Water Well Standards and Contractors' Licensing Act shall attend at least twelve hours of continuing education in any three-year period in approved schools, clinics, forums, lectures, courses of study, or educational seminars relating to the practice of such profession or occupation as a prerequisite for the renewal of a license or certificate. The board shall consult with the appropriate professional academies.

professional societies, and professional associations in the development of educational programs designed to promote the utilization and application of new techniques, advances, and the achievements of research assuring expansive and comprehensive service to the public. Such continuing education shall be obtained at a school, clinic, forum, lecture, course of study, or educational seminar approved by the board which may be held either within or outside the state. At least twelve hours of approved schools, clinics, forums, lectures, courses of study, or educational seminars shall be available at approved schools, clinics, forums, lectures, courses of study, or educational seminars held within the State of Nebraska in any three-year period. The department may contract with institutions of higher learning, professional organizations, or qualified individuals to provide continuing education programs if the continuing education required pursuant to this section is not otherwise available.

(2) Each renewal applicant shall, on or before the date of expiration of his or her license or certificate in the year the requirement applies, certify on an affidavit form provided by the board that he or she has complied with the continuing education requirement during the preceding period. The board shall, on or before the date of expiration of the license or certificate in the year the requirement applies, report all licensees and certificate holders who have complied with the educational requirement to the Director of Health. Any licensee or certificate holder who has not complied with the educational requirement shall not be issued a renewal license or certificate, unless he or she is exempted from the requirement or he or she is unable to comply with the requirement due to circumstances beyond his or her control as determined by the board. Procedures for denial of renewal of licenses and certificates or reinstatement of licenses and certificates shall be in accordance with section 37 of this act.

Sec. 26. The department shall, with the advice and consent of the board, adopt and promulgate rules and regulations for the administration of the Water Well Standards and Contractors' Licensing Act. The department shall be responsible for the administration and enforcement of such act and any standards, rules, or regulations adopted and promulgated by the department or the board pursuant to such act. The department shall consult with the board in carrying out the departmental duties under such act for (1)

conducting examinations, (2) issuing, denying, refusing renewal of, suspending, or revoking licenses or certificates, and (3) collecting fees.

Sec. 27. The department and the Environmental Control Council, with the advice and consent of the board, shall jointly adopt and promulgate uniform rules and regulations, in accordance with the rules and regulations adopted and promulgated pursuant to sections 46-602 and 81-1505, for the establishment of standards for the (1) construction of water wells, (2) installation of pumps and pumping equipment, and (3) plugging of abandoned wells. Such rules, regulations, and standards may recognize differing hydrologic and geologic conditions, may recognize differing uses of any developed supplies, and shall be designed to promote efficient methods of operation and prevent water wells from becoming a source of contamination to the aquifer. Such standards shall be applicable whether such activities are carried out by a water well contractor, a pump installation contractor, a water well drilling supervisor, a pump installation supervisor, or any other person. Nothing in this section shall be construed to require that the department and the council jointly adopt, promulgate, or amend rules and regulations for programs in existence on the operative date of this act.

Sec. 28. The department shall have (1) authority to inspect water wells constructed and water well locations, (2) access to such wells and accompanying pumps and pumping equipment at all reasonable times, and (3) power of inspection in regard to the construction of all water wells.

Sec. 29. Each water well contractor or pump installation contractor desiring to engage in the construction of water wells or the installation of pumps and pumping equipment shall make initial application for a license to the department. Each such application shall include satisfactory evidence that the applicant is at least the age of majority and is of good moral character. The department shall charge an application fee set by the board pursuant to section 24 of this act for the filing of such application. The department shall not act upon any application until the application fee for such license has been paid. A license to engage in the construction of water wells or the installation of pumps and pumping equipment shall be issued to every applicant who demonstrates professional competence by successfully passing the examination prescribed in section 23 of this act, pays the appropriate license fee, and otherwise complies with the Water Well

Standards and Contractors' Licensing Act and all standards, rules, and regulations adopted and promulgated pursuant to such act. Applicants shall receive licenses for any category or combination of categories for which they have successfully passed the required examination.

