

AMENDMENTS TO LB 133

1 1. Strike section 2 and insert the following new
2 sections:

3 "Sec. 2. Section 46-1202, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 46-1202. ~~It is hereby declared that the purpose~~ The
6 purposes of the Water Well Standards and Contractors' Licensing Act
7 ~~is~~ are to: (1) Provide for the protection of ground water through
8 the licensing and regulation of water well contractors and pump
9 installation contractors and the certification of water well
10 drilling supervisors, ~~and~~ pump installation supervisors, water well
11 monitoring technicians, and natural resources ground water
12 technicians in the State of Nebraska; (2) protect the health and
13 general welfare of the citizens of the state; (3) protect ground
14 water resources from potential pollution by providing for proper
15 siting and construction of water wells and proper decommissioning
16 of illegal water wells; and (4) provide data on potential water
17 supplies through well logs which will promote the economic and
18 efficient utilization and management of the water resources of the
19 state.

20 Sec. 3. Section 46-1203, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 46-1203. For purposes of the Water Well Standards and
23 Contractors' Licensing Act, unless the context otherwise requires,
24 the definitions found in sections 46-1205 to 46-1216 and sections 4

1 and 5 of this act shall be used.

2 Sec. 4. Certified natural resources ground water
3 technician means a natural resources ground water technician who
4 has taken a training course, passed an examination based on the
5 training course, and received a certificate from the department
6 indicating that he or she is a certified natural resources ground
7 water technician.

8 Sec. 5. Natural resources ground water technician means
9 any individual employed by a natural resources district and engaged
10 in the inspection of chemigation systems, measuring and recording
11 static water levels, inspection and servicing of flow meters, and
12 water sampling practices and techniques. Natural resources ground
13 water technician does not include: (1) An individual who
14 constructs a water well or installs or repairs pumps or pumping
15 equipment or a water well; (2) a water well monitoring technician;
16 or (3) an individual who carries out the measurement, sampling, or
17 inspection of a water well which is on land owned by him or her and
18 used by him or her for farming, ranching, or agricultural purposes
19 or as his or her place of abode.

20 Sec. 6. Section 46-1214.01, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 46-1214.01. Water well monitoring ~~supervisor~~ technician
23 shall mean any individual engaged solely in the measuring of ground
24 water levels, the collection of ground water samples from existing
25 water wells, or the inspection of installed water well equipment,
26 or pumping systems. Water well monitoring technician does ~~not~~
27 ~~chemigation regulation devices. The term shall not include: (1)~~

1 An individual who constructs a water well or installs or repairs
2 pumps or pumping equipment or a water well; ~~or~~ (2) a natural
3 resources ground water technician; or (3) an individual who carries
4 out the measurement, sampling, or inspection of a water well which
5 is on land owned by him or her and used by him or her for farming,
6 ranching, or agricultural purposes or as his or her place of abode.

7 Sec. 7. The Department of Health and Human Services
8 Regulation and Licensure shall develop a certification program that
9 is designed to train individuals to become certified natural
10 resources ground water technicians. Such course shall be developed
11 by the department in consultation with the natural resources
12 districts. Such course shall include inspection of chemigation
13 systems, measuring and recording static water levels, inspecting
14 and servicing flow meters, and taking water samples. Training
15 sessions shall not be less than two hours and shall not exceed
16 eight hours. At the end of the training session, individuals
17 taking the training shall be required to take a written
18 examination.

19 Sec. 8. Section 46-1223, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 46-1223. (1) The department with the assistance of the
22 board shall cause examination to be made of applicants for
23 licensure or certification. The board shall determine the type,
24 categories, contents, and required passing grade of examinations to
25 be administered to applicants for licensing or certification.
26 Examinations shall be held at such times and places as the
27 department, with the advice of the board, may determine. The

1 department shall act within ninety days upon all completed
2 applications for licensure or certification.

3 (2) Examinations for water well monitoring ~~supervisors~~
4 technicians shall be designed and adopted to examine the knowledge
5 of the applicant regarding the minimum standards for water wells
6 and water well pumps, the geological characteristics of the state,
7 measuring ground water levels, and water sampling practices and
8 techniques. Examinations for natural resources ground water
9 technicians shall examine the knowledge of the applicant regarding
10 inspection of chemigation systems, measuring and recording static
11 water levels, inspecting and servicing flow meters, and water
12 sampling practices and techniques. All other examinations shall be
13 designed and adopted to examine the knowledge of the applicant
14 regarding the minimum standards for water wells and water well
15 pumps, the geological characteristics of the state, current
16 drilling or pump installation practices and techniques, and such
17 other knowledge as deemed appropriate by the board. The board may
18 adopt any nationally developed standard examinations as
19 constituting part or all of the Nebraska examinations.

20 (3) An examinee who fails to pass the initial examination
21 may retake such examination without charge at any regularly
22 scheduled examination held within four months after failing to pass
23 the initial examination, except that when a national standardized
24 examination is utilized which requires the payment of a fee to
25 purchase such examination, the board shall require the applicant to
26 pay the appropriate examination fee whether an initial examination
27 or a retake of an examination is involved.

1 (4) In cases of hardship, the board may provide and
2 direct that special arrangements for administering examinations be
3 utilized. The board may also provide for temporary hardship
4 licensing without examination due to the death of the current
5 license holder or for other good cause shown.

6 Sec. 9. Section 46-1231, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 46-1231. Each water well drilling supervisor, pump
9 installation supervisor, natural resources ground water technician,
10 and water well monitoring ~~supervisor~~ technician shall make
11 application for a certificate of competence in his or her
12 respective trade. The application shall include the applicant's
13 social security number. Such application shall be made to the
14 department which shall charge an application fee set by the board
15 pursuant to section 46-1224 for the filing of such application, and
16 the department shall not act upon any application until the
17 application fee for such certificate has been paid. A certificate
18 shall be issued to every applicant who successfully passes the
19 examination for such certificate, pays the appropriate
20 certification fee, and otherwise complies with the Water Well
21 Standards and Contractors' Licensing Act and all standards, rules,
22 and regulations adopted and promulgated pursuant to such act. Any
23 individual employed by a water well contractor or a pump
24 installation contractor who is not deemed to qualify as a water
25 well drilling supervisor or pump installation supervisor may make
26 application for a certificate of competence in his or her
27 respective trade in the same manner as the water well drilling

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1 supervisor or the pump installation supervisor.

2 Sec. 10. Section 46-1233.01, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 46-1233.01. Except as provided in section 46-1233, after
5 September 6, 1991, no water well shall be opened or the seal broken
6 by any person other than an owner of the water well unless the
7 opening or the breaking of the seal is carried out by a certified
8 water well monitoring ~~supervisor~~ technician or natural resources
9 ground water technician.".

10 2. On page 2, line 3, strike "section 2" and insert
11 "sections 4, 5, and 7"; in line 12 strike "section 46-1201" and
12 insert "sections 46-1201, 46-1202, 46-1203, 46-1214.01, 46-1223,
13 46-1231, and 46-1233.01"; and in line 13 strike "is" and insert
14 "are".

15 3. Renumber the remaining section accordingly.