

MINUTES OF MEETING
STATE AFFAIRS COMMITTEE
February 15, 1961

State Affairs Committee met in Room 522 at 1:30 P.M. Proponents of H.B. 84 were present. (See list attached.) T. M. Murrell introduced representative Skoog to discuss the bill. Mr. Skoog introduced Dr. Harold Munger, Associate Professor at KSU, who spoke in favor of the bill. He stated that the present statutes governing engineers is general and does not cover all facets of the business--surveying is one of them. He stated that when incompetent surveyors lay out plats and sites that it is the public that suffers; that the public often has no yardstick for measuring the competency of a surveyor until it is too late. Dr. Munger cited some specific cases where poor surveying had caused loss of time and money. Mr. Munger believes that this law will have the effect of forcing some of the incompetents out of the field, because of a responsibility clause.

Mr. Bill Dozier of the Columbian Title and Trust Company was introduced to discuss the problems of the property owners. He stated that he was present as an individual and not as one having an interest in any firm dealing with surveying; as a friend of good surveying, dealing with title insurance. He stated that he feels there is definite need for regulation because of the violations that exist in property lines, etc.; that it results in cost to the property owners.

Mr. Johnson discussed the possibilities in the event a building is constructed on what is believed to be the proper site, and later it is found to be overlapping other property. Mr. Dozier mentioned several different circumstances and what might occur in a given circumstance; then again reiterated that if properly surveyed in the first place these things could never happen.

Mr. George Hersh, President of Topeka Postal Savings & Loan, discussed the merits of the proposed measure, and stated that those in the lending profession were for the upgrading and licensing of land surveyors.

Mr. Bisbee inquired if in new additions where large areas are platted, it isn't the custom for contractors to hire their own engineers and work together during the entire construction project. Mr. Hirsch stated that this is true, but he is thinking of the casual tract where one block is taken out of a large tract and later a development grows into the area.

Mr. Harry Logan, a Topeka attorney dealing in title work for a period of 46 years, discussed the desirability of good surveying. He discussed overlapping property lines and adverse possession, and how the statutes deal with such things.

Mr. Dallas Fowler, a registered land surveyor in Minnesota, and a member of a local engineering firm, discussed his experiences in surveying in the United States and foreign countries. He stated that many states have regulations, as well as foreign countries. He stated that this law if passed, would eliminate mal-practice.

It was discussed between members of the Committee and those representing surveyors, the feasibility of insurance to protect the individual in the event of a poor surveying job. It was determined that the premium would be almost prohibitive, at least at this time.

Mr. Unruh inquired if we were going to be able to legislate the element of "human error", and Mr. Skoog replied that they were thinking of accuracy within quarter inches, not in feet. That it would be within this area of accuracy with competent surveyors.

Mr. Larry Wadley was introduced to discuss surveying, since this is his livelihood. He has been surveying about 8 years, working with a man who has been a surveyor for over 40 years. He stated his embarrassment at the incompetent jobs that are done, and says that this measure will have the effect of preventing the inexperienced man from surveying jobs, being paid, and then taking off, with no way to hold him responsible. He further states that this bill would establish a standard for the profession, and would provide the public with the kind of surveying it needs.

After the surveyors retired, the committee discussed the pros and cons of the proposed legislation, and it was determined that it seems to be a protection for the writer of title insurance and the lender, even more than to the public; that perhaps education of the public as to whom they should have do surveying might be easier than establishing "ethics" for the profession. It was also pointed out that there is no responsibility clause in the bill; that jailing a surveyor for a poor job, if he had no resources, wouldn't eliminate the damage to the property owner. Mr. Ford cited a specific incident as concerned poor surveying on the part of a reputable firm. Mr. Underwood asked if he could call in a Wichita engineer who would like to be heard on the matter, and Mr. Taylor pointed out that we can't spend all our time on one bill because there are many others demanding attention. He suggested that the engineer might write a letter, and further discussion was deferred until the members of the committee have had time to deliberate further in this matter. When this is accomplished, the bill will be again considered.

Mr. Fribley asked the committee for a statement as to whether his "fire prevention" measure should be introduced. After a brief discussion, an informal vote indicated that it wasn't the desire of the committee to go ahead with the measure.

Mr. Taylor discussed briefly, the Governor's proposed FEPC bill, and asked the permission of the committee to have same printed and referred to the committee for study. Mr. Fribley moved, seconded by Mr. Crownover that the bill be introduced as a committee bill and referred back to the committee. Motion carried.

Mr. Peppercorn moved, seconded by Mr. Wallace that the meeting be adjourned. Motion carried.

Sign your name
+ title

William D. Gregg - Shawnee County Surveyor
ARRY R LOGAN SHAWNEECOUNTY LAWYER
Las Fowler Associate, SVD&H, Topeka
ry E Wadley Deputy Surveyor Shawnee Co.
George M. Herst Pres - Postal Service
le for Bohrenblast High Camp Ins. Agency
M. Munnell, Kansas Society of Land Surveyors
Schubert Lee City of Topeka Eng Dept
Grovenstein Allied Eng. Co
and Wolfe City Eng. Dept.
Roy E Metzler City of Topeka Engr. Dept.
A. Swaengen City of Topeka Eng Dept
H. Dozier, Pres Columbian Title & Trust Co.
rolf Murrer, Associate Professor, Dept. of Eng. Ks State U.