

Explaining the Board's Position on Legislative Bill 250

The Interior Design Voluntary Registraton Act

By Jon Wilbeck, NBEA Executive Director

In January 2020, Legislative Bill 1068 was introduced in the Nebraska Legislature. LB1068 would have created a voluntary interior design registration process.

The Board was opposed to the bill as introduced last year, and in the Board's opinion, would have complicated its efforts to enforce the Engineers and Architects Regulation Act. LB1068 did not advance out of committee and was not signed into law.

In anticipation of a similar bill being introduced in 2021, the Board had several discussions with the Nebraska interior design community in late 2020. The goal of these discussions was to suggest alternative language that would ensure that the health, safety, and welfare of Nebraskans would continue to be protected if a similar bill were to become law.

In January 2021, LB250 was introduced, which again proposed an interior design registry. Two amendments, AM43 and AM232, were also introduced soon after. These two amendments essentially were the outcome of the discussions between the Board and the interior designers in late 2020. The amendments proposed to make the Board responsible for the registry of interior designers and to add two interior designers to the Board.

The Board believes there is a substantial overlap between the scope of practice of architecture and interior design. In the Board's view, LB1068 and the original LB250 would have complicated enforcement of the Engineers and Architects Regulation Act.

However, with AM43 and AM232, enforcement of the Act is simplified. If the amended bill is enacted, determining whether a specific instance of practice constitutes architecture or interior design can now be discussed at Board meetings with architects and interior designers at the same table.

Another issue with the original bill from the Board's perspective is that the registration of interior designers was proposed to be administered by another state agency.

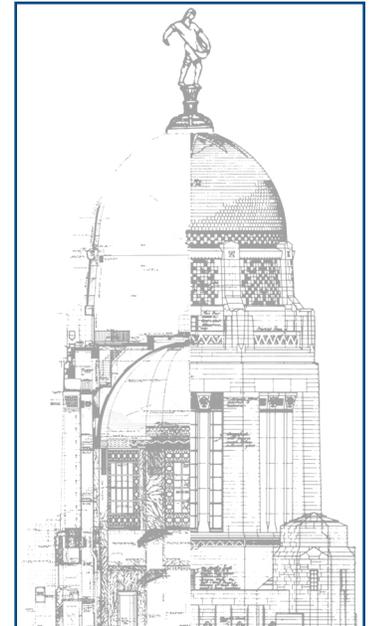
Such an arrangement would be the first of its kind amongst the 29 other U.S. jurisdictions that either regulate the practice of interior design or the title of an interior designer.

The Board's position is that, if interior designers are to be registered, that would be best done by a board comprised of other design professionals, as proposed in the amendment. In other words, if the State of Nebraska concludes that an interior design registry is warranted, such registry is more appropriately administered in the arrangement described in the amendment. **The Board has taken a neutral position on LB250 as amended.**

The Board never considered itself as leading any effort to register interior designers. The Board was opposed to the registry in the manner described by 2020's LB1068, and it reached out to the interior designers to communicate its concerns with LB1068 after the 2020 legislative session ended. From this, a dialogue began between the Board and the interior design community, which ultimately resulted in AM42 and AM232 to LB250.

Finally, the mission of the Board of Engineers and Architects is squarely focused on protecting the health, safety, and welfare of the people of Nebraska. The Board is a public body created by the state and charged by the Legislature with regulating the practices of engineering and architecture through administering the Nebraska Engineers and Architects Regulation Act. The Board of Engineers and Architects is not an advocate for the professions of architecture or engineering.

The Board's position is that the interior design registry is more appropriately administered in the arrangement described in the amendments to LB250. For these reasons, the Board has taken a neutral capacity on LB 250 and its amendments. Should the Nebraska Legislature see fit to pass LB250 as amended, the Board stands ready to administer the registration of interior designers, just as the Board does for the architecture and engineering professions, to protect the health, safety, and welfare of Nebraska citizens. ■



