

One Hundred Second Legislature - First Session - 2011

Introducer's Statement of Intent

LB258

Chairman: Senator Brad Ashford

Committee: Judiciary

Date of Hearing: February 10, 2011

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Legislative Bill 258 would provide for a right of entry upon private property for registered surveyors in performance of their duties. The bill would limit their ability to enter premises to the following activities:

- determination of section quarters, quarter corners, property corners, boundary lines, rights-of way and easements;
- to make surveys;
- to conduct examinations or investigations;
- to perform tests; or
- to acquire other necessary and relevant data in contemplation of:
 1. Establishing the location of a street, road, or highway;
 2. Acquiring of land, property, and road building materials; or
 3. Performing other operations incident to the construction, reconstruction, or maintenance of a road, street, or highway.

It requires an effort on the part of the surveyor to make a good faith attempt to announce and identify themselves and the purpose for entry to the owner. The surveyor would be responsible for any actual or demonstrable damages to the property.

LB 258 also subjects any surveying, examining, or testing to the same statutes of limitation and repose that currently exist for design, planning, supervision, construction, or construction of an improvement.

Principal Introducer: _____

Senator Bob Krist, District 10