Sec. 30. Each applicant for licensing or relicensing as a water well contractor or as a pump installation contractor shall furnish proof to the department that there is in force a policy of public liability and property damage insurance issued to the applicant in an amount established by the department by rules and regulations sufficient to protect the public interest.

Sec. 31. Each water well drilling supervisor and pump installation supervisor shall make application for a certificate of competence in his or her respective trade. Such application shall be made to the department which shall charge an application fee set by the board pursuant to section 24 of this act for the filing of such application, and the department shall not act upon any application until the application fee for such certificate has been paid. A certificate shall be issued to every applicant who successfully passes the examination for such certificate, pays the appropriate certification fee, and otherwise complies with the Water Well Standards and Contractors' Licensing Act and all standards, rules, and regulations adopted and promulgated pursuant to such act. Any individual employed by a water well contractor or a pump installation contractor who is not deemed to qualify as a water well drilling supervisor or pump installation supervisor may make application for a certificate of competence in his or her respective trade in the same manner as the water well drilling supervisor or the pump installation supervisor.

Sec. 32. No licenses or certificates required by the Water Well Standards and Contractors' Licensing Act shall be required until January 1, 1987. Individuals who are engaged as water well contractors, pump installation contractors, water well drilling supervisors, or pump installation supervisors on January 1, 1986, may, prior to January 1, 1987, make application for a provisional license or certificate issued pursuant to the Water Well Standards and Contractors' Licensing Act. The department shall issue a provisional license or certificate to any such applicant without examination if the applicant pays the application fee and the license or certificate fees and submits sufficient

evidence, under oath, that he or she was engaged in such activity for at least twelve months prior to January 1, 1987. Any provisional licensee or certificate holder shall be required to take and pass the examination required under section 23 of this act on or before January 1, 1992, to be thereafter renewed.

Sec. 33. After the operative date of this act, no water well shall be constructed or pump or pumping equipment installed by a business engaged in the construction of water wells or installation of pumps and pumping equipment unless the construction or installation is carried out or supervised by a licensed water well contractor, water well drilling supervisor, pump installation contractor, or pump installation supervisor. For purposes of this section, supervision shall mean the ready availability of the person licensed or certified pursuant to the Water Well Standards and Contractors' Licensing Act for consultation and direction of the activities of any person not licensed or certified who assists in the construction of a water well or the installation of pump and pumping equipment. Contact with the licensed contractor or certified supervisor by telecommunication shall be sufficient to show ready availability.

Sec. 34. Any licensed water well contractor constructing a water well for any customer shall as a part of the agreement include the proper plugging of each abandoned well constructed to explore for ground water pursuant to the agreement. Any failure to properly plug an abandoned well pursuant to such agreement shall subject him or her to suspension, revocation, or refusal of renewal of his or her license.

Sec. 35. In cases other than those relating to failure to meet the requirements for an initial license, renewal of a license, an initial certificate, or renewal of a certificate, the department may deny, refuse renewal of, suspend, or revoke licenses or certificates for any of the following grounds:

(1) Practice of fraud or deceit in obtaining a license or certificate;

(2) Violation of the Water Well Standards and Contractors' Licensing Act or any standards, rules, or regulations adopted and promulgated pursuant to such act;

(3) Incompetence or gross negligence in the performance of any activity for which licenses or certificates are issued pursuant to the Water Well Standards and Contractors' Licensing Act; or

(4) Conduct or practices detrimental to the

health or safety of persons hiring the services of the licensee or certificate holder or of members of the general public.

No individual whose license or certificate has been refused renewal, suspended, or revoked shall be eligible to apply for a license or certificate for one year from the date of the final order.