BOARD MEMBERS

Brett Foley
Chair, Public Member,
Denton

Daniel Thiele
Vice-Chair, Professional Engineer,
Omaha

Brian Kelly
Secretary, Architect,
Omaha

Jan Bostelman
Professional Engineer, Brainard

Bruce Dvorak
Professional Engineer, Lincoln

Lenora Isom
Architect, Ashland

Dave Johnson
Architect, Lincoln

Jason Suelter
Professional Engineer, Lincoln

STAFF

Jon Wilbeck
Executive Director

Jean Lais
Business Manager

Amy Habe
Compliance Officer

Mia Azizah
Public Information Officer

Gail Parris
Administrative Assistant

Connie Belt
Accounting Clerk

Tina Hall
Staff Assistant

Summary of Proposed Board Rule Changes

The Nebraska Board of Engineers and Architects held a public hearing on changes to its rules and regulations on December 11, 2020, due to the passage of Legislative Bill 755 (LB755) earlier that year. LB755 made several changes to the Nebraska Engineers and Architects Regulation Act, which include:

- Allowing candidates for a professional engineer license to take the Principles and Practice of Engineering (PE) Exam before gaining four years of experience while maintaining the four years of experience for licensure;
- Removing provisions that architect license candidates must take the Architecture Registration Examination (ARE) examination after graduation from an architectural program accredited by the National Architectural Accreditation Board;
- Allowing architect candidates the ability to take the ARE without Board approval; and
- Recognizing a degree from a program accredited by the Canadian engineering and architecture accreditation boards satisfies the education requirements for licensure in Nebraska.

Changes in the Board Rules include rules clarifying these four main changes to the Act, along with:

- Clarification of provisions related to temporary permits, and;
- Removal of redundant sentences and general grammatical clean-up to clarify the rules.

The changes by chapter include, but are not limited to:

Chapter 1 – General Provisions

- The definitions of CACB (Canadian Architectural Certification Board) and CEAB (Canadian Engineering Accreditation Board) and added (Rule 1.1).

Chapter 2 – Initial Licensure of Professional Engineers

- The chapter title is renamed.
- Engineering license candidates can meet the Board's educational requirement if they hold a degree from engineering programs accredited by CEAB.

- Engineering license candidates are allowed to take the Principles and Practice of Engineering (PE) Exam before gaining four years or the equivalent of acceptable engineering experience.
- Candidates who complete three years of acceptable engineering experience after confirmation of a degree from an EAC/ABET- or CEAB-accredited masters program satisfy the experience requirement for licensure.
- Several rules are rewritten to reflect that the Structural PE Examination is considered a PE Exam (Rule 2.4.1.1 and others).
- Proctoring of both the FE and PE Exams may be done in accordance with NCEES rules and policies.

Chapter 3 – Initial Licensure of Architects

- The chapter title is renamed.
- Architecture license candidates can meet the Board's educational requirement if they hold a degree from programs accredited by CACB (Rule 2.2.1).
- Architecture license candidates can sit for the ARE without Board approval (Rule 3.4.2).
- Proctoring of the ARE may be done in accordance with NCARB rules and policies.

Chapter 4 – Comity

- The length of engineering temporary permits increases from one year to two years, the same period as temporary architectural permits (Rule 4.1.5.1)

Chapter 10 – Exemptions; Clarification

- Rule 10.4 is rewritten to clarify the intent of the rule. The rule now reads:

10.4.1 Renovations and one-level additions to an existing building, structure, or work are exempt from E&A Act if:

10.4.1.1 The total adversely impacted areas are less than the area set by the Occupancy Classification in Chapter 10; and

10.4.1.2 The renovation or addition area does not adversely impact the mechanical system; the electrical system; the structural integrity; the means of egress; and does not change or come into conflict with the occupancy classification of the existing or adjacent tenant space, building, structure, or work. If the renovation or addition adversely impacts other areas, the additional areas that are adversely impacted shall be included in the occupancy and building area calculations set by Section 10.3 of Chapter 10. ■



A digital version of the E&A Act Handbook is at ea.nebraska.gov/publications

To view all proposed changes to the rules, please visit
<http://bit.ly/EChanges2020>

What to Know: Coordinating Professionals

By Amy Habe, Compliance Officer

The Nebraska Engineers and Architects Regulation Act mandates that coordination is required among professionals engaged in a project through the sections in the Act and board rules that describe the Coordinating Professional's responsibilities.

The definition of a Coordinating Professional is "a licensee who coordinates, as appropriate, the work of all licensees involved in a project."

Projects involving more than one licensed architect or professional engineer shall have an architect or professional engineer designated as the Coordinating Professional for the entire project.

The Coordinating Professional applies his or her seal in accordance with the Engineers and Architects Regulation Act to the cover sheet of all documents and denotes the seal as that of the Coordinating Professional.

The Coordinating Professional is responsible for reviewing and coordinating technical documents

prepared by others for compatibility with the project's design.

