

LEGISLATIVE BILL 263

Approved by the Governor March 1, 1989

Introduced by Moore, 24

AN ACT relating to land surveying; to amend sections 81-8,109 and 81-8,126, Reissue Revised Statutes of Nebraska, 1943; to redefine a term; to provide an exemption for engineers as prescribed; and to repeal the original sections.

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

Section 1. That section 81-8,109, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-8,109. As used in For purposes of sections 81-8,108 to 81-8,127, unless the context otherwise requires:

(1) Board shall mean the State Board of Examiners for Land Surveyors;

(2) Land surveyor shall mean a person who engages in the practice of land surveying; as hereafter defined;

(3) Surveyor-in-training shall mean a person (a) who is a graduate in an approved surveying or engineering curriculum of four years or more; or who has had four or more years of experience in surveying work of a character satisfactory to the board; and (b) who; in addition; has successfully passed the examination in the fundamental surveying subjects; and has received from the board a certificate stating that that portion of the examination has been successfully passed. The fee for such certificate and for the renewal thereof of such certificate shall be set by the board; and

(4) Land surveying shall mean and include the surveying of areas for their correct determination and description and for conveyancing; or for the establishment or reestablishment of land monuments and boundaries and the platting of lands and subdivisions thereof. Land surveying shall mean the establishment or reestablishment of corners and boundaries and the location of lots, parcels, tracts, or divisions of land, which may include distance, direction, elevation, and acreage, and the correct determination and description of lots, parcels, tracts, or divisions of land for, but not limited to, any of the following purposes:

(a) To furnish a legal description of any tract of land to be used in the preparation of deeds of conveyance when the description is not the same as the one in the deed of conveyance to the current owner or when bearings, distances, or measurements are needed to properly describe the tract being conveyed;

(b) To furnish a legal description of any land surveyed to be used in the platting or subdividing of the land;

(c) To determine the amount of acreage contained in any land surveyed; or

(d) To furnish a topographic plat of a lot, parcel, tract, or division of land and locating natural and artificial features in the air, on the surface or subsurface of the earth, and on the beds or surface of bodies of water for the purpose of establishing the facts of size, area, shape, topography, and orientation of improved or unimproved real property and appurtenances to the real property.

Sec. 2. That section 81-8,126, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-8,126. Sections 81-8,108 to 81-8,127 shall not apply to (1) any land surveyor working for the United States Government, while performing his or her duties as an employee of the said government, nor to (2) any person employed as an assistant to a land surveyor registered under such the provisions of sections, or (3) any engineer or person working under the direct supervision of an engineer registered under sections 81-839 to 81-856 doing work which does not involve the location, description, establishment, or reestablishment of property corners or property lines or work which does not create descriptions, definitions, or areas for transfer of an estate in real property. 81-8,108 to 81-8,127.

Sec. 3. That original sections 81-8,109 and 81-8,126, Reissue Revised Statutes of Nebraska, 1943, are repealed.