

LEGISLATIVE BILL 1153

Approved by the Governor April 12, 1990

Introduced by Barrett, 39

AN ACT relating to real estate; to amend sections 2-1502, 23-1514, 33-112, 49-14, 103.01, 76-544, 77-1333, and 81-8,282, Reissue Revised Statutes of Nebraska, 1943, sections 72-224.03, 76-706, 76-711, 76-1907, and 77-2019, Revised Statutes Supplement, 1988, and section 77-1372, Revised Statutes Supplement, 1989; to adopt the Real Estate Appraiser Licensing and Certification Act; to provide and change requirements for instruments and printed forms to be filed with the register of deeds; to change fee provisions for recording certain instruments; to decrease the hours of continuing education required of registered abstracters; to make a condemnee liable for certain diminution in the value of condemned property; to increase real estate appraiser licensing fees; to eliminate provisions providing for licensure of appraisers and provisions establishing continuing education requirements; to harmonize provisions; to provide operative dates; to provide severability; and to repeal the original sections, and also sections 81-8,276 to 81-8,280 and 81-8,283 to 81-8,293, Reissue Revised Statutes of Nebraska, 1943, and section 81-8,282, Reissue Revised Statutes of Nebraska, 1943, as amended by section 64, Legislative Bill 1153, Ninety-first Legislature, Second Session, 1990.

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

Section 1. Sections 1 to 50 of this act shall be known and may be cited as the Real Estate Appraiser Licensing and Certification Act.

Sec. 2. The Legislature finds that, because of the enactment of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 by the Congress of the United States, Nebraska laws providing for licensing of real estate appraisers require restructuring in order to comply with Title XI of the act. Compliance with the act is necessary to ensure an adequate number of

appraisers in Nebraska to conduct appraisals of real estate involved in federally related transactions as defined in Title XI of the act. The restructuring of Nebraska laws by the Real Estate Appraiser Licensing and Certification Act includes the creation of a new, independent board which may conduct its activities through the use of the State Real Estate Commission's office and staff.

Sec. 3. For purposes of the Real Estate Appraiser Licensing and Certification Act, the definitions found in sections 4 to 19 of this act shall be used.

Sec. 4. Appraisal shall mean an analysis, opinion, or conclusion prepared by a real estate appraiser relating to the nature, quality, value, or utility of specified interests in or aspects of identified real estate or identified real property. An appraisal may be classified by the nature of the assignment into either a valuation assignment or an evaluation assignment.

Sec. 5. Appraisal Foundation shall mean the Appraisal Foundation that was incorporated as an Illinois not-for-profit corporation on November 30, 1987.

Sec. 6. Appraisal report shall mean any communication, written or oral, of an appraisal. The testimony of a real estate appraiser dealing with the appraiser's analyses, conclusions, or opinions concerning identified real estate or identified real property shall be deemed to be an oral appraisal report.

Sec. 7. Appraiser trainee shall mean a person who is employed, either directly or indirectly, by a licensed or certified real estate appraiser and who assists the appraiser in any phase of appraisal but shall not include nonprofessional employees such as clerical employees.

Sec. 8. Board shall mean the Real Estate Appraiser Licensing and Certification Board.

Sec. 9. Certified appraisal report shall mean an appraisal report given or signed and certified as such by a certified real estate appraiser. When a certified real estate appraiser identifies an appraisal report as certified, the appraiser shall indicate that he or she is a Nebraska-certified real estate appraiser. The certification of an appraisal report by a certified real estate appraiser represents to the public that it meets the appraisal standards established pursuant to the Real Estate Appraiser Licensing and Certification Act.

Sec. 10. Certified real estate appraiser shall mean a person who holds a valid license as a real estate appraiser and a valid certificate as a real estate appraiser issued under the Real Estate Appraiser Licensing and Certification Act.

Sec. 11. Commission shall mean the State Real Estate Commission.

Sec. 12. Evaluation assignment shall mean an appraisal that relates to the nature, quality, or utility of identified real estate or identified real property. Evaluation assignment shall include the following: Real estate counseling reports that analyze identified real estate or identified real property and express an opinion or conclusion relating to the desirability of investing in, holding, improving, or selling such identified real estate or identified real property; market demand and economic feasibility studies relating to identified real estate or identified real property; and highest and best use studies relating to identified real estate or identified real property. Evaluation assignment shall not include the following reports prepared by experts from professional disciplines other than real estate appraisal: A soil test or soil analysis of identified real estate prepared by a civil engineer; a title opinion or zoning analysis of identified real estate prepared by a lawyer; an architectural analysis of identified improved real estate prepared by an architect; and a property management analysis of identified improved real estate prepared by a property manager or property management consultant.

Sec. 13. Licensed real estate appraiser shall mean a person who holds a valid license as a real estate appraiser issued under the Real Estate Appraiser Licensing and Certification Act.

Sec. 14. Real estate shall mean a parcel or tract of land, including improvements, if any.

Sec. 15. Real estate appraisal activity shall mean the act or process of making an appraisal and preparing an appraisal report for a fee or other valuable consideration.

Sec. 16. Real estate appraiser shall mean a person who engages in real estate appraisal activity or who advertises or holds himself or herself out to the general public for real estate appraisal activity.

Sec. 17. Real property shall mean one or more defined interests, benefits, or rights inherent in the ownership of real estate.

Sec. 18. Two-year period shall mean a period

of twenty-four months commencing on January 1 following the date of licensing of the real estate appraiser or January 1, 1991, whichever is later, and each succeeding twenty-four-month period.

Sec. 19. Valuation assignment shall mean an appraisal that estimates the value of identified real estate or identified real property at a particular point in time. Valuation assignment shall not include the following reports prepared by experts from professional disciplines other than real estate appraisal: A soil test or soil analysis of identified real estate prepared by a civil engineer; a title opinion or zoning analysis of identified real estate prepared by a lawyer; an architectural analysis of identified improved real estate prepared by an architect; and a property management analysis of identified improved real estate prepared by a property manager or property management consultant.

Sec. 20. Except as provided in section 21 of this act, it shall be unlawful for anyone to act as a real estate appraiser in this state without first obtaining a license or certificate as provided in the Real Estate Appraiser Licensing and Certification Act.