The Coordinating Professional's seal is to be applied to the contract documents but denoted for coordination only. Under no circumstance is it to connote design qualification outside the practice for which the Board licenses the professional. It does not indicate a responsible charge or direct supervision for engineering or architecture work.

The Coordinating Professional is also considered the liaison between the design team, the project owner and regulatory agencies.

Designating a Coordinating Professional on projects involving more than one architect or engineer is required in Nebraska per Neb. Rev. Stat. §81-3437. The State of Nebraska does not condone uncoordinated design of large and/or complex construction projects for public use. It is the responsibility of design professionals to ensure that their work meets those expectations.

In summary, the Coordinating Professional's role is to:

- Coordinate communication between the design professionals related to technical documents on a project;
- Act as project liaison with the governing building official; and
- Verify that all design disciplines involved in a project are working in coordination with one another and that the corresponding discipline approves any changes made to the design in which life, health, safety and welfare are not compromised.

See Rule Section 6.3 for the regulations concerning Coordinating Professionals.

If you have any questions about coordinating professionals, please email amy.habe@nebraska.gov or call 402.471.9602. ■

2021 Board Officers Elected

By Mia Azizah, Public Information Officer

The Nebraska Board of Engineers and Architects is pleased to announce new officers for the 2021 year. At the March meeting, the Board unanimously voted Brett Foley, Daniel Thiele and Brian Kelly as the Chair, Vice-Chair and Secretary, respectively.

Foley is a psychometrician from Denton, Nebraska, and has served with the Board as the Board's public member since 2018. He is the third public member to serve on the Board since the position was created in 1998. This is Foley's third consecutive year as an officer after serving as the vice-chair in 2020.

Thiele hails from Omaha and is a licensed Professional Civil Engineer with a focus on geotechnical and materials engineering. Thiele is licensed in 22 states and has over 30 years of engineering experience. Before he served on the Nebraska Board of Engineers and Architects, Thiele was the



Brett Foley

president of the Professional Engineers Coalition and other civic and professional boards. This is also Thiele's second consecutive year as an officer after serving as the secretary in 2020.

Kelly, an architect who also has served the Board since 2018, represents the University of Nebraska-Lincoln's College of Architecture. Kelly's writing has been published internationally and his design



Daniel Thiele, P.E.

work has been recognized nationally through various awards programs. He has served as a board member for the Design Alliance of Omaha (daOMA) as well as a member of the NCARB Education Committee. Originally from Nebraska, Kelly has traveled extensively, leading several education abroad programs for the College of Architecture. ■



Brian Kelly

Board Welcomes New Staff Assistant



By Mia Azizah, Public Information Officer

The Board and Staff welcome new Staff Assistant, Tina Hall. She hails from Watertown, New York, and has a Bachelor's Degree in Political Science from Plattsburgh State University in Plattsburgh, New York. She also holds a legal assistant certificate from Syracuse University in New York.

Hall most recently worked within the Nebraska Department of Revenue and Nebraska Equal Opportunity Commission in various administrative and secretary positions. She also worked for a private tax service firm to help clients with any administrative tax-related tasks.

As the Staff Assistant, Hall is responsible for data entry of license applications and various technical and administrative tasks.

She is the first line of contact for licensee applications, requests, and inquiries.

"I make sure applicants have everything they need to be successful in obtaining their licenses. I get to communicate with them on emails or over the phone. It's always great when I get to hear how thankful they are for all my help," Hall said. "It is nice to have a job where we feel appreciated."

If you have any questions about application process status inquiries, paper renewal requests, individual name changes, and replacement license certificates, please email Tina Hall at nbea.office@nebraska.gov, call 402.471.2021, or visit ea.nebraska.gov. ■

NCARB AND NCEES NEWS

NCARB: Migration From Prometric to PSI Update

Last fall, NCARB announced that it will be switching the test administration vendor for the Architect Registration Examination® (ARE®) from Prometric to PSI.

Originally, NCARB anticipated the migration to happen in summer 2021.

To ensure the migration will go as smoothly as possible and allow time for enhancements to the candidate experience, NCARB decided to adjust this timeline to early-2022.

More detailed information regarding the migration timeline will be released later this year to allow candidates ample time to plan their future testing strategy.

