

Testimony of Dakota Resource Council

SB 2251

January 25, 2023

Chairman Patten, Vice-Chairman Magrum, and members of the committee:

My name is Eliot Huggins and I am testifying on behalf of the Dakota Resource Council and our members. Thank you for allowing me to submit written testimony in support of SB 2251.

Dakota Resource Council and our members view this as a common sense Bill. This Bill would not fundamentally change how the survey process is conducted in ND— it simply cleans up archaic language that implies any surveyor for any company at any time can enter private property. As currently written— the language implies private companies have unfettered access to private property to conduct any type of land survey. This is in clear violation of the right to exclude— a fundamental private property right. The majority of survey work in ND is done voluntarily— this Bill would not fundamentally affect this process either. In the limited instances where a landowner denies a company access to survey: this Bill still allows for a court process for a company to make their case as to why access to the land is necessary. I respectfully request the committee to recommend a DO PASS on SB 2251. Thank you for your consideration.