Sec. 21. The Real Estate Appraiser Licensing and Certification Act shall not apply to:

(1) Any real estate appraiser who is a salaried employee of (a) the federal government, (b) any agency of the state government or a political subdivision which appraises real estate, (c) any insurance company authorized to do business in this state, or (d) any bank, savings bank, savings and loan association, building and loan association, credit union, industrial loan and investment company, or small loan company licensed by the state or supervised or regulated by or through federal enactments covering financial institutions, except that any employee of the entities listed in subdivisions (a) through (d) of this subdivision who also practices as an independent real estate appraiser for others shall be subject to the act and shall be licensed or certified prior to engaging in such other appraising;

(2) A person who, in the ordinary course of his or her business, gives an opinion as to the price of real estate for the purpose of a prospective listing or sale, except that such opinion as to the listing price or the sale price shall not be referred to as an appraisal. No compensation, fee, or other consideration shall be charged for such opinion other than a real estate commission or brokerage fee charged or paid for

brokerage services rendered in connection with the sale of the real estate involved;

(3) Any person who provides assistance (a) in obtaining the data upon which an appraisal is based, (b) in the physical preparation of an appraisal report, such as taking photographs, preparing charts, maps, or graphs, or typing or printing the report, or (c) that does not directly involve the exercise of judgment in arriving at the analyses, opinions, or conclusions concerning real estate or real property set forth in the appraisal report;

(4) An appraiser trainee;

(5) Any person who renders an estimate or opinion of value of real estate or any interest in real estate when such estimate or opinion is for the purpose of real estate taxation or any employee of such person; or

(6) Any person who renders an estimate or opinion of value of real estate or any interest in real estate or damages thereto when such estimate or opinion is offered as testimony in any condemnation proceeding.

Sec. 22. (1) The Real Estate Appraiser Licensing and Certification Board is hereby created. The board shall consist of five members, one member who is a licensed real estate appraiser shall be selected from each of the three congressional districts, and two members who are not real estate appraisers shall be selected at large. The two members selected at large shall include one representative of financial institutions and one licensed real estate broker or salesperson. The Governor shall appoint the members of the board. Commencing January 1, 1992, the members selected from congressional districts shall be appointed so that the membership of the board includes at least two certified real estate appraisers.

(2) The term of each member of the board shall be five years, except that of the members initially appointed one shall serve for one year, one shall serve for two years, one shall serve for three years, and one shall serve for four years as designated by the Governor. Upon the expiration of his or her term, a member of the board shall continue to hold office until the appointment and qualification of his or her successor. No person shall serve as a member of the board for more than two consecutive terms. Any vacancy shall be filled in the same manner as the original appointment. The Governor may remove a member for cause.

(3) The members of the board shall elect a

chairperson during the first meeting of each year from among the members.

(4) Four members shall constitute a quorum. Each member shall receive a per diem of one hundred dollars per day or substantial part of a day for each scheduled meeting of the board at which the member is present and shall be reimbursed for actual and necessary expenses as provided in sections 81-1174 to 81-1177.

Sec. 23. The board shall administer and enforce the Real Estate Appraiser Licensing and Certification Act and may:

(1) Receive applications for the real estate appraiser licenses and certificates, process such applications, issue licenses and certificates to qualified applicants, and maintain a registry of the names and addresses of persons who are licensed or certified;

(2) Hold meetings, public hearings, and administrative hearings, prepare specifications for all licensing and certification examinations, solicit bids and enter into contracts with one or more educational testing services or organizations for the preparation of a bank of questions and answers for licensing and certification examinations, and administer or contract for the administration of examinations in such places and at such times as deemed appropriate;

(3) Develop the specifications for licensing and certification examinations;

(4) Review from time to time the procedure for selecting individual questions from the bank of questions for use in connection with each scheduled examination and review from time to time the questions in the bank of questions and the related answers to ascertain that they meet the specifications established by the board;

(5) Collect all license and certificate fees required or permitted by the act and remit all such receipts to the State Treasurer for credit to the Real Estate Appraiser Licensing and Certification Fund. In addition, the board may collect and transmit to the appropriate federal authority any fees established under Public Law 101-73, Title XI, Real Estate Appraisal Reform Amendment;

(6) Establish appropriate administrative procedures for disciplinary proceedings conducted pursuant to the act;

(7) Compel the attendance of witnesses and the production of books, documents, records, and other papers, administer oaths, and take testimony and receive

evidence concerning all matters within its jurisdiction;

(8) Deny, censure, suspend, or revoke an application, license, or certificate if, after an administrative hearing, it finds that the applicant, licensee, or certificate holder has committed any of the acts or omissions set forth in section 38 of this act;

(9) Take appropriate disciplinary action against a licensee or certificate holder if, after an administrative hearing, the board determines that a licensee or certificate holder has violated the standards of professional appraisal practice or ethical rules established under section 37 of this act;

(10) Promote research and conduct studies relating to the profession of real estate appraisal and sponsor real estate appraisal educational activities;

(11) Establish minimum standards for appraisals;

(12) Adopt and promulgate rules and regulations to carry out the act; and

(13) Do all other things necessary to carry out the act.

Sec. 24. The board may contract with the commission for administrative assistance, including facilities, equipment, supplies, and personnel that are required by the board to carry out its responsibilities under the Real Estate Appraiser Licensing and Certification Act, and may hire a director to carry out its administrative functions.

Sec. 25. The members of the board shall be immune from any civil action or criminal prosecution for initiating or assisting in any lawful investigation of the actions of or any disciplinary proceeding concerning a licensed or certified real estate appraiser pursuant to the Real Estate Appraiser Licensing and Certification Act if such action is taken without malicious intent and in the reasonable belief that it was taken pursuant to the powers vested in the members of the board.

Sec. 26. There is hereby created the Real Estate Appraiser Licensing and Certification Fund. The board may use the fund for the administration and enforcement of the Real Estate Appraiser Licensing and Certification Act. The expense of administering and enforcing the act shall not exceed the money collected by the board under the act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1276.

Sec. 27. (1) Applications for a license or certificate, for renewal of a license or certificate,

and to take an examination shall be made in writing to the board on forms approved by the board. The payment of the appropriate fee fixed by the board pursuant to section 41 of this act shall accompany all applications for a license or certificate, for renewal of a license or certificate, and to take an examination.

(2) At the time of filing an application for a license or certificate or for renewal of a license or certificate, each applicant shall sign a pledge that he or she will comply with the standards of professional appraisal practice and the ethical rules to be observed by a real estate appraiser that are established pursuant to section 37 of this act if he or she is licensed or certified. Each applicant shall also certify that he or she understands the types of misconduct for which disciplinary proceedings may be initiated.