The department shall have the authority to reinstate, for good cause shown, any license or certificate that has been refused renewal, suspended, or revoked. No license may be reinstated if the former licensee fails to provide sufficient evidence of adequate restitution to any person suffering damages or injury as a result of the actions of the former licensee that are governed by the Water Well Standards and Contractors' Licensing Act or the rules and regulations adopted and promulgated thereunder.

Sec. 36. All licenses and certificates issued pursuant to the Water Well Standards and Contractors' Licensing Act shall expire on December 31 of the year for which issued. A license or certificate may be renewed on or before December 31 of each year upon payment of the annual fee established pursuant to section 24 of this act. If a licensee or certificate holder has not paid for the renewal of his or her license or certificate on or before December 1, he or she shall be notified by registered mail on or before December 15 that the license or certificate will expire. A license or certificate not renewed on or before December 31 or the first working day thereafter shall expire. A license or certificate once expired may not be reinstated without passing an examination.

Sec. 37. If the department proposes to deny, refuse renewal of, suspend, or revoke a license or certificate for any of the reasons enumerated in the Water Well Standards and Contractors' Licensing Act, it shall send to the applicant, licensee, or certificate holder, by registered mail, a notice setting forth the specific reasons for the proposed action. The denial, refusal of renewal, suspension, or revocation shall become final thirty days after the mailing of the notice unless the applicant, licensee, or certificate holder, within such period, gives written notice of a desire for a hearing. The applicant, licensee, or certificate holder shall then be given an opportunity for a formal hearing before the department and shall have the right to present evidence on his or her own behalf. On the basis of the evidence presented, the action in question shall be affirmed or set aside, and a copy of the

decision setting forth the findings of fact and the specific reasons upon which the decision is based shall be sent by either certified or registered mail to the applicant, licensee, or certificate holder. The decision shall become final thirty days after the copy is mailed, unless the applicant, licensee, or certificate holder, within such period, appeals the decision pursuant to Chapter 84, article 9. The procedure governing hearings authorized by this section shall be in accordance with Chapter 84, article 9.

Sec. 38. Any person who engages in the construction of water wells or in the installation of pumps and pumping equipment without first obtaining a license or certificate for such activities from the department as provided in the Water Well Standards and Contractors' Licensing Act or rules and regulations adopted and promulgated pursuant to the act, in addition to the other penalties provided in the act, may be enjoined from continuing such activities.

Sec. 39. Any person subject to licensure or certification under the Water Well Standards and Contractors' Licensing Act who engages in the construction of water wells or in the installation of pumps and pumping equipment without first obtaining a license or certificate from the department as provided in the act or rules and regulations adopted and promulgated pursuant to the act shall be guilty of a Class II misdemeanor or subject to a civil penalty of not more than one thousand dollars for each day the violation occurs.

Sec. 40. Any person who engages in the construction of water wells or the installation of pumps and pumping equipment or fails to plug or plugs an abandoned well without complying with the standards adopted and promulgated pursuant to the Water Well Standards and Contractors' Licensing Act shall be guilty of a Class III misdemeanor or subject to a civil penalty of not more than five hundred dollars for each day an intentional violation occurs and may be enjoined from continuing such activity, including a mandatory injunction.

Sec. 41. Any licensed water well contractor who engages in the business of constructing a water well shall keep and maintain an accurate well log of the construction of each such water well and shall furnish a copy of such log to the owner of the well. Such log shall be available to the department for inspection and copying during the regular business hours of the contractor, unless the owner has prohibited the release

of such log.

The well log shall include the following information:

- (1) Location of the water well;
- (2) Description and depth of geologic materials encountered;
- (3) Depth of finished well;
- (4) Diameter of drilled hole;
- (5) Depth of formation stabilizer or gravel pack and size of particles, if used;
- (6) Depth and thickness of grout, puddled clay, or other sealing material;
- (7) Casing information, including length, inside diameter, wall thickness, and type of material;
- (8) Screen information, including length, trade name, inside and outside diameter, slot size, and type of material;
- (9) Static water level;
- (10) Water level when pumped at the designed rate; and
- (11) Yield of water well in gallons per minute or gallons per hour.