NCARB: Reminders for Online Proctored Test Takers

If you have an upcoming appointment with Prometric via their online ProProctor, here are some things to keep in mind during your appointment:

Schedule a Test Run. NCARB has worked with Prometric to create a "test run" resource for candidates preparing to take an online proctored ARE appointment. Through your NCARB Record, you can schedule a free, 30-minute trial appointment with Prometric to confirm your computer and testing space meet the requirements for online proctoring.

Alert your online proctor before going on break. To take a break, you

NCEES transitions PE Civil Exam to computer-based in 2022

The Principles and Practice of Engineering (PE) Civil Exam is moving to computer-based testing (CBT), with appointments available year-round at Pearson VUE test centers beginning April 1, 2022.

The exam will be offered for the last time in pencil-and-paper format in October 2021.

Registration for the April 2022 CBT exam will open on November 1, 2021. NCEES originally planned to complete the PE Civil

NCARB will announce the final launch date with PSI no less than three months in advance of the PSI launch. Candidates will receive at least three months' notice about this date so they can plan future PSI appointments in coordination with any appointments scheduled with Prometric.

Appointments with Prometric will not be affected by the move to PSI. No one will have their appointment canceled as a result of the migration. Candidates can have confidence booking with Prometric and should continue to do so when they are ready to test.

To learn about the ARE Migration to PSI, visit ncarb.org. ■

must click the "Take a Break" button and confirm that your proctor sees the break screen before leaving your testing area.

Remember to end your exam. When you are done taking an exam, click the "End Exam" button and exit ProProctor.

Use the chat features if you experience any tech issue. The chat tool in ProProctor is your resource to get support from Prometric in troubleshooting any issue when taking the test through an online appointment. Prometric will provide information or instructions on the next steps via the tool once you have alerted them. ■

Exam's transition to CBT format in 2023 but fast-tracked the change as part of its response to COVID-19.

After the April 2020 pencil-and-paper exam administration was canceled because of the pandemic, NCEES added an extra day to the October 2020 administration and began exploring the possibility of moving the PE Civil exam to CBT earlier than planned.

For more information, visit [ncees.org / pe-civil-exam-transition-2022](http://ncees.org/pe-civil-exam-transition-2022). ■

Licensure Updates

October 21, 2020 - April 06, 2021

ARCHITECTS BY EXAM

Melia Berkemeier	Omaha, NE
Lance Gehring	Bellevue, NE
Darin Hanigan	Lincoln, NE
Kristin Holtgrew	Kansas City, MO
Zebulun Lund	Lincoln, NE
David Penka	Omaha, NE

PROF. ENGINEERS BY EXAM

Architectural

Derek Brooks	Omaha, NE
--------------	-----------

Civil

Adib Amini	Ames, IA
Brooke Barrett	Omaha, NE
Binay Basnet	Elkhorn, NE
Benett Batenhorst	Omaha, NE
Brennan Beam	Davis, CA
Baylor Bestgen	South Sioux City, NE
Ernest Bless, III	Omaha, NE
Jeffrey Cassel	Lincoln, NE
Aaron Clouse	Omaha, NE
Lucas Cunningham	Papillion, NE
Alec Drey	Omaha, NE
Andrew Eisenbraun	Lincoln, NE
David Engelhaupt	Manhattan, KS
Mark Friend, II	Lincoln, NE
Brent Froning	Papillion, NE
Rachel Fuchs	Lincoln, NE
Joseph Gardner	Blair, NE
Amanda Gilbert	Omaha, NE
Austin Haase	Elkhorn, NE
Joseph Haines	Lincoln, NE
Mark Hanigan	Omaha, NE
Lawrence Hufford, II	Omaha, NE
Christian Jensen	Omaha, NE
Seunghee Kim	Omaha, NE
Maggie Lanigan	Omaha, NE
Otto Lapointe	Lincoln, NE
Spencer Lindley	Omaha, NE
Joshua Maurer	Hickman, NE
Jonathan McCarville	Omaha, NE
Gustavo Mena	Omaha, NE
Nicholas Menefee	Lincoln, NE
Alexa Metcalf	Lincoln, NE
Joseph Meuret	Norfolk, NE
Keith Miller	Juniata, NE
Ethan Miller	Omaha, NE
Alexander Niederbuhl	Omaha, NE
Matthew Park	McCook, NE
Ian Plummer	Omaha, NE
Joshua Porter	Omaha, NE
Jacob Pulfer	Omaha, NE
Deanna Ringenberg	Lincoln, NE
Cara Roesler	Lincoln, NE
Timothy Saner	Papillion, NE
Brandon Schmit	Papillion, NE
Timothy Shepherd, II	Omaha, NE
Joseph Shy	Lincoln, NE
Scott Speicher	Lincoln, NE
Adam Steinbach	Omaha, NE
Dennis Stille	Lincoln, NE
Kurt Thomsen	Elkhorn, NE
Eric Timpe	Omaha, NE
Caleb Van Weelden	Omaha, NE
Christopher Volnek, Jr.	Waverly, NE