(3) No license or certificate shall be issued to a corporation, partnership, firm, or group.

Sec. 28. There shall be two classes of real estate appraisers as follows:

(1) Licensed real estate appraiser, which classification shall consist of those persons who meet the requirements for licensure; and

(2) Certified real estate appraiser, which classification shall consist of those persons who meet the requirements for certification.

Sec. 29. (1) No person other than a certified real estate appraiser shall assume or use the title certified real estate appraiser or any title, designation, or abbreviation likely to create the impression of certification as a real estate appraiser by this state.

(2) Only a person who has been certified as a certified real estate appraiser may prepare and sign a certified appraisal report relating to real estate or real property in this state. A person who has not been certified as a certified real estate appraiser shall not describe or refer to any appraisal or appraisal report relating to real estate or real property in this state by the terms certified appraisal or certified appraisal report.

(3) The term certified real estate appraiser may only be used to refer to a person who is a certified real estate appraiser under the Real Estate Appraiser Licensing and Certification Act and may not be used following or immediately in connection with the name or signature of a corporation, partnership, firm, or group or in such manner that it might be interpreted as referring to a corporation, partnership, firm, or group

or to anyone other than the certificate holder. This requirement shall not be construed to prevent a certified real estate appraiser from signing a certified appraisal report on behalf of a corporation, partnership, firm, or group if it is clear that only the person is certified and that the corporation, partnership, firm, or group is not.

Sec. 30. To qualify for a license as a real estate appraiser, an applicant shall:

(1) Be at least nineteen years of age;

(2) Hold a high school diploma or a certificate of high school equivalency;

(3) Have successfully completed not less than seventy-five classroom hours in courses of study approved by the board which relate to appraisal and which include coverage of the Uniform Standards of Professional Appraisal Practice;

(4) Pass an examination administered by the board which demonstrates that the applicant has:

(a) Appropriate knowledge of the English language, including terms commonly used in or related to appraisal and the writing of appraisal reports;

(b) Adequate knowledge of depreciation theories, cost estimating, methods of capitalization, market data analysis, and appraisal mathematics;

(c) A thorough understanding of the principles of land economics, appraisal processes, and problems encountered in the gathering, interpreting, and processing of data involved in the valuation of real property; and

(d) Knowledge of the appraisal of various types of and interests in real property for various functions and purposes; and

(5)(a) Not have been convicted of any felony or, if so convicted, have had his or her civil rights restored and (b) furnish proof which upon investigation demonstrates that he or she has good character and a reputation for honesty and integrity.

The courses of study required by subdivision (3) of this section shall be conducted by an accredited university, college, or junior college, an approved appraisal society, institute, or association, or such other educational provider as may be approved by the board.

Sec. 31. The board shall waive the requirements in section 30 of this act for an applicant who on January 1, 1991, holds a real estate appraiser license issued in Nebraska.

Sec. 32. To qualify for a certificate as a

real estate appraiser, an applicant shall:

(1) Be at least nineteen years of age;
(2) Hold a high school diploma or a certificate of high school equivalency;

(3) Present evidence satisfactory to the board that he or she is the holder of a valid real estate appraiser license issued under the Real Estate Appraiser Licensing and Certification Act;

(4) Have successfully completed not less than one hundred sixty-five classroom hours, which may include the classroom hours set forth in section 30 of this act, in courses of study approved by the board which relate to appraisal and which include coverage of the Uniform Standards of Professional Appraisal Practice;

(5) Present evidence satisfactory to the board that he or she possesses the equivalent of two years of full-time experience in appraisal supported by adequate written reports or file memoranda. Such experience, or the equivalent thereof, shall be acquired within a period of five years immediately preceding the filing of the application for a certificate. Each applicant for a certificate shall furnish a detailed listing of the appraisal reports or file memoranda for each year for which experience is claimed by the applicant. Upon request, the applicant shall make available to the board for examination a sample of appraisal reports which the applicant has prepared in the course of his or her practice;

(6) Pass an examination administered by the board which demonstrates that the applicant has:

(a) Knowledge of technical terms commonly used in or related to appraisal, appraisal report writing, and economic concepts applicable to real estate;

(b) An understanding of the basic principles of land economics, appraisal processes, and problems encountered in gathering, interpreting, and processing of data in the valuation of real property;

(c) An understanding of the standards for the development and communication of appraisals as provided in the act;

(d) An understanding of the standards of professional appraisal practice and ethical rules that a real estate appraiser is required to observe;

(e) Knowledge of depreciation theories, cost estimating, methods of capitalization, and appraisal mathematics that are appropriate for certification;

(f) Knowledge of such other principles and procedures as may be appropriate for certification;

(g) An understanding of basic real estate law;
and

(h) An understanding of the types of misconduct for which disciplinary proceedings may be initiated; and

(7)(a) Not have been convicted of any felony or, if so convicted, have had his or her civil rights restored and (b) furnish proof which upon investigation demonstrates that he or she has good character and a reputation for honesty and integrity.

The courses of study required by subdivision (4) of this section shall be conducted by an accredited university, college, or junior college, an approved appraisal society, institute, or association, or such other educational provider as may be approved by the board.

Sec. 33. (1) A nonresident may obtain a license or certificate as a real estate appraiser by complying with all of the provisions of the Real Estate Appraiser Licensing and Certification Act relating to the licensure or certification of real estate appraisers. Each nonresident applicant for licensure or certification shall submit with his or her application an irrevocable consent that service of process upon him or her may be made by delivery of the process to the director of the board if the plaintiff cannot, in the exercise of due diligence, effect personal service upon the applicant in an action against the applicant in a court of this state arising out of the applicant's activities as a real estate appraiser in this state.

(2) If, in the determination of the board, another state or territory or the District of Columbia has substantially equivalent licensure or certification requirements to the requirements of this state, an applicant who is licensed or certified under the laws of such other state or territory or the District of Columbia may become a licensed or certified real estate appraiser under the act upon such terms and conditions as may be determined by the board.

(3) A nonresident may obtain a temporary license or certificate to perform a contract relating to the appraisal of real estate or real property in this state. To qualify for the issuance of a temporary license or certificate, an applicant shall:

(a) Comply with the requirement for consent to service of process in subsection (1) of this section;

(b) Submit an application on a form approved by the board;

(c) Submit evidence that he or she is licensed

or certified or otherwise authorized to appraise real estate and real property in his or her place of domicile;

(d) Certify that disciplinary proceedings are not pending against him or her; and

(e) Pay an application fee in an amount established by the board.

