

LEGISLATIVE BILL 303

Approved by the Governor May 7, 2013

Introduced by Wallman, 30.

FOR AN ACT relating to land surveying; to amend sections 81-8,114, 81-8,115, 81-8,117, and 81-8,120, Reissue Revised Statutes of Nebraska; to change provisions relating to application for registration and a required examination; and to repeal the original sections.

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

Section 1. Section 81-8,114, Reissue Revised Statutes of Nebraska, is amended to read:

81-8,114 Applications for registration shall be on forms prescribed and furnished by the examining board ~~which~~ and shall be filed with the secretary of the examining board, ~~at least ninety days prior to the examination.~~ Such applications shall contain a statement, made under oath, showing the applicant's education and detailed summary of his or her technical work, the applicant's social security number, and such other information as the examining board shall require.

Sec. 2. Section 81-8,115, Reissue Revised Statutes of Nebraska, is amended to read:

81-8,115 The applicant for registration must pass a ~~written~~ an examination administered by the examining board which covers generally the matters confronting land surveyors as provided in the rules and bylaws.

Sec. 3. Section 81-8,117, Reissue Revised Statutes of Nebraska, is amended to read:

81-8,117 (1) No person shall be eligible for registration unless:

~~(1)~~ (a) He or she has successfully passed a ~~written~~ an examination, designed to determine his or her proficiency and qualification to engage in the practice of land surveying. No applicant shall be entitled to take such examination until he or she shows the necessary practical experience in land surveying work; and

~~(2)~~ (b) He or she (i) has not less than six years of surveying experience of which five years must be as defined in subdivision (4) of section 81-8,109, and three ~~Three~~ of such five years must have been in a responsible position as a subordinate to a licensed land surveyor, ~~and for the purpose of this section, responsible position shall mean a position that requires initiative, skill, and independent judgment; this term excludes chainman, rodman, instrument person, ordinary drafter, and others doing routine work,~~ or (ii) has graduated, after a course of not less than four years in surveying, engineering, or other approved curriculum, with proportionate credit for lesser time, from a school or college approved by the examining board as of satisfactory standing, ~~and has an~~ has an additional two years of practice in a responsible position.

(2) For purposes of this section, responsible position means a position that requires initiative, skill, and independent judgment and does not include the position of chainman, rodman, instrument person, ordinary drafter, or other position performing routine work.

Sec. 4. Section 81-8,120, Reissue Revised Statutes of Nebraska, is amended to read:

81-8,120 A nonresident of this state who is registered as a land surveyor in another state may be registered under sections 81-8,108 to 81-8,127 by filing an application with the secretary of the examining board and making payment to the examining board of a fee in the sum of not less than twenty-five dollars and not more than one hundred fifty dollars as set forth in the rules or bylaws. ~~He or she~~ The applicant shall be required to take such examinations as the examining board deems necessary to determine his or her qualifications, but in any event he or she shall be required to pass a ~~written~~ an 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 a nonresident of this state is registered under 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 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. 5. Original sections 81-8,114, 81-8,115, 81-8,117, and 81-8,120, Reissue Revised Statutes of Nebraska, are repealed.