Sec. 42. That section 46-602, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

46-602. (1) The owner of each well, except wells used solely for domestic purposes, completed in this state shall complete appropriate registration forms within twenty days after the completion of ~~such the~~ the well. Registration shall be in such form as the director may direct, and shall contain a statement of (a) the location of ~~such the~~ the well, (b) the date of its completion, (c) the intended use of ~~such the~~ the well, (d) the size of ~~such the~~ the well, (e) the actual capacity of ~~such the~~ the well expressed in gallons per minute, (f) the identification, by number, of a permit issued pursuant to section 46-660, if applicable, (g) such evidence of ownership of the well as the director may by regulation direct, (h) the license number issued pursuant to the Water Well Standards and Contractors' Licensing Act of any person, other than the owner of the well, who drilled the well, and ~~{h}~~ (i) such additional information conformable to the statement of purpose contained in section 46-601 as the director might require. Notwithstanding section 46-606, no fee shall be charged for registration of any well for which a permit was obtained pursuant to sections 46-638 to 46-650. The Department of Water Resources shall be notified of any change in the ownership of a well

required to be registered under this section. Notification shall be in such form and shall include such evidence of ownership as the director may by regulation direct. The department shall use such notice to update the well registration on file in that office.

(2) If the well has been drilled by any person other than the owner, ~~thereof~~, the registration shall be furnished in triplicate to the person actually drilling such well, to be forwarded with the certificate of the well driller required by section 46-603.

(3) Whenever any owner of a registered well, or a well required to be registered pursuant to subsections (1) and (2) of this section, shall abandon such well, he or she shall completely fill the well cavity in accordance with the rules and regulations of the Department of Water Resources until such rules and regulations are superseded and replaced by the rules and regulations adopted and promulgated pursuant to the Water Well Standards and Contractor's Licensing Act. The method specified in such rules and regulations for filling well cavities shall be designed to eliminate any safety hazard created by abandoned wells and to prevent deterioration in the quality of the underlying ground waters. Written notice of any such abandonment shall be provided to the Department of Water Resources within sixty days, ~~thereafter~~.

(4) When any owner of an abandoned registered well or a well required to be registered replaces such well, he or she shall, within thirty days after the completion of such replacement well, give notice to the department by filing in the office of the department completed well registration and well driller certificate forms, in triplicate, for the replacement well. No fee shall be collected for filing notice of abandonment or for the registration of the replacement of a registered well.

(5) When any owner of an abandoned well in a control or management area desires to replace such well, he or she shall, prior to commencing construction, ~~thereof~~, obtain a permit pursuant to the provisions of section 46-659. The owner of such abandoned well may immediately proceed to dig a replacement well and pump water ~~therefrom~~ without obtaining a permit if the pump installed in the replacement well has a column size not greater than the pump formerly used in the abandoned well. Following completion of any such well, notice of such completion shall be given in the manner provided by subsection (4) of this section.

Sec. 43. That section 46-606, Reissue Revised

Statutes of Nebraska, 1943, be amended to read as follows:

46-606. The Director of Water Resources shall collect in advance a fee of ~~seven~~ twenty dollars and ~~fifty cents~~ for each well registered under the provisions of sections 46-602 and 46-605. The director shall pay such fees monthly into the state treasury and the State Treasurer shall credit such fees to the General Fund.

Sec. 44. This act shall become operative on October 1, 1986.

Sec. 45. If any section in this act or any part of any section shall be declared invalid or unconstitutional, such declaration shall not affect the validity or constitutionality of the remaining portions thereof.

Sec. 46. That original sections 46-602 and 46-606, Reissue Revised Statutes of Nebraska, 1943, are repealed.