Katherine Werner	Council Bluffs, IA
Aaron Wiese	Omaha, NE
Jordan Wipf	Lincoln, NE
Cody Zarn	South Sioux City, NE

Electrical and Computer

Carl Edwards	Omaha, NE
Shawn Prochaska	Stromsburg, NE
Andrew Reinke	Omaha, NE
Aidan Schieuer	Omaha, NE

Mechanical

Garrett Barbari	Omaha, NE
Alec Brown	Omaha, NE
Samuel Cunningham	Lincoln, NE
Jason Hajny	Clay Center, NE
Trevor Howe	Omaha, NE
Jeffrey Slattery	Lincoln, NE
Megan Verch	Lincoln, NE
Philip Paulin	Sagamore Hills, OH
Rex Peterson	Gordon, NE
Steven Riley	Omaha, NE
Lee Schriever	Panama, NE

EMERITUS

Architects

Thomas Laging	Lincoln, NE
Kim Larsen	West Saint Paul, MN
Peter Laughlin	Shawnee, KS
Larry Mares	Columbus, NE
Bradley Milton	APO, AE
Robert Mooney	Mead, CO
Tommy Moss	Windsor, CO
David J. Murphy	Seattle, WA
Dennis O'Keefe	Odessa, FL
Arthur Parr	Kaunakakai, HI
John Sinovic	Omaha, NE
Ralph Stanislaw	Park City, UT
Lawrence Timperman	Jeffersonville, IN
Michael Treanor	Lawrence, KS
Ivan Vrtiska	Omaha, NE
Dennis Wismer	Omaha, NE
Mark Wolterman	Omaha, NE

Professional Engineers

James Heckman	Highlands Ranch, CO
Ryan Isenock	CASPER, WY
Ronald LaMere	Minneapolis, MN
Stephen Lander	Greensboro, NC
James Larsen	West Saint Paul, MN
Victor Larson	Eustis, NE
John Leavitt	Melba, ID
Lynn Lightner	Lincoln, NE
Patrick Lindsey	Omaha, NE
Charles Link	Omaha, NE
Brian Long	Park Rapids, MN
Timothy Luchsinger	Grand Island, NE
John Lusan	Kansas City, MO
Ronald Luth	Columbus, NE
Micheal Mager	Lincoln, NE
Arthur Mander	Highlands Ranch, CO
Derril Marshall	Fremont, NE
Robert Masters	Lincoln, NE
Terry McArthur	Kirbyville, MO
Jeffrey McClenathan	Omaha, NE
Mark McCune	Gretna, NE

Benjamin McGuire	Liberty, NE
Michael Miller	Georgetown, TX
William Morrison	Limestone, TN
Robert Morroni	Littleton, CO
Daniel Moylan	Shawnee, KS
Michael Muessel	Gretna, NE
Robert Nickeson	Lincoln, NE
John Olsen	Eureka Springs, AR
Mark Osborn	Roca, NE
Chad Packard	Huxley, IA
John Parks	Kansas City, MO
Adolph Parra	Omaha, NE
Randall Peters	Lincoln, NE
Randal Peterson	Saint Johns, FL
Ian Peterson	Omaha, NE
David Pfeiffer	Alexandria, LA
Terry Pirruccello	Omaha, NE
Scott Plummer	Las Vegas, NV
Richard Pocius	Willowbrook, IL
Charles Powell	Knoxville, TN
Stewart Quaas	Council Bluffs, IA
William Redinger	Omaha, NE
Kenneth Remppe	Snellville, GA
Jaime Reyes	Grapevine, TX
Jay Rezek	Sutherland, NE
Charles Riggs	Omaha, NE
Cynthia Rink	Omaha, NE
Rodney Rinne	Columbus, NE
Mary Roth	Omaha, NE
Thomas Rothermich	Cleveland, MO
Mark Saake	Saint Louis, MO
Joseph Schlosser	Mount Juliet, TN
Brian Schmidt	Overland Park, KS
Glen Selover	Rio Rancho, NM
David Shanahan	Prague, NE
Terry Sherman	Omaha, NE
Kenneth Sidorowicz	Henderson, NV
Gregory Slowey	Yankton, SD
Dennis Smith	Parker, CO
Daniel Sommer	La Vista, NE
William Stafford	Fairway, KS
John Stansbury	Omaha, NE
James Stephenson	Nashville, TN
Randal Strauss	Lincoln, NE
James Stuckey	Lansing, MI
James Summers	West Point, NE
Leslie Svatora	Columbus, NE
Hooshang Tavanaiepour	Albuquerque, NM
David Thompson	Davenport, FL
Johanna Threm	Norfolk, NE
Emil Turek	Lincoln, NE
John Vest	Sand Springs, OK
Charles Volk	Crossville, TN
Lynn Werman	Omaha, NE
Michael Westerheim	Minneapolis, MN
Daniel Wethington	Edmond, OK
Hock Wong	Seven Hills, OH
David Wright	Mount Juliet, TN
William Yord	Kansas City, MO

