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March 11, 2004 LB 826, 916, 962

may. This material looks vaguely familiar to some material in LB 962, is that possible?

SENATOR SCHROCK: No.

SENATOR CUDABACK: Senator Schrock.

SENATOR SCHROCK: It is not, Senator Beutler. The...but the language looks vaguely familiar into LB 916, Senator Beutler.

SENATOR BEUTLER: LB 916, okay. My questions are these. There is a very complicated set of laws relating to the accretion of land and the movement of river land and who has rights when the river moves and how that's accounted for, and it has a long history in the court system. Over time we've redefined it. The proper terminology is not coming back to me exactly but it all has to do with the alluvial movement. And my question is this, is anything that you're doing in this amendment intended to change the common laws of the state of Nebraska with regard to how the ownership of land may be changed by the movement of a river or a moving body of water?

SENATOR SCHROCK: No, it is not, Senator Beutler.

SENATOR BEUTLER: Okay, so all that stays in place. You apply those rules. The Department of Natural Resources makes its maps and Game and Parks uses them. That's the way it goes?

SENATOR SCHROCK: That's correct.

SENATOR BEUTLER: Okay. Second question, in the committee amendment, lines 20 and 25, on page 1 (sic-3), it says; To the extent necessary to fulfill their obligations, the department and the commission shall have access at all reasonable times to all properties to which access is needed to fulfill such obligations. Entry upon such properties for the purposes set forth in such sections shall not be considered trespass. Which is all fine and dandy, I was wondering as a matter of courtesy to property owners, would you have any objection to some kind of notice requirement in there indicating to landowners that somebody who may be a total stranger is going to walk on their