

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 833

Introduced by Dubas, 34.

Read first time January 13, 2014

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to county surveyors; to amend sections 23-1901.01
2 and 32-525, Reissue Revised Statutes of Nebraska; to
3 change provisions relating to election and appointment of
4 county surveyors; to harmonize provisions; to provide an
5 operative date, and to repeal the original sections.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 23-1901.01, Reissue Revised Statutes
2 of Nebraska, is amended to read:

3 23-1901.01 (1) ~~Except as provided in subsection (2) of~~
4 ~~this section, a county surveyor elected after November 1986~~ A person
5 need not be a resident of the county when he or she files for
6 election as county surveyor, but a person who is elected to be the
7 county surveyor shall reside in ~~a~~ the county for which he or she
8 ~~holds~~ was elected to hold such office.

9 (2) ~~When there is no qualified surveyor within a county~~
10 ~~who will accept the office of county surveyor,~~ In a county having a
11 population of less than one hundred fifty thousand inhabitants in
12 which the voters have voted against the election of a county surveyor
13 pursuant to section 32-525 or in which no county surveyor has been
14 elected and qualified, the county board of such county may employ a
15 competent surveyor either on a full-time or part-time basis from any
16 other county of the State of Nebraska to such office. In making such
17 employment, the county board shall negotiate a contract with the
18 surveyor, such contract to specify the terms and conditions of the
19 appointment or employment, including the compensation of the
20 surveyor, which compensation shall not be subject to section 33-116.

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22 (3) In a county having a population of less than one
23 hundred fifty thousand inhabitants in which the voters have voted for
24 the election of a county surveyor pursuant to section 32-525 but no
25 county surveyor has been elected and qualified, a county surveyor

1 employed under this subsection shall serve the same term as that of
2 an elected surveyor. ~~and~~

3 (4) A person employed or appointed to the office of
4 county surveyor in any county shall not be required to reside in the
5 county of employment or appointment.

6 Sec. 2. Section 32-525, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 32-525 (1) Except as provided in section 22-417 and
9 except for counties which vote not to elect the county surveyor as
10 provided in subsection (2) of this section, when there is a qualified
11 surveyor within a county who will accept the office of county
12 surveyor if elected, a county surveyor on either a full-time or part-
13 time basis, as determined by the county board in accordance with
14 section 23-1901, shall be elected in each county having a population
15 of less than one hundred fifty thousand inhabitants at the statewide
16 general election in 1990 and each four years thereafter.

17 (2)(a) Except as provided in section 22-417, in each
18 county having a population of less than one hundred fifty thousand
19 inhabitants, the question of electing a county surveyor in the county
20 shall be submitted to the registered voters of the county at the
21 statewide general election in 2020. The form of submission upon the
22 ballot shall be as follows: For election of county surveyor; Against
23 election of county surveyor.

24 (b) If a majority of the votes cast on the question are
25 against the election of a county surveyor in such county, the office

1 of county surveyor shall cease as an elected office with the
2 expiration of the term of the incumbent or shall remain as it exists
3 if no elected official holds that office. In such counties, the
4 office shall be filled as provided in subsection (2) of section
5 23-1901.01.

6 (c) If a majority of the votes cast on the question are
7 in favor of the election of a county surveyor, the office shall
8 continue to be elected as provided in subsection (1) of this section
9 or, if no elected county surveyor is in office, a county surveyor
10 shall be elected at the next statewide general election as provided
11 in subsection (1) of this section.

12 (3) The term of the county surveyor shall be four years
13 or until his or her successor is elected and qualified. The county
14 surveyor shall meet the qualifications found in sections 23-1901 and
15 23-1901.01. The county surveyor shall be elected on the partisan
16 ballot.

17 Sec. 3. This act becomes operative on January 1, 2015.

18 Sec. 4. Original sections 23-1901.01 and 32-525, Reissue
19 Revised Statutes of Nebraska, are repealed.