IN MEMORIAM

Randall W. Dover	Nashville, TN
Susan A. Jorgensen	Highlands Ranch, CO
Steven M. Klein	Minneapolis, MN
Dennis T. Mitchell	Arlington, TX
Gary L. Stanley	Sioux Falls, SD
Ernest D. Yonkers	Bentonville, AR

Recently Resolved Compliance Cases

The following complaints were reviewed for compliance by the Nebraska Board of Engineers and Architects, and resolved via the action noted. These summaries are provided for licensee education and information, and should not be interpreted as a full description of the complaints described. In complaints where disciplinary action was taken by the Board per Neb. Rev. Stat. § 81-3444, the names of the individuals and/or organizations involved are included.

Case 18.02 – Unlicensed Practice

SUMMARY: The Board was notified of the submission of unsealed plans to another state agency for the addition of a single-story, 1,750 square foot commercial [Business (B) Occupancy] structure to an existing building. The plans did not appear to be prepared by a Nebraska-licensed architect or professional engineer.

ACTION: This project was subject to the Act because it adversely impacted more than 3,000 square feet of a Business occupancy.

The Board authorized remediation to bring this project into compliance with the Act. Per Board Rule 8.4, licensed remediation professionals reviewed the project, identified deficiencies, and recommended corrections. The complaint was dismissed upon the correction of all deficiencies.

Case 20.20 – Unlicensed Practice

SUMMARY: The Board was notified of the submission of unsealed plans to another state agency for the construction of a single-story commercial building [Mercantile (M) Occupancy] comprising approximately 5,400 square feet. The plans did not appear to be prepared by a Nebraska-licensed architect or professional engineer.

ACTION: This project was subject to the Act due to the building area comprising more than 3,000 square feet of a Mercantile occupancy.

The Board authorized remediation to bring this project into compliance with the Act. Per Board Rule 8.4, licensed remediation professionals reviewed the project, identified deficiencies, and recommended corrections. The complaint was dismissed upon the correction of all deficiencies.

Case 20.24 – Unlicensed Practice

SUMMARY: The Board was notified of the submission of unsealed plans to another state agency for the renovation of a two-story, 33-foot high commercial building [Assembly (A) Occupancy] comprising approximately 2,100 square feet. The plans did not appear to be prepared by a Nebraska-licensed architect or professional engineer.

ACTION: This project was subject to the Act due to the building area adversely impacting more than 1,000 square feet of an Assembly occupancy and was over 30 feet in height.

The Board authorized the remediation process to bring the project into compliance with the Act. Per Board Rule 8.4, the remediation professionals conducted reviews, identified deficiencies, and recommended corrections. The complaint was dismissed upon the correction of all deficiencies.

Case 20.26 – Unlicensed Practice

SUMMARY: The Board was notified of the submission of unsealed plans to another state agency for the construction of a single-story commercial building [Business (B) Occupancy] comprising approximately 5,400 square feet. The plans did not appear to be prepared by a Nebraska-licensed architect or professional engineer.

ACTION: This project was subject to the Act due to the building area comprising more than 3,000 square feet of a Business occupancy.

The Board authorized the remediation process to bring the project into compliance with the Act. Per Board Rule 8.4, the remediation professionals conducted reviews, identified deficiencies, and recommended corrections. The complaint was dismissed upon the correction of all deficiencies.