No more than two temporary licenses or certificates shall be granted to a person in any one-year period. A temporary license or certificate issued under this section shall be expressly limited to a grant of authority to perform the appraisal work required by the contract for appraisal services in this state. Each temporary license or certificate shall expire upon the completion of the appraisal work required by the contract for appraisal services or upon the expiration of a period of six months from the date of issuance, whichever occurs first. A temporary license or certificate may not be renewed.

Sec. 34. Any license issued under the Real Estate Appraiser Licensing and Certification Act other than a temporary license shall remain in effect until December 31 following the date of issuance unless revoked, suspended, or canceled prior to such date. To renew a valid license other than a temporary license, the licensee shall file an application on a form approved by the board and pay the prescribed renewal fee to the board not later than November 30 of each year. Each application for renewal shall be accompanied by evidence in the form prescribed by the board of having completed the continuing education requirements for renewal specified in section 36 of this act.

If a licensee fails to apply and meet the requirements for a renewal of a license as a real estate appraiser by November 30, such licensee may obtain a renewal of such license by satisfying all of the requirements for renewal and paying a late renewal fee if such late renewal takes place prior to July 1 of the following year. The board may refuse to renew any license if the licensee has continued to perform real estate appraisal activities or other related activities in this state following the expiration of his or her license.

Sec. 35. Any certificate issued under the Real Estate Appraiser Licensing and Certification Act other than a temporary certificate shall remain in effect until December 31 following the date of issuance unless revoked, suspended, or canceled prior to such date. To renew a valid certificate other than a

temporary certificate, the certificate holder shall file an application on a form approved by the board and pay the prescribed renewal fee to the board no later than November 30 of each year. Each application for renewal shall be accompanied by evidence in the form prescribed by the board of having completed the continuing education requirements for renewal specified in section 36 of this act.

If a certificate holder fails to apply and meet the requirements for renewal of a certificate by November 30, such certificate holder may obtain renewal of such certificate by satisfying all of the requirements for renewal and paying a late renewal fee if such late renewal takes place prior to July 1 of the following year. The board may refuse to renew any certificate if the certificate holder has continued to perform real estate appraisal activities or other related activities in this state following the expiration of his or her certificate.

Sec. 36. Every licensed real estate appraiser and certified real estate appraiser shall furnish evidence to the board that he or she has satisfactorily completed twenty hours of approved continuing education activities in each two-year period. The board shall approve continuing education activities which it determines would protect the public by improving the competency of licensees and certificate holders. Evidence of completion of such continuing education activities for the two-year period shall be retained by each real estate appraiser and submitted to the board when the total hour requirement has been met. A person who has been issued a temporary license or certificate shall not have to meet any continuing education requirements in this state.

Sec. 37. Each licensed or certified real estate appraiser shall comply with generally accepted standards of professional appraisal practice and generally accepted ethical rules to be observed by a real estate appraiser. The board shall adopt and promulgate rules and regulations which may conform to the generally accepted standards of professional appraisal practice evidenced by the Uniform Standards of Professional Appraisal Practice promulgated by the Appraisal Foundation. A copy of each such rule or regulation shall be mailed to the business address of each licensed or certified real estate appraiser.

Sec. 38. The following acts and omissions shall be considered grounds for disciplinary action by the board:

(1) Failing to meet the minimum qualifications for licensure or certification established by or pursuant to the Real Estate Appraiser Licensing and Certification Act;

(2) Procuring or attempting to procure licensure or certification under the act by knowingly making a false statement, submitting false information, or making a material misrepresentation in an application filed with the board or procuring or attempting to procure a license or certificate through fraud or misrepresentation;

(3) Paying money other than the fees provided for by the act to any member or employee of the board to procure a license or certificate;

(4) An act or omission in the practice of real estate appraising which constitutes dishonesty, fraud, or misrepresentation with the intent to substantially benefit the licensee, certificate holder, or another person or with the intent to substantially injure another person;

(5) Entry of a final civil or criminal judgment against a licensee or certificate holder on grounds of fraud, misrepresentation, or deceit in the making of an appraisal;

(6) Conviction, including a conviction based upon a plea of guilty or nolo contendere, of a crime which is substantially related to the qualifications, functions, or duties of a real estate appraiser;

(7) Engaging in the business of real estate appraising under an assumed or fictitious name;

(8) Paying a finder's fee or a referral fee to a person who does not have a real estate appraiser's license or certificate in this state in connection with an appraisal of real estate or real property in this state;

(9) Making a false or misleading statement in that portion of a written appraisal report that deals with professional qualifications or in any testimony concerning professional qualifications;

(10) Any violation of the act or any rule or regulation issued pursuant to the act;

(11) Violation of the confidential nature of governmental records to which a licensee or certificate holder gained access through employment or engagement as a real estate appraiser by a governmental agency;

(12) Acceptance of a fee for performing an independent appraisal service as described in section 47 of this act when the fee is or was contingent upon (a) the real estate appraiser reporting a predetermined

analysis, opinion, or conclusion. (b) the analysis, opinion, conclusion, or valuation reached, or (c) the consequences resulting from the appraisal;

(13) Failure or refusal without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report, or communicating an appraisal;

(14) Negligence or incompetence in developing an appraisal, preparing an appraisal report, or communicating an appraisal; and

(15) Failure to maintain, or to make available for inspection and copying, records required by the board.

Sec. 39. The board may, upon its own motion, and shall, upon the written complaint of any aggrieved person, cause an investigation to be made with respect to an alleged violation of the Real Estate Appraiser Licensing and Certification Act by any licensee or certificate holder or applicant for a license or certificate. The board may revoke or suspend the license or certificate or otherwise discipline a licensee or certificate holder or deny any application for any of the acts or omissions set forth in section 38 of this act. Upon receipt of information indicating that a licensee or certificate holder may have violated any provision of the act, the board shall make an investigation of the facts to determine whether or not there is evidence of a violation. If technical assistance is required, consultation may be contracted for by the board.

