



**Ninety-Eighth Legislature - Second Session - 2004
Committee Statement
LB 599**

Hearing Date: February 19, 2003
Committee On: Health and Human Services

Introducer(s): (Tyson, Jensen)
Title: Change and eliminate requirements for use of engineers and architects

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - X Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

7	Yes	Senator Jensen, Byars, Cunningham, Maxwell, Erdman, Stuthman and Johnson
	No	
	Present, not voting	
	Absent	

Proponents:

Senator Tyson
Charles Nelson
Steve Nordhues

Dick Johnson
Bruce Kevil
Walter Broer

Gary Krumland

Representing:

Introducer
Nebraska Board of Engineers and Architects
Nebraska Conference of Building Officials and
Inspectors
Associated Builders and Contractors
Nebraska State Home Builders Association
Nebraska Building Chapter & The Associated
General Contractors
League of Municipalities

Opponents:

Representing:

Neutral:

Korby Gilbertson

Representing:

Nebraska Realtors Association

Summary of purpose and/or changes: The bill provides for the use of negotiated rulemaking by the Board of Engineers and Architects (board). Sections 2-3256 and 81-3445 require the engagement of a licensed engineer and/or architect in public works projects costing more than \$80,000 by a Natural Resource District, the state, or a political subdivision. LB 599 permits the board to adopt and promulgate rules and regulations to increase the threshold amount.

Section 81-3449 exempts certain activities from provisions of the Engineers and Architects Regulation Act regulating the practice of architecture. LB 599 permits modifications of such provisions by rules and regulations adopted under the Negotiated Rulemaking Act.

Section 81-3453 exempts certain activities from provisions of the Engineers and Architects Regulation Act regulating the practice of engineering. LB 599 permits modifications of such provisions by rules and regulations adopted under the Negotiated Rulemaking Act.

The bill outright repeals section 81-3447, which currently provides: “A public official charged with the duty or responsibility of accepting or approving plans, specifications, plats, and reports shall not accept or approve plans, specifications, plats, or reports which have not been prepared in accordance with the Engineers and Architects Regulation Act.”

The bill has an emergency clause.

Explanation of amendments, if any: The committee amendment (AM 2502) replaces the bill as introduced, retains substantive provisions of the original bill, and also incorporates provisions of LB 1069 (2004). The amendment permits the Board of Engineers and Architects (board) to increase exemptions currently provided in the act by rules and regulations adopted pursuant to the Negotiated Rulemaking Act.

The amendment also makes technical changes to educational and experience requirements for engineers in section 81-3451. The amendment changes the requirement of “progressive experience in engineering projects” to “progressive post-baccalaureate degree experience.” The amendment allows for the recognition by the board of substantially equivalent curriculum to that accredited by the Accrediting Board for Engineering and Technology.

The amendment has an emergency clause.

Senator Jim Jensen, Chairperson