Case 20.29 – Unlicensed Practice

SUMMARY: The Board was notified of the submission of unsealed plans to another state agency for the construction of a single-story commercial building [Storage (S) Occupancy] comprising approximately 18,000 square feet. The plans did not appear to be prepared by a Nebraska-licensed architect or professional engineer.

ACTION: This project was subject to the Act due to the building area comprising more than 5,000 square feet of Storage occupancy.

The Board authorized the remediation process to bring the project into compliance with the Act. Per Board Rule 8.4, the remediation professional conducted a review of the project. The complaint was dismissed upon completion of engineering remediation.

Case 20.32 – Unlicensed Practice

SUMMARY: Board was notified of the submission of unsealed plans to another state agency for the renovation of a single-story commercial building [Assembly (A) Occupancy] comprising approximately 4,320 square feet. The plans did not appear to be prepared by a Nebraska-licensed architect or professional engineer.

ACTION: Following the investigation, the Board determined that a Nebraska-licensed architect had been engaged in accordance with the Act. The Board found no violation of the Act and dismissed the complaint.

Case 20.33 – Unlicensed Practice

SUMMARY: The Board was notified of the submission of unsealed plans to another state agency for the renovation of a two-story commercial building [Daycare (I-4) Occupancy] comprising approximately 3,352 square feet. The plans did not appear to be prepared by a Nebraska-licensed architect or professional engineer.

ACTION: This project was subject to the Act due to the building area being two stories and adversely impacting more than 2,000 square feet of Daycare occupancy.

The Board authorized the remediation process to bring the project into compliance with the Act. Per Board Rule 8.4, the remediation professionals conducted reviews, identified deficiencies, and recommended corrections. The complaint was dismissed upon the correction of all deficiencies.

Case 20.35 – Violations of E&A Act

SUMMARY: The Board received a complaint relating to a Professional Engineer's duties and responsibilities as the City Engineer for a municipality in eastern Nebraska and alleged they violated several provisions of the E&A Regulation Act and the Board's regulations.

ACTION: After an investigation, the Board found no evidence to substantiate the complaint and that the licensee complied with the licensee Code of Practice. The Board dismissed the complaint with no disciplinary action.

Recently Resolved Compliance Cases

Case 20.36 – Unlicensed Practice

SUMMARY: The Board was notified of the submission of unsealed plans to another state agency for the renovation of a single-story commercial building [Assembly (A) Occupancy] comprising approximately 3,600 square feet; the structure was previously a Business (B) occupancy. The plans did not appear to be prepared by a Nebraska-licensed architect or professional engineer.

ACTION: This project was subject to the Act because the total adversely impacted renovation area was more than 1,000 square feet of Assembly (A) Occupancy space and a change in occupancy.

The Board authorized remediation to bring this project into compliance with the Act. Per Board Rule 8.4, licensed remediation professionals reviewed the project, identified deficiencies, and recommended corrections. The complaint was dismissed upon the correction of all deficiencies.

Case 20.37 – Unlicensed Practice

SUMMARY: The Board received a complaint of the unlicensed organizational practice of architecture and engineering related to the design and construction of a commercial project.

ACTION: After investigation, the Board authorized a Letter of Caution to the organization to remind it and the organization's employees to avoid the repetition of such activities.

Case 20.38 – Unlicensed Practice

SUMMARY: The Board was notified of the submission of unsealed plans to another state agency for the renovation of a two-story building [Business (B) Occupancy] comprising approximately 3,536 square feet structure. The plans did not appear to be prepared by a Nebraska-licensed architect or professional engineer.

ACTION: This project was subject to the Act because the building area comprised more than 3,000 square feet of a Business occupancy space.

The Board authorized the remediation process to bring the project into compliance with the Act. The complaint was dismissed upon the engagement of licensees.

Case 20.39 – Professional Misconduct

SUMMARY: The Board received a complaint of professional misconduct by a licensee. The complaint alleged that a professional engineer who prepared a report that comprised engineering practice when reviewing residential storm damage claims, did not comply with the Board's rules regarding professional conduct in Rule Section 5.5.

ACTION: After an investigation, the Board found no evidence to substantiate the complaint and dismissed the complaint.

Case 21.02 – Unlicensed Practice

SUMMARY: The Board was notified of the submission of unsealed plans to another state agency for the renovation of a single-story commercial building [Assembly (A) Occupancy] comprising approximately 2,000 square feet. The plans did not appear to be prepared by a Nebraska-licensed architect or professional engineer.

