

Nebraska Board of Engineers and Architects
Board Meeting Minutes
June 13, 2013

CALL THE MEETING TO ORDER

The meeting to review the Engineers and Architects Regulation Act rewrite was held at the Wick Alumni Center, Dana Board Room, 1520 R St, Lincoln, Nebraska. Chair Laging called the meeting to order at 8:41 a.m. Notice of the meeting was published on the Board's website and the Lincoln Journal Star in compliance with the Open Meetings Act.

In Attendance: Tom Laging, Chair; Jennifer Klein, Vice-Chair; Lori Krejci, Secretary; Mark Champion; Fred Choobineh; Michael Conzett; Roger Helgoth; Krista Kester. **Absent:** None.

Staff Present: Jon Wilbeck, Executive Director (ED); Sandra Weaver, Administrator (AD); Lisa Mathews, Compliance Officer (CO); Jean Lais, Administrative Assistant (AA).

Public Comment/Attendance - None

Agenda Items

Engineers and Architects Regulation Act rewrite review

Legislative Committee Chair, Kester, lead discussion for the Committees rewrite of the Engineers and Architects Regulation Act (E&A Act). The Board reviewed the draft line by line and was in agreement to generally accept all changes except sections listed below.

- Change well-being back to "welfare" throughout the Act
- ED Wilbeck will check with the Revisor of Statutes and Bill Drafting Office to see if the word "act" can be capitalized throughout the E&A Act.
- **§ 81-3405.01. Building official, defined.** Add the phrase "and enforcement of building codes, ..." after "responsibility for the public safety and welfare, ..."
- **§ 81-3405.02. Building, defined.** Change phrase "personal and movable property" to "personal or movable property" The Legislative Committee will revisit the term "structure" to see if it needs defined.
- **§ 81-3407. Continuing education, defined.** Change language to "Continuing education means life-long learning and training relevant to a licensee's professional practice."
- **§ 81-3411. Direct supervision, defined.** Change phrase, "over the development and preparation of architectural and engineering design" to "over work that constitutes the practices of architecture or engineering." The Legislative Committee will review the term "direct supervision" in relation to "responsible charge."
- **§ 81-3413. Engineer, defined.** The Legislative Committee will determine if the terms "engineer" and "licensee" should be differentiated and whether this statute should be deleted.
- **§ 81-3414. Engineer-intern defined.** Change phrase, "Engineer-intern means a person" to "Engineer-intern is the designation give to a person"
- **§ 81-3416. Good ethical character, defined.** Change word "moral" to "ethical" in the heading and statute language.
- **§ 81-3420. Practice of architecture, defined.** Eliminate "preliminary" from language
- **§ 81-3421 Practice of engineering, defined.** Eliminate "preliminary" from language
- **§ 81-3422.01. Project, defined.** The Legislative Committee will check to see if any project is not covered in the written definition.
- **§ 81-3423. Public service provider, defined.** The Legislative Committee will determine if another term rather than "responsible charge" should be used throughout the E&A Act.
- **§ 81-3425. Responsible charge, defined.** The Legislative Committee will determine if this statute should be repealed and moved to organizational practice statute.
- **§ 81-3427. Technical submissions, defined.** Change ending of statute to "reports that constitute, or may be prepared in conjunction, with a project."
- **§ 81-3428. Board of engineers and Architects; created; members; terms; requirements.** Dialogue will possibly be started with NCEES concerning the number of years an emeritus board member can be active with its organization.

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- **§ 81-3432.01. Repayment of qualified educational debt; authorized; eligibility.** The Board will look at new ways to repay educational debt.
- **§ 81-3436. (2) Organizational practice; certificate; authorization; immunity; Secretary of State; registration of trade name or service mark; limitation.** Remove hyphen after “in” before “responsible-charge”; change phrase “offered through” to “offered by”
- **§ 81-3436.01. (1) Design-build; allowed; requirements.** Change phrase “architecture and/or engineering, with ...” to “architecture or engineering, or both, with ...”
- **§ 81-3436.01. (1)(a) Design-build; allowed; requirements.** Change phrase “... in the material aspects of the architectural services and has direct supervision of ...” to “... in, and has direct supervision of, ...”
- **§ 81-3436.01. (2) Design-build; allowed; requirements.** Change phrase “engineering and/or architectural” to “engineering or architectural”
- **§ 81-3437.01. Seal; use.** Klein expressed a concern about further defining (3) to address writing the date versus printing it on the seal
- **§ 81-3442. Prohibited acts; penalties. (c) and (d)** Add “professional” before the word “engineer”
- **§ 81-3443. Enforcement procedures.** The Legislative Committee will rewrite in a different structure to clarify the statute.
- **§ 81-3448. Architect; license; application; fee; requirements; examination; issuance. (3) and (4)** Remove U.S. The Legislative Committee will review to see if US jurisdictions should continue to be used in statute for the architects.
- **§ 81-3449. Practice of architecture; exempted activities.** After discussion, it was decided to bring (1) and (2) to the Board meeting on June 14th for discussion on how to handle the matrix in statute and/or the rules and regulations.
- **§ 81-3451. Professional engineer or engineer-intern; license; application; examination; requirements. (1)(d) and (4)(c)** Remove the word “five” before “references” **(4)(c)** remove the phrase “three of whom shall be professional engineers, ...” **(5)** and **(6)** remove “U.S.” **(5)(b)** and **(6)(b)** remove the phrase “all of whom shall be professional engineers, ...” Reference numbers will be removed from statute and added to rules and regulations.
- **§ 81-3453. Practice of engineering; exempted activities. (17) and (19)** Change phrase “supervised by an engineer” to “supervised by a professional engineer”

The Legislative Committee will make the changes as discussed and bring back particularized points not finalized to the Board.

Adjournment

The meeting was adjourned at 2:32 p.m.

Lori Krejci, Secretary