

**FIRST ENGROSSMENT**

**ENGROSSED SENATE BILL NO. 2379**

Introduced by

Senators Boehm, Magrum, Wobbema

Representatives D. Johnston, Koppelman, Fisher

1 A BILL for an Act to amend and reenact section 32-15-06 of the North Dakota Century Code,  
2 relating to the surveying process during eminent domain proceedings.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 32-15-06 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **32-15-06. Entry for making surveys.**

7 In all cases ~~when~~ in which land is required for public use, the person ~~or corporation~~, or the  
8 person's ~~or corporation's~~ agents; in charge of ~~such~~ the use may survey and locate the same, ~~but~~  
9 ~~it~~ land upon obtaining written consent from the landowner or by order of the court. The survey  
10 and location of the condemner's project must be located in the manner which will be compatible  
11 with the greatest public benefit and the least private injury and subject to ~~the provisions of~~  
12 section 32-15-21. ~~Whoever is~~ The person in charge of ~~such~~ the public use may enter upon the  
13 land and make examinations, surveys, and maps ~~thereof of the land~~, and ~~such~~ the entry  
14 ~~constitutes~~ does not constitute a claim for relief in favor of the owner of the land except for  
15 injuries resulting from negligence, wantonness, or malice.