

LEGISLATIVE BILL 564

Approved by the Governor June 7, 1985

Introduced by Performance Review & Audit Committee,
Warner, 25, Chairperson; L. Johnson, 15;
Goll, 16; Hannibal, 4; Scofield, 49;
Lundy, 36

AN ACT relating to land surveying; to amend section 81-8,118, Reissue Revised Statutes of Nebraska, 1943, and sections 81-8,119.01 and 81-8,120, Revised Statutes Supplement, 1984; to increase the maximum limit for certain fees; to change a date relating to professional development; and to repeal the original sections.

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

Section 1. That section 81-8,118, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-8,118. To pay the expense of the operation and enforcement of sections 81-8,108 to 81-8,127, the board shall, at the time application for registration is submitted, collect from the applicant an examination fee of not less than twenty-five dollars and not more than seventy-five ~~fifty~~ dollars for 1985 and not more than one hundred dollars for 1986 and thereafter as set forth in the bylaws. If the applicant fails to qualify, such the fee shall not be returned but such the applicant may be reexamined, after a period of not less than one year nor more than two years, with the payment of a reexamination fee as set forth in the bylaws. After the issuance of a certificate of registration, an annual fee of not less than five nor more than twenty-five ~~thirty-five~~ dollars for 1985 and not more than fifty dollars for 1986 and thereafter, as the board shall direct, shall be due and payable on or before January 1 of each year. Failure to remit annual fees when due, shall automatically cancel such the registration, but otherwise the registration shall remain in full force and effect continuously from the date of issuance, unless suspended or revoked by the board for just cause. A registration which has been canceled for failure to pay the annual fee when due may be reinstated within one year, but such the annual fee shall be increased ten per cent for each month or fraction of a month that payment is delayed.

Sec. 2. That section 81-8,119.01, Revised Statutes Supplement, 1984, be amended to read as follows:

81-8,119.01. (1) Beginning in ~~1986~~ 1987, as a condition for renewal of a certificate of registration

issued pursuant to sections 81-8,108 to 81-8,127, a certificate holder shall be required to successfully complete fifteen hours of professional development within the preceding calendar year.

(2) The State Board of Examiners for Land Surveyors shall not renew the certificate of registration of any certificate holder who has failed to complete the professional development requirements pursuant to subsection (1) of this section, unless he or she can show good cause why he or she was unable to comply with such requirements. If the board determines that good cause was shown, the board shall permit the registered surveyor to make up all outstanding required hours of professional development.

Sec. 3. That section 81-8,120, Revised Statutes Supplement, 1984, be amended to read as follows:

81-8,120. A nonresident of this state who is registered as a land surveyor in another state may be registered under ~~the provisions of~~ sections 81-8,108 to 81-8,127 by filing an application ~~therefor~~ with the secretary of the board accompanied by a certified copy of his or her registration in such other state and the payment to the board of a fee in the sum of not less than twenty-five dollars and not more than ~~fifty~~ seventy-five dollars for 1985 and not more than one hundred dollars for 1986 and thereafter as set forth in the bylaws. He or she shall be required to take such examinations as the board deems necessary to determine his or her qualifications, but in any event he or she shall be required to pass a written and oral examination of not less than four hours' duration, which shall include questions on laws, procedures, and practices pertaining to the practice of land surveying in this state. ~~Before~~ PROVIDED, that before a nonresident of this state ~~shall be~~ is registered under ~~the provisions of~~ sections 81-8,108 to 81-8,127, he or she shall first file a written consent that actions and suits at law may be commenced against him or her in any county of this state ~~wherein in which~~ any cause of action may arise because of any survey commenced or conducted by such nonresident surveyor, or his or her agent, or employees in such county.

Sec. 4. That original section 81-8,118, Reissue Revised Statutes of Nebraska, 1943, and sections 81-8,119.01 and 81-8,120, Revised Statutes Supplement, 1984, are repealed.