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LB 779

SENATOR DIERKS: Well, I thought the law was such that that's how you made the request was to open up an existing county line to put your road...

SENATOR BROMM: Oh. That would be opening up a vacated or a never-opened road before on a section line.

SENATOR DIERKS: In this case, they're never opened before because...

SENATOR BROMM: Right. This would be access which could be...it could very well in many cases be a winding trail through the most practical route but not a section line.

SENATOR DIERKS: So then I would be required to sign an easement to allow him to do that?

SENATOR BROMM: Well, the reason this would happen is because you would refuse to sign an easement. If you were willing to grant an easement and made an acceptable arrangement with the person that wanted access, that would be a private easement that would be...then he wouldn't be able to come to the county and say, I have no way to get in there. This is only in those cases where they've tried to get access through private negotiations and have been unable to do so, so it's an isolated tract.

SENATOR DIERKS: Okay. Thank you.

SENATOR BROMM: Okay.

PRESIDENT MAURSTAD: Thank you, Senator Dierks. Senator Bromm, you're recognized to close.

SENATOR BROMM: Thank you. I want to try to reiterate what this does and what it is and try to make sure that people are comfortable with it. This would extend the existing law with regard to isolated tracts to apply to isolated tracts of state land which includes the Board of Educational Lands and Funds parcels. It does...it does add something for the protection of the counties, and that is that the...if there is access granted under these conditions, it does not have to be subject to the