

AMENDMENTS TO LB200

Introduced by Government, Military and Veterans Affairs.

1           1. Strike the original sections and insert the following new  
2 sections:

3           Section 1. Section 23-1901, Revised Statutes Cumulative Supplement,  
4 2016, is amended to read:

5           23-1901 (1) It shall be the duty of the county surveyor to make or  
6 cause to be made all surveys within his or her county that the county  
7 surveyor may be called upon to make and record the same.

8           (2) In all counties having a population of at least sixty ~~five~~  
9 thousand inhabitants but less than one hundred fifty thousand  
10 inhabitants, the county surveyor shall be ex officio county engineer and  
11 shall be either a professional engineer as provided in the Engineers and  
12 Architects Regulation Act or a registered land surveyor as provided in  
13 the Land Surveyors Regulation Act or both. In such counties, the office  
14 of surveyor shall be full time.

15           In counties having a population of one hundred fifty thousand  
16 inhabitants or more, a county engineer shall be a professional engineer  
17 as provided in the act and shall be elected as provided in section  
18 32-526.

19           (3) The county engineer or ex officio county engineer shall:

20           (a) Prepare all plans, specifications, and detail drawings for the  
21 use of the county in advertising and letting all contracts for the  
22 building and repair of bridges, culverts, and all public improvements  
23 upon the roads;

24           (b) Make estimates of the cost of all such contemplated public  
25 improvements, make estimates of all material required for such public  
26 improvements, inspect the material and have the same measured and  
27 ascertained, and report to the county board whether the same is in

1 accordance with its requirements;

2 (c) Superintend the construction of all such public improvements and  
3 inspect and require that the same shall be done according to contract;

4 (d) Make estimates of the cost of all labor and material which shall  
5 be necessary for the construction of all bridges and improvements upon  
6 public highways, inspect all of the work and materials placed in any such  
7 public improvements, and make a report in writing to the county board  
8 with a statement in regard to whether the same comply with the plans,  
9 specifications, and detail drawings of the county board prepared for such  
10 work or improvements and under which the contract was let; and

11 (e) Have charge and general supervision of work or improvements  
12 authorized by the county board, inspect all materials, direct the work,  
13 and make a report of each piece of work to the county board.

14 The county engineer or surveyor shall also have such other and  
15 further powers as are necessarily incident to the general powers granted.

16 (4) The county surveyor shall prepare and file the required annual  
17 inventory statement of county personal property in his or her custody or  
18 possession as provided in sections 23-346 to 23-350.

19 (5) In counties having a population of one hundred fifty thousand  
20 inhabitants or more, the county engineer shall appoint a full-time county  
21 surveyor. The county surveyor shall perform all the duties prescribed in  
22 sections 23-1901 to 23-1913 and any other duties assigned to him or her  
23 by the county engineer. The county surveyor shall be a registered land  
24 surveyor as provided in the Land Surveyors Regulation Act.

25 Sec. 2. Section 23-1901.02, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 23-1901.02 The county surveyor may appoint a deputy for whose acts  
28 he or she will be responsible. The surveyor may not appoint the county  
29 treasurer, sheriff, register of deeds, or clerk as deputy.

30 In counties having a population of sixty  ~~fifty~~ thousand but less  
31 than one hundred fifty thousand, if the county surveyor is a professional

1 engineer, he or she shall appoint as deputy a registered land surveyor  
2 or, if the county surveyor is a registered land surveyor, he or she shall  
3 appoint as deputy a professional engineer. This requirement shall not  
4 apply if the county surveyor is both a professional engineer and a  
5 registered land surveyor.

6 The appointment shall be in writing and revocable in writing by the  
7 surveyor. Both the appointment and revocation shall be filed and kept in  
8 the office of the county clerk.

9 The deputy shall take the same oath as the surveyor which shall be  
10 endorsed upon and filed with the certificate of appointment. The surveyor  
11 may require a bond of the deputy.

12 In the absence or disability of the surveyor, the deputy shall  
13 perform the duties of the surveyor pertaining to the office, but when the  
14 surveyor is required to act in conjunction with or in place of another  
15 officer, the deputy cannot act in the surveyor's place.

16 Sec. 3. Section 33-116, Reissue Revised Statutes of Nebraska, is  
17 amended to read:

18 33-116 Each county surveyor shall be entitled to receive the  
19 following fees: (1) For all services rendered to the county or state, a  
20 daily rate as determined by the county board; and (2) for each mile  
21 actually and necessarily traveled in going to and from work, the rate  
22 allowed by the provisions of section 81-1176. All expense of necessary  
23 assistants in the performance of the above work, the fees of witnesses,  
24 and material used for perpetuation and reestablishing lost exterior  
25 section and quarter corners necessary for the survey shall be paid for by  
26 the county and the remainder of the cost of the survey shall be paid for  
27 by the parties for whom the work may be done. All necessary equipment,  
28 conveyance, and repairs to such equipment, required in the performance of  
29 the duties of the office, shall be furnished such surveyor at the expense  
30 of the county, except that in any county with a population of less than  
31 sixty ~~fifty~~ thousand the county board may, in its discretion, allow the

1 county surveyor a salary fixed pursuant to section 23-1114, payable  
2 monthly, by warrant drawn on the general fund of the county. All fees  
3 received by surveyors so receiving a salary may, with the authorization  
4 of the county board, be retained by the surveyor, but in the absence of  
5 such authorization all such fees shall be turned over to the county  
6 treasurer monthly for credit to the county general fund.

7 Sec. 4. Section 39-1506, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9 39-1506 Any person, whether or not a resident of the county, who is  
10 a duly licensed engineer in this state, any firm of consulting engineers  
11 duly licensed in this state, or any other person who is a competent,  
12 experienced, practical road builder shall be qualified to serve as county  
13 highway superintendent, except that no member of the county board shall  
14 be eligible for appointment. In counties having a population of sixty  
15 ~~fifty~~ thousand but less than one hundred fifty thousand inhabitants  
16 according to the most recent official United States census, the county  
17 surveyor shall perform all the duties and possess all the powers and  
18 functions of the county highway superintendent. In counties having a  
19 population of one hundred fifty thousand or more inhabitants, the county  
20 engineer shall serve as county highway superintendent.

21 Sec. 5. Original sections 23-1901.02, 33-116, and 39-1506, Reissue  
22 Revised Statutes of Nebraska, and section 23-1901, Revised Statutes  
23 Cumulative Supplement, 2016, are repealed.