

**ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013**  
**COMMITTEE STATEMENT**  
**LB520**

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**Hearing Date:** Tuesday March 05, 2013  
**Committee On:** Judiciary  
**Introducer:** Christensen  
**One Liner:** Allow land surveyors to enter upon public or private lands or waters as prescribed

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**Roll Call Vote - Final Committee Action:**  
Indefinitely postponed

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**Vote Results:**

**Aye:** 8 Senators Ashford, Chambers, Christensen, Coash, Davis, Lathrop, McGill, Seiler  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Proponents:**

SEN. MARK CHRISTENSEN  
TODD WHITFIELD  
DOUGLAS STEVENSON  
  
LAVERN SCHROEDER

**Representing:**

INTRODUCER  
PSAN  
PROFESSIONAL SURVEYORS ASSOCIATION OF NEBRASKA  
PSAN

**Opponents:**

KEN WINSTON  
RANDY THOMPSON  
SUSAN DUNAVAN  
MAX NELSON  
NINA NELSON  
BEN GOTSCHALL  
JAMES TARNICK  
SHERRY LOSEKE  
ABBI KLEINSCHMIDT  
AMY SCHAFFER  
TOM GENUNG

**Representing:**

NEBRASKA SIERRA CLUB  
SELF  
SELF  
SELF  
SELF  
NEBRASKA EASEMENT ACTION TEAM  
CONCERNED LANDOWNER  
SELF  
SELF  
SELF  
SELF

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

Legislative Bill 520 would add provisions allowing registered surveyors to enter upon public or private property in the performance of their duties. The bill would limit surveying duties to the following activities:

- (a) Determination of section quarters, quarter corners, property corners, boundary lines, right-of-way and easements;
  - (b) making surveys;
  - (c) conducting examinations or investigations; or
  - (d) acquiring other necessary and relevant data in contemplation of:
    - (i) Establishing the location of a street, road or highway;
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- (ii) Acquiring of land, property and road building materials; or
- (iii) Performing other operations incidental to construction, reconstruction, or maintenance of a road, street or highway.

The bill would require a surveyor to make a good faith attempt to identify themselves and the purpose for entry to the owner. The surveyor would be responsible for any actual or demonstrable damages to property that occurred outside the scope of the performance of their surveying activities. If prevented from entering property or threatened with violence, the surveyor may petition the county court for a court order allowing entry.

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Brad Ashford, Chairperson