If an investigation indicates that a licensee or certificate holder has violated a provision of the act, a formal complaint shall be prepared by the board and served upon the licensee or certificate holder. The complaint shall require the licensee or certificate holder to file an answer within twenty days of the date of service. In responding to a complaint, the licensee or certificate holder may admit the allegations of the complaint, deny the allegations of the complaint, or plead otherwise. Failure to make a timely response shall be deemed an admission of the allegations of the complaint. Upon receipt of an answer to the complaint, the director or chairperson of the board shall set a date, time, and place for an administrative hearing on the complaint. The date of the hearing shall not be less than thirty nor more than one hundred twenty days from the date that the answer is filed unless such date is extended for good cause.

Sec. 40. (1) The administrative hearing on

the allegations in the complaint filed pursuant to section 39 of this act shall be heard by the board at the time and place prescribed by the board and in accordance with the Administrative Procedure Act. If, at the conclusion of the hearing, the board determines that the licensee or certificate holder is guilty of the violation, it shall take such disciplinary action as it deems appropriate. Disciplinary actions which may be taken shall include revocation, suspension, and formal censure of the licensee or certificate holder.

(2) The decision and order of the board shall be final. Any decision or order of the board may be appealed. The appeal shall be on questions of law only and otherwise shall be in accordance with the Administrative Procedure Act.

Sec. 41. The board shall charge and collect appropriate fees for its services under the Real Estate Appraiser Licensing and Certification Act as follows:

(1) A license application fee of one hundred dollars;

(2) A license examination fee of no more than one hundred dollars. The board may direct applicants to pay the fee directly to a third party who has contracted to administer the examination;

(3) A license renewal fee of one hundred dollars;

(4) A late renewal fee for licensure of twenty-five dollars for each month or portion of a month the fee is late;

(5) A temporary license fee of fifty dollars;

(6) A certification application fee of one hundred dollars;

(7) A certification examination fee of no more than one hundred dollars. The board may direct applicants to pay the fee directly to a third party who has contracted to administer the examination;

(8) A certification renewal fee of one hundred dollars;

(9) A late renewal fee for certification of twenty-five dollars for each month or portion of a month the fee is late; and

(10) A temporary certification fee of fifty dollars.

In addition to the fees set forth in this section, the board may collect and transmit to the appropriate federal authority any fees established under the provisions of Public Law 101-73, Title XI, Real Estate Appraisal Reform Amendment. The board may establish such fees as it deems appropriate for special

examinations and other services provided by the board. All fees and other revenue collected pursuant to the act shall be remitted by the board to the State Treasurer for credit to the Real Estate Appraiser Licensing and Certification Fund.

Sec. 42. (1) The board shall issue to each licensee a license stating that such person has been licensed under the Real Estate Appraiser Licensing and Certification Act. The board shall also issue a pocket card in such size and form as it may approve. The board shall issue to each certificate holder a certificate stating that such person has been certified under the act. The board shall also issue a pocket card in such size and form as it may approve. Each license or certificate shall designate the principal place of business of the licensee or certificate holder.

(2) A certificate shall bear a certificate number assigned by the board. When signing a certified appraisal report, a certified real estate appraiser shall place his or her certificate number adjacent to or immediately below his or her title of certified real estate appraiser. Such certificate number shall also be used in all statements of qualification, contracts, or other instruments used by the certificate holder when reference is made to his or her status as a certified real estate appraiser.

(3) Licenses, certificates, and pocket cards shall remain the property of the state and, upon suspension or revocation of a license or certificate, any person holding the related license, certificate, or pocket card shall immediately return such license, certificate, or pocket card to the board.

Sec. 43. Nothing contained in the Real Estate Appraiser Licensing and Certification Act shall be deemed to prohibit any licensee or certificate holder from engaging in the practice of real estate appraising as a professional corporation in accordance with the Nebraska Professional Corporation Act.

Sec. 44. Each licensee or certificate holder shall designate and maintain a principal place of business and shall conspicuously display his or her license or certificate in such place of business. Upon any change of his or her principal place of business, a licensee or certificate holder shall promptly give notice thereof in writing to the board and the board shall issue a new license or certificate for the unexpired term. A nonresident shall not be required to maintain a place of business in this state if he or she maintains an active place of business in his or her

place of domicile.

Sec. 45. No person engaged in real estate appraisal activities in this state or acting in the capacity of a real estate appraiser in this state may bring or maintain any action in any court of this state to collect compensation for the performance of real estate appraisal activities for which a license or certificate is required by the Real Estate Appraiser Licensing and Certification Act without alleging and proving that he or she was the holder of a valid real estate appraiser license or certificate in this state at all times during the performance of such activities.

Sec. 46. Any person required to be licensed or certified by the Real Estate Appraiser Licensing and Certification Act who engages in real estate appraisal activity in this state without obtaining a license or certificate shall be guilty of a Class III misdemeanor and shall be ineligible to obtain a license or certificate for a period of one year from the date of his or her conviction of such offense. The board may, in its discretion, grant a license or certificate to such person within such one-year period upon application and after an administrative hearing.

Sec. 47. (1) A person may retain or employ a licensed or certified real estate appraiser (a) to provide independent appraisal services or (b) to provide specialized appraisal services to facilitate the client's or employer's objectives. In either case, the appraisal and the appraisal report shall comply with the Real Estate Appraiser Licensing and Certification Act.

(2) Independent appraisal service shall mean an engagement for which an appraiser is employed or retained to act, or would be perceived by third parties or the public as acting, as a disinterested third party in rendering an unbiased appraisal of identified real estate or identified real property. Regardless of the intention of the client or employer, if the appraiser is, in fact, perceived by third parties or the public as acting as a disinterested third party in rendering an unbiased analysis, opinion, or conclusion, the work shall be classified as an independent appraisal service and not as a specialized appraisal service. Specialized appraisal service shall mean an engagement to provide an appraisal service which does not fall within the definition of independent appraisal service. Specialized appraisal service may include valuation work and evaluation work.

(3) A licensed or certified real estate appraiser who enters into an agreement to perform an

independent appraisal service may not accept a fee that is contingent upon the appraiser reporting a predetermined analysis, opinion, or conclusion, is contingent upon the analysis, opinion, or conclusion reached, or is contingent upon the results achieved by the appraisal assignment. A licensed or certified real estate appraiser who enters into an agreement to perform a specialized appraisal service may be paid a fixed fee or a fee that is contingent on the results achieved by the specialized appraisal service. If a licensed or certified real estate appraiser enters into an agreement to perform a specialized appraisal service for a contingent fee, this fact shall be clearly stated in each written and oral appraisal report. In each written report, this fact shall be clearly stated in a prominent location in such report and also in each letter of transmittal and in the certification statement made by the real estate appraiser in such report.

