

LEGISLATIVE BILL 621

Approved by the Governor February 12, 1986

Introduced by Goodrich, 20

AN ACT relating to land surveyors; to amend sections 81-8,118 and 81-8,119.01, Revised Statutes Supplement, 1985; to provide for biennial registration; to change requirements for renewal of registration; to authorize inactive status; and to repeal the original sections.

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

Section 1. That section 81-8,118, Revised Statutes Supplement, 1985, 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 dollars for 1985 and not more than one hundred dollars for 1986 and thereafter as set forth in the rules or bylaws. If the applicant fails to qualify, the fee shall not be returned but 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 rules or bylaws. If the applicant successfully qualifies, he or she shall be registered until April 1 of the immediately following odd-numbered year, beginning in 1987. After the issuance of a certificate of registration, an annual a biennial fee of not less than five nor more than thirty-five dollars for 1985 and not more than fifty dollars for 1986 and thereafter one hundred dollars, as the board shall direct, shall be due and payable on or before January 1 of each odd-numbered year, beginning in 1987. Failure to remit annual biennial fees when due shall automatically cancel the registration effective the immediately following April 1, 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. All registrations in effect on December 31, 1986, shall be extended to April 1, 1987. A registration which has been canceled for failure to pay the annual biennial fee when due may be reinstated within one year, but the

annual biennial fee shall be increased ten per cent for each month or fraction of a month that payment is delayed. Nothing in this section shall prevent the board from suspending or revoking any registration for just cause.

Sec. 2. That section 81-8,119.01, Revised Statutes Supplement, 1985, be amended to read as follows:

81-8,119.01. (1) Beginning in 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. Beginning in 1989 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 thirty hours of professional development within the preceding two calendar years. Any certificate holder who completes in excess of thirty hours of professional development within the preceding two calendar years may have the excess, not to exceed fifteen hours, applied to the requirement for the next biennium.

(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.

(3) A certificate holder may at any time prior to the termination of his or her registration request to be classified as inactive. Such inactive registrations may be maintained by payment of a biennial fee of not less than five nor more than fifty dollars as determined by the board. Holders of inactive certificates of registration shall not be required to complete professional development as required in subsection (1) of this section. Holders of inactive certificates are prohibited from the practice of land surveying. If the board determines that an inactive registrant has actively practiced land surveying, the board may immediately revoke his or her certificate of registration.

(4) A holder of an inactive certificate of

registration may return his or her certificate to an active registration to practice land surveying by the applicant electing to either:

(a) Complete one half the biennial requirement for professional development multiplied by the number of years of lapsed or inactive status. The maximum requirement for professional development hours shall be one and one half times the biennial requirement. Such requirement shall be satisfied within the biennium prior to the date of reinstatement; or

(b) Take such examination as the board deems necessary to determine his or her qualifications. Such examination shall cover areas designed to demonstrate the applicant's proficiency in current methods of land surveying practice.

Additionally he or she shall be required to pay the biennial fee as required in section 81-8,118.

Sec. 3. That original sections 81-8,118 and 81-8,119.01, Revised Statutes Supplement, 1985, are repealed.