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LB 115

SENATOR CARSTEN: Mr. President and members of the Legislature, I'd like to ask Senator Haberman a question if I may.

PRESIDENT: Senator Haberman, will you respond?

SENATOR HABERMAN: Yes.

SENATOR CARSTEN: Senator Haberman, in the event that a county has only one certified surveyor, and that individual does not file, or refuses to file, and then there is no surveyor elected by the people, then as I understand, the county board can use the option as they see fit to contract either on piecemeal or on a full-time basis to someone outside the county, if that is the decision of the county board. Is that correct?

SENATOR HABERMAN: That is correct. They can contract with that person in the county, or if he doesn't want to do it, they may go outside of the county and do it.

SENATOR CARSTEN: And even though that certified person in the county is qualified, and does not file, they may even contract with that individual if they see fit and he agrees. Is that correct?

SENATOR HABERMAN: That is correct.

SENATOR CARSTEN: Okay. Thank you, Senator.

PRESIDENT: The Chair recognizes Senator George.

SENATOR GEORGE: Thank you, Mr. President and members, I still wanted to have one thing clear in my mind. In that Section 23-1901.01, we talk about a surveyor that is employed, and in Section 3 below we talk about a surveyor being elected...now maybe Senator Haberman could help me. Is there an option now to counties to either simply employ a surveyor, or do they all have to be elected?

PRESIDENT: Senator Haberman, will you respond to that?

SENATOR HABERMAN: Yes. The way the section reads now, when there is no qualified surveyor within a county, who will accept the office of county surveyor, the county board of such county may appoint. We're taking out appoint and putting the word "employ".

SENATOR GEORGE: But in the Section Number 3, you can still