ACTION: This project was subject to the Act due to the renovation area adversely impacting more than 2,000 square feet of Assembly occupancy.

The Board authorized the remediation process to bring the project into compliance with the Act. Per Board Rule 8.4, the remediation professional conducted a review of the project to identify any deficiencies. The complaint was dismissed upon completion of architectural remediation.

Case 21.06– Unlicensed Practice

SUMMARY: The Board received a complaint of the unlicensed organizational practice of architecture and engineering related to the design and construction of a commercial project.

ACTION: After investigation, the Board authorized a Letter of Caution to the organization to remind it and the organization's employees to avoid the repetition of such activities.

Case 21.07 – Unlicensed Practice

SUMMARY: The Board received a complaint of unlicensed practice by a professional engineer. The complaint alleged the licensee engaged in the unlicensed practice of architecture.

ACTION: After an investigation, the Board authorized a Letter of Caution to the professional engineer to avoid the repetition of such activities and dismissed the complaint.

Case 21.08 – Unlicensed Practice

SUMMARY: The Board was notified of the submission of unsealed plans to another state agency for the construction of a single-story building [Storage (S) Occupancy] comprising approximately 9,600 square feet structure. The plans did not appear to be prepared by a Nebraska-licensed architect or professional engineer.

ACTION: This project was subject to the Act because the building area comprised more than 5,000 square feet of Storage occupancy.

The Board authorized the remediation process to bring the project into compliance with the Act. Per Board Rule 8.4, the remediation professionals conducted reviews, identified deficiencies, and recommended corrections. The complaint was dismissed upon the correction of all deficiencies.

Case 21.15 – Unlicensed Practice

SUMMARY: The Board received a complaint of unlicensed practice by an unlicensed individual. The complaint alleged the individual engaged in the unlicensed practice of architecture in commercial construction and renovation.

ACTION: After an investigation, the Board authorized a Letter of Caution to be issued to avoid the repetition of such activities and the complaint to be dismissed without disciplinary action.

Case 21.16 – Unlicensed Practice

SUMMARY: The Board received a complaint of unlicensed practice by an unlicensed individual. The complaint alleged the individual engaged in the unlicensed practice of architecture related to a commercial project.

ACTION: After an investigation, the Board authorized a Letter of Caution to the professional engineer to avoid the repetition of such activities and dismissed the complaint. ■



STATE OF NEBRASKA BOARD OF ENGINEERS AND ARCHITECTS

P.O. Box 95165 • Lincoln, NE 68509

PRSRV STD
U.S. POSTAGE
PAID
Lincoln, Nebraska
Permit No. 212

JUN	18	Board Meeting
JULY	05	Board Office Closed in Observance of Independence Day
	28	PE Exam First-Time Application Deadline
AUG	06	Board Meeting
	16	Nebraska Board of Engineers and Architects 84 th Anniversary
	26	NCEES PE Exam Registration Deadline
SEP	06	Board Office Closed in Observance of Labor Day
	17	Board Meeting
OCT	15	Board Meeting
	22-23	NCCES PE Exam (Pencil and Paper)
NOV	5	New Licensee Ceremony (Tentative)
	11	Board Office Closed in Observance of Veteran's Day
	25-26	Board Office Closed in Observance of Thanksgiving
DEC	02	Board Meeting
	24	Board Office Closed in Observance of Holiday Season
	31	Board Office Closed in Observance of New Year's Day

CONTINUING EDUCATION CERTIFICATE NEBRASKA BOARD OF ENGINEERS AND ARCHITECTS

This is to certify that the person named below has earned 0.25 continuing education hours for Architects and Professional Engineers by thoroughly reading the Spring 2021 edition of the Nebraska Board of Engineers and Architects newsletter, *The Nebraska Professional*.

NAME

I attest, by the responses recorded below, my signature, and on my professional honor, that I have personally read and am familiar with the Spring 2021 edition of the *The Nebraska Professional*.

1. What is the position of the Nebraska Board of Engineers and Architects on LB 250 as amended?	
2. What page(s) do the coordinating professional(s) of a project apply their seal(s) as per the Engineers and Architects Regulation Act?	
3. In accordance with the proposed Board rule changes, what would be the new length of engineering temporary permits?	

Signature

License No.

Date

If you claim credit for reading the newsletter and are audited, you will be required to produce this completed certificate as documentation.