Sec. 48. At the request of the board, the Attorney General shall render to the board an opinion with respect to all questions of law arising in connection with the administration of the Real Estate Appraiser Licensing and Certification Act and shall act as attorney for the board in all actions and proceedings brought by or against the board under or pursuant to the act. All fees and expenses of the Attorney General arising out of such duties shall be paid out of the Real Estate Appraiser Licensing and Certification Fund.

Sec. 49. The board shall prepare and issue at least once each calendar year a roster showing the name and place of business of each real estate appraiser licensed under the Real Estate Appraiser Licensing and Certification Act. A copy of the roster shall be made available to the public at such reasonable price per copy as may be fixed by the board.

Sec. 50. The board may, upon payment of a fee in an amount specified in its rules and regulations, issue a certificate of good standing to any licensed or certified real estate appraiser who is in good standing in this state.

Sec. 51. That section 2-1502, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-1502. The purpose of the Small Watersheds Flood Control Fund is to assist local organizations by paying all or part of the cost of purchase of needed lands, easements, and rights-of-way for soil and water conservation and flood control needs when the following conditions have been met: (1) The local organizations

have agreed on a program of work; (2) such a program of work has been found to be feasible, practicable, and will promote the health, safety, and general welfare of the people of the state; (3) the Nebraska Natural Resources Commission has either participated in the planning or reviewed the plans and has approved the program of work; (4) local organizations have obtained a minimum of seventy-five percent of the needed number of easements and rights-of-way in the project or a subwatershed prior to the use of state funds for this purpose; (5) local organizations have made a formal request or application to the commission for state funds for the purpose of purchasing lands, easements, and rights-of-way; (6) local organizations and the commission have entered into an agreement on the administration and expenditure of these state funds; (7) the purchase price of the land, easement, or right-of-way has been established either by the courts or by one licensed or certified real estate appraiser ~~licensed under sections 81-87276 to 81-87287~~ approved by the commission, which appraisal costs shall be a nonstate cost; and (8) local organizations have given assurance to the commission that they have obtained any water rights or other permits required under state or federal law and complied with all other applicable state laws.

State funds to be used for lands, easements, and rights-of-way shall be granted to the local organizations in whose name the land, easement, or right-of-way shall be recorded. Rental or lease revenue from these lands may be used subject to the approval of the commission by the local organization in the proper management of these lands, such management to include, but not be limited to, weed control, construction, and maintenance of conservation measures, seeding of grass, planting of trees, and construction and maintenance of fences. Within ten years from the purchase date of lands and rights-of-way, and if the lands and rights-of-way are not granted or retained for public purposes as otherwise provided by this section, it shall be the duty of the local organization to sell the property purchased wholly or partially from state funds and to remit to the commission a pro rata share of the proceeds of such sale equal to the percentage of the total cost of the acquisition of such real property made from any state allocation made hereunder and all such remittances shall be deposited in the Small Watersheds Flood Control Fund. The commission shall specify the terms for such sale, and the local organization shall

retain any easement or right-of-way needed to assure the continued operation, maintenance, inspection, and repair of the works of improvement constructed on the land to be sold. The commission and local organization may grant for public purposes title to lands and rights-of-way acquired in whole or in part with funds from the Small Watersheds Flood Control Fund to any public district, city, county, political subdivision of the state, or agency of the state or federal government, or the local organization, with approval of the commission, may retain for public purposes the title to such lands and rights-of-way. Whenever any such grant or retention is approved, the commission shall be reimbursed in the amount of the pro rata share of the appraised fair market value that is equal to the percentage of the total cost of acquisition paid from the Small Watersheds Flood Control Fund. All such proceeds to the commission shall be deposited in the Small Watersheds Flood Control Fund.

Sec. 52. Any instrument submitted for recording in the office of the register of deeds shall contain a blank space at least two and one-half inches by six and one-half inches in size for recording information required by section 23-1510 by the register of deeds. If this space or the information required by such section is not provided, the register of deeds may add a page or use the back side of an existing page and charge for the page a fee established by section 33-109 for the recording of an instrument.

Printed forms primarily intended to be used for recordation purposes shall have a one-half-inch margin on the two vertical sides except in the space reserved for recording information. Any printed form accepted for recordation that does not comply with this section shall not affect the validity of or the notice otherwise given by the recording.

Sec. 53. That section 23-1514, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-1514. It shall be the duty of the register of deeds on receiving any conveyance or instrument affecting realty, including construction liens, to cause such conveyance, or instrument, or construction lien to be entered upon the numerical index immediately after filing the same if such conveyance or instrument contains or has an exhibit attached containing the full legal description of the realty affected. Instruments purporting to release, assign, or amend a conveyance or instrument previously recorded shall contain the book

and page number or microfilm or computer reference of the previously recorded instrument and a full legal description of the realty affected.

Sec. 54. That section 33-112, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

33-112. For entering each instrument presented for record in the numerical index, after the completion thereof; the clerk or register of deeds shall receive the sum of fifty cents for each entry, lot and each single block without lots in platted areas and fifty cents for each section in unplatted areas to be paid in advance by the person offering the instrument for record.

Sec. 55. That section 49-14,103.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

49-14,103.01. (1) For purposes of sections 49-14,103.01 to 49-14,103.06, unless the context otherwise requires, officer shall mean (a) a member of the board of directors of a natural resources district, (b) a member of any board or commission of any county, school district, city, or village which spends and administers its own funds, who is dealing with a contract made by such board or commission, (c) any elected county, school district, educational service unit, city, or village official, and (d) a member of any board of directors or trustees of a district hospital as provided by the Nebraska Local Hospital District Act or a county hospital as provided by sections 23-343 to 23-343.19. Officer shall not mean volunteer firefighters or ambulance drivers with respect to their duties as firefighters or ambulance drivers.

(2) Except as provided in sections 49-1499.01 and 70-624.04, no officer may have an interest in any contract to which his or her governing body, or anyone for its benefit, is a party. The existence of such an interest in any contract shall render the contract voidable by decree of a court of competent jurisdiction as to any person who entered into the contract or took assignment of such contract with actual knowledge of the prohibited conflict. An action to have a contract declared void under this section may be brought by the county attorney, the governing body, or any resident within the jurisdiction of the governing body and shall be brought within one year after the contract is signed or assigned. The decree may provide for the reimbursement of any person for the reasonable value of all money, goods, material, labor, or services furnished

under the contract, to the extent that the governing body has benefited thereby.

The prohibition in this subsection shall apply only when the officer or his or her parent, spouse, or child (a) has a business association as defined in section 49-1408 with the business involved in the contract or (b) will receive a direct pecuniary fee or commission as a result of the contract.

(3) The provisions in subsection (2) of this section shall not apply if the interested officer:

(a) Makes a declaration on the record to the governing body responsible for approving the contract regarding the nature and extent of his or her interest prior to official consideration of the contract;

(b) Does not vote on the matter of granting the contract, except that if the number of members of the governing body declaring an interest in the contract would prevent the body with all members present from securing a quorum on the issue, then all members may vote on the matter; and

(c) Does not act for the governing body which is party to the contract as to inspection or performance under the contract in which he or she has an interest.

(4) An officer who (a) has no business association as defined in section 49-1408 with the business involved in the contract or (b) will not receive a direct pecuniary fee or commission as a result of the contract shall not be deemed to have an interest within the meaning of this section.

(5) The receiving of deposits, cashing of checks, and buying and selling of warrants and bonds of indebtedness of any such governing body by a financial institution shall not be considered a contract for purposes of this section. The ownership of less than five percent of the outstanding shares of a corporation shall not constitute an interest within the meaning of this section.

(6) If an officer's parent, spouse, or child is an employee of his or her governing body, the officer may vote on all issues of the contract which are generally applicable to (a) all employees or (b) all employees within a classification and do not single out his or her parent, spouse, or child for special action.

(7) Any contract entered into with an interested officer of the governing body shall be subject to applicable competitive bidding requirements and shall be fair and reasonable to the governing body.

(8) Nothing in this section shall prohibit a director of a natural resources district from acting as

a participant in any of the conservation or other general district programs which are available for like participation to other residents and landowners of the district or from granting, selling, or otherwise transferring to such district any interest in real property necessary for the exercise of its powers and authorities if the cost of acquisition thereof is equal to or less than that established by a board of three licensed or certified real estate appraisers qualified in accordance with sections 81-8-276 to 81-8-287 or by a court of competent jurisdiction in an eminent domain proceeding.

District payments to a director of a natural resources district of the fair market value for real property owned by him or her and needed for district projects, or for cost sharing for conservation work on such director's land or land in which a director may have an interest, shall not be deemed subject to this section.

Sec. 56. That section 72-224.03, Revised Statutes Supplement, 1988, be amended to read as follows:

72-224.03. Except as otherwise provided in section 72-222.02, any public body that has or hereafter shall be granted by the Legislature the authority to acquire educational lands for public use shall be required to condemn the interest of the state, as trustee for the public schools, in educational lands in the following manner:

(1) The proceedings shall be had before a board consisting of (a) the superintendent of a school district offering instruction in grades kindergarten through twelve, (b) a certified public accountant, and (c) a licensed or certified real estate appraiser, all appointed by the Governor for a term of six years, except that of the initial appointees one shall serve for a term of two years, one for a term of four years, and one for a term of six years as designated by the Governor. The members of the board shall each receive fifty dollars for each day actually engaged in the performance of official duties and shall be reimbursed for actual and necessary expenses as provided in sections 81-1174 to 81-1177 for state employees; to be paid by the Board of Educational Lands and Funds;

(2) The condemnation proceedings shall be commenced by the filing of a plat and complete description of the lands to be acquired together with an application for that purpose with the secretary of the Board of Educational Lands and Funds. Notice of the

pendency of such application and the date of hearing shall be given by serving a copy of the application, together with notice of the date of hearing, upon the Governor and the Attorney General. The date of hearing shall be not less than ten days from the date of the filing of the application;

(3) The condemner and the Board of Educational Lands and Funds may present evidence before the board of appraisers. The board shall have the power to administer oaths and subpoena witnesses at the request of either party or on its own motion;

(4) After hearing the evidence, the board of appraisers shall make the award and file same in the office of the Board of Educational Lands and Funds. Such award may be appealed, and the appeal shall be in accordance with the Administrative Procedure Act; and

(5) Upon payment of the amount of the award by the condemner, it shall be the duty of the secretary of the Board of Educational Lands and Funds to transmit a certified copy of the award to the condemner for filing in the office of the register of deeds in the county or counties where the land is located. The filing of such certified copy of the award shall have the force and effect of a deed of conveyance of the real estate and shall constitute a transfer of the title thereto.

Sec. 57. That section 76-544, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

76-544. A Every two years a registered abstractor shall every two years complete and certify to the board that he or she has successfully completed six three hours of board-approved professional development credits. The board shall adopt and promulgate rules and regulations necessary for the effective delivery and approval of all programs of professional development required.

Sec. 58. That section 76-706, Revised Statutes Supplement, 1988, be amended to read as follows:

76-706. Upon filing of a petition under either section 76-704 or 76-705, the county judge or clerk magistrate, within three days by order entered of record, shall appoint three disinterested freeholders of the county, not interested in a like question, to serve as appraisers. One appraiser so appointed shall be a licensed or certified real estate appraiser, licensed under sections 81-8,276 to 81-8,287, except that if the county judge finds that no licensed or certified real estate appraiser is a disinterested freeholder of the

county, this requirement shall not apply. The county judge or clerk magistrate shall direct the sheriff to summon the appraisers so selected to convene at the office of the county judge at a time specified in the summons for the purpose of qualifying as appraisers and thereafter proceed to appraise the property sought to be condemned and to ascertain and determine the damages sustained by the condemnee. Notice of intention to acquire the property and of the time and place of meeting of the board of appraisers to have the damages assessed shall be served upon the condemnee at least ten days prior to the meeting of the board of appraisers. Service of such notice shall be made in the manner provided for service of a summons in a civil action.

Sec. 59. That section 76-711, Revised Statutes Supplement, 1988, be amended to read as follows:

76-711. The condemner shall not acquire any interest in or right to possession of the property condemned until he or she has deposited with the court for the use of the condemnee the amount of the condemnation award in effect at the time the deposit is made. The condemner shall have sixty days from the date of the award of the appraisers to deposit with the court the amount of the award or the proceeding will be considered as abandoned. When the amount of the award is deposited with the court by the condemner, the condemner ~~will~~ shall be deemed to have accepted the award unless he or she gives notice of appeal from the award of the appraisers pursuant to section 76-715. If the proceeding is abandoned, proceedings may not again be instituted by the condemner to condemn the property within two years from the date of abandonment. If an appeal is taken from the award of the appraisers by the condemnee and the condemnee obtains a greater amount than that allowed by the appraisers, the condemnee shall be entitled to interest from the date of the deposit at the rate provided in section 45-104.01, as such rate may from time to time be adjusted by the Legislature, compounded annually, on the amount finally allowed, less interest at the same rate on the amount withdrawn or on the amount which the condemner offers to stipulate for withdrawal; as provided by section 76-719.01. If an appeal is taken from the award of the appraisers by the condemner, the condemnee shall be entitled to interest from the date of deposit at the rate provided in section 45-104.01, as such rate may from time to time be adjusted by the Legislature, compounded annually, on the amount finally allowed, less interest at the same rate

on the amount withdrawn or on the amount which the condemner offers to stipulate for withdrawal as agreed to by the condemnee, as provided by section 76-719.01, which provision shall apply to all appeals by the condemner or condemnee pending on June 6, 1961. Upon deposit of the condemnation award with the court, the condemner shall be entitled to a writ of assistance to place him or her in possession of the property condemned and the condemnee shall be liable for diminution in the value of the property caused by the condemnee's purposeful removal of real or personal property not previously agreed to in writing by the condemner and condemnee from the condemned property.

Sec. 60. That section 76-1907, Revised Statutes Supplement, 1988, be amended to read as follows:

76-1907. A petition filed pursuant to section 76-1906 shall:

(1) Set forth a designation of the homestead which shall, with respect to the redemptive homestead, be limited by the boundaries of any designation made pursuant to section 76-1904 in any mortgage or trust deed having priority under section 76-1905; and

(2) Include a written appraisal report prepared and signed by a licensed or certified real estate appraiser setting forth the appraiser's estimate and basis for such estimate of the current fair market value of each of the following: (a) The protected real estate as a whole; (b) the redemptive homestead if sold separately from the balance of the protected real estate; and (c) the balance of the protected real estate if sold separately from the redemptive homestead.

Sec. 61. That section 77-1333, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

77-1333. The Tax Commissioner shall provide to each county or multicounty assessment district at the request of such county or district the services of licensed or certified real estate appraisers for the appraisal of major industrial and commercial properties. The properties to be so appraised shall be determined by the Tax Commissioner after consultation with county assessors. In making such determinations, the Tax Commissioner shall perform such appraisals with the resources at his or her disposal.

Sec. 62. That section 77-1372, Revised Statutes Supplement, 1989, be amended to read as follows:

77-1372. There is hereby created the Property

Assessment and Taxation Commission. The commission shall consist of eleven members as follows: (1) The chairperson of the Revenue Committee of the Legislature; (2) the Tax Commissioner; (3) three licensed or certified real estate appraisers; (4) three county assessors; and (5) three property owners. Of the members appointed to the commission pursuant to subdivisions (3), (4), and (5) of this section, no member shall reside in the same congressional district as any other member appointed pursuant to the same subdivision.

The members described in subdivisions (3), (4), and (5) of this section shall be appointed by the Governor with the approval of a majority of the Legislature within thirty days of May 27, 1989, to serve through June 30, 1992. Vacancies created by members described in such subdivisions shall be filled by the Governor for the remainder of the term. Members of the commission shall be reimbursed for their actual and necessary expenses as provided in sections 81-1174 to 81-1177.

Sec. 63. That section 77-2019, Revised Statutes Supplement, 1988, be amended to read as follows:

77-2019. In order to fix the value of property subject to the payment of the inheritance tax, the county judge may appoint a clerk magistrate or some other competent person, or the clerk magistrate may appoint a competent person, as appraiser as often as or whenever occasion may require, except that when real estate is to be appraised by a competent person other than a county judge or a clerk magistrate, the county judge or clerk magistrate shall appoint a licensed or certified real estate appraiser, ~~licensed under sections 81-8,276 to 81-8,287,~~ but if the county judge or clerk magistrate finds that no licensed or certified real estate appraiser is a disinterested freeholder of the county, some other competent person may be appointed.

Sec. 64. That section 81-8,282, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-8,282. Each application for a real estate appraiser license by examination shall be accompanied by an examination fee of fifty no more than one hundred dollars, and a license fee of fifty one hundred dollars. Each application for a real estate appraiser license without examination shall be accompanied by a license fee of fifty one hundred dollars. The annual renewal thereof shall be accompanied by a fee of fifty one

hundred dollars. All fees collected under sections 81-8,276 to 81-8,287 shall be deposited in the state treasury in a fund to be known as the State Real Estate Commission's Fund. The commission may use such part of the money in this fund as is necessary to be used by it in the administration and enforcement of sections 81-8,276 to 81-8,287 such sections, except that an amount equal to the renewal fees collected for the 1991 license year shall be transferred to the Real Estate Appraiser Licensing and Certification Fund on January 1, 1991. The fund State Real Estate Commission's Fund shall be paid out only upon proper vouchers and upon warrants issued by the Director of Administrative Services and countersigned by the State Treasurer.

Sec. 65. Sections 1 to 58, 60 to 63, and 67 of this act shall become operative on January 1, 1991. The other sections of this act shall become operative on their effective date.

Sec. 66. If any section in this act or any part of any section shall be declared invalid or unconstitutional, such declaration shall not affect the validity or constitutionality of the remaining portions thereof.

Sec. 67. That original sections 2-1502, 23-1514, 33-112, 49-14,103.01, 76-544, and 77-1333, Reissue Revised Statutes of Nebraska, 1943, sections 72-224.03, 76-706, 76-1907, and 77-2019, Revised Statutes Supplement, 1988, and section 77-1372, Revised Statutes Supplement, 1989, and also sections 81-8,276 to 81-8,280 and 81-8,283 to 81-8,293, Reissue Revised Statutes of Nebraska, 1943, and section 81-8,282, Reissue Revised Statutes of Nebraska, 1943, as amended by section 64, Legislative Bill 1153, Ninety-first Legislature, Second Session, 1990, are repealed.

Sec. 68. That original section 81-8,282, Reissue Revised Statutes of Nebraska, 1943, and section 76-711, Revised Statutes Supplement, 1988, are repealed.