

Hall of the House of Representatives
83rd General Assembly - Regular Session, 2001
Amendment Form

Subtitle of House Bill No. 1515

"TO TRANSFER THE DIVISION OF LAND SURVEYS FROM THE ARKANSAS
GEOLOGICAL COMMISSION TO THE ARKANSAS STATE LAND SURVEY
DEPARTMENT."

Amendment No. 1 to House Bill No. 1515.

Amend House Bill No. 1515 as originally introduced:

Page 1, delete line 11 and substitute "OFFICE OF THE COMMISSIONER OF STATE LANDS; AND FOR"

AND

Page 1, delete lines 17 and 18 and substitute "TO THE OFFICE OF THE COMMISSIONER OF STATE LANDS."

AND

Page 1, delete Section 1 and substitute the following:

"SECTION 1. Arkansas Code 15-21-201(a) is amended to read as follows:

(a) There is created in the Office of the ~~State Geologist of the Arkansas Geological Commission~~ Commissioner of State Lands a Division of Land Surveys.

SECTION 2. Arkansas Code 15-21-204 is amended to read as follows:
15-21-204. Advisory board - Duties.

The Land Survey Advisory Board created by this subchapter shall act in an advisory capacity to the ~~State Geologist~~ Commissioner of State Lands and the State Surveyor in all matters relative to formulating policies of the Division of Land Surveys and in promulgating the regulations designed to establish uniform professional surveying and mapping methods and standards for the state and in formulating other policies, practices, and regulations as the ~~State Geologist~~ Commissioner of State Lands and the State Surveyor shall deem necessary to carry out the purpose and intent of this subchapter.

SECTION 3. Arkansas Code 15-21-205 is amended to read as follows:
15-21-205. State Surveyor - Generally.

(a) The Division of Land Surveys shall be headed by and shall be under the direction, supervision, and control of the State Surveyor.

(b) The State Surveyor shall:

(1) Be a person of proven administrative ability, a registered land surveyor, and a resident of the State of Arkansas with training and experience properly qualifying him for the performance of his official duties;

(2) Be appointed by and serve at the pleasure of the ~~State Geologist~~ Commissioner of State Lands, provided the ~~State Geologist~~ Commissioner of State Lands shall appoint the State Surveyor after consulting with the State Board of Registration for Professional Engineers and Land Surveyors and the Arkansas Association of Registered Land Surveyors;

(3) Serve until dismissed by the ~~State Geologist~~ Commissioner of State Lands;

(4) Devote his full time to the performance of his official functions and duties as prescribed in this subchapter;

(5) Hold no other lucrative position while serving as State Surveyor; and

(6) Receive such compensation as may be prescribed by law.

SECTION 4. Arkansas Code 15-21-206 is amended to read as follows:

15-21-206. State Surveyor - Powers and duties.

The State Surveyor, acting under the supervision and direction and with the approval of the ~~Office of the State Geologist of the Arkansas Geological Commission~~ Commissioner of State Lands, shall have the following authority and responsibility:

(1)(A) To restore, maintain, and preserve the land survey monuments, section corners, and quarter section corners established by the United States Public Land Survey within the State of Arkansas, together with all pertinent field notes, plats, and documents; and

(B) To restore, establish, maintain, and preserve other boundary markers as may be determined to be necessary or important in establishing and maintaining accurate land descriptions in this state;

(2)(A) To design and cause to be placed at established public land survey corner sites, where practical, substantial monuments permanently indicating with words and figures the exact location involved.

(B) If the monuments cannot be placed at the exact corner point, then witness corners of similar design shall be placed as near as is possible with words and figures indicating the bearing and distance to the true corner;

(3) To establish, maintain, and provide safe storage facilities for a comprehensive system of recordation of information respecting all monuments established by the United States Public Land Survey within this state, and any records as may be pertinent to the division's establishment or maintenance of other land corners, Arkansas coordinate system stations and accessories, and monuments in general;

(4) To extend throughout the state a triangulation and leveling net of precision whereby the Arkansas Coordinate System 1983, § 15-21-301 et seq., already initiated in this state by the United States National Geodetic Survey may be made to cover to the necessary extent those areas of the state which do not now have enough geodetic control stations to permit the general use of the system by land surveyors and others;

(5) To collect and preserve information obtained from surveys made by those authorized to establish land monuments or land boundaries and to assist

in the proper recording of the same by the duly constituted county officials or other appropriate officials;

(6)(A) To furnish certified copies of records created or maintained by the division to any person, entity, or agency upon request therefor and payment of the prescribed fees.

(B) All such records, when certified by the State Surveyor or a designated assistant, shall be admissible in evidence in any court in this state as the original record filed with this agency;

(7)(A) To prescribe reasonable rules and regulations not inconsistent with law designed to establish uniform professional surveying and mapping methods and standards in this state;

(B) To disseminate the rules and regulations to those engaged in the profession of land surveying; and

(C) To administer the regulations by referring evidence of violations to the Advisory Board to the Division of Land Surveys as provided below;

(8) To promote the training and the increase in number of quality surveyors in this state;

(9) To receive and investigate complaints against any surveyor and to present the results from the investigation of complaints to the Arkansas State Board of Registration for Professional Engineers and Land Surveyors for such action as the board shall deem appropriate;

(10) To assist the county assessors in establishing accurate land descriptions of the state-owned or state-claimed lands and to assist the public and private surveyors to obtain land ownership information for surveying purposes;

(11) To accept for the state gifts, grants, and donations from any and all persons, corporations, associations, and foundations and from the federal or state government or any agency or program thereof to be deposited ~~in the State Treasury to the credit of the Land Surveys Fund~~ in a financial institution in this state;

(12) To enter into such agreements or contracts with agencies of the United States Government, agencies of the State of Arkansas, other states, and registered land surveyors as he deems necessary or desirable to properly plan and execute projects within the scope and purpose of this subchapter; and

(13) To employ such surveyors and other professional and nonprofessional assistants and to take other reasonable action as deemed necessary to carry out the purposes of this subchapter.

SECTION 5. Arkansas Code 15-21-210 is amended to read as follows:
15-21-210. Sale of information by division.

(a) The Division of Land Surveys may produce, reproduce, and sell maps, plats, and records and shall prescribe a reasonable charge therefor.

(b) All income derived from these sales shall be deposited in ~~the State Treasury to the credit of the "Land Surveys Fund" which is established~~ a financial institution in this state."

AND

Appropriately renumber the subsequent sections

AND

Page 1, line 29, delete "Arkansas State Land Survey Department" and substitute "Office of the Commissioner of State Lands"

AND

Page 2, delete lines 1 and 2 and substitute "as provided in Arkansas Code 25-2-105 to the Office of the Commissioner of State Lands upon the effective date of the transfer."

AND

Page 2, line 6, delete "Arkansas State Land Survey Department" and substitute "Office of the Commissioner of State Lands"

AND

Page 2, line 10, delete "Arkansas State Land Survey Department" and substitute "Office of the Commissioner of State Lands"

AND

Page 2, delete line 36 and substitute "the Division of Land Surveys within the Office of the Commissioner of State Lands on the same date as the fiscal year begins. If the division were transferred at a later date, the budget for the Arkansas Geological Commission and the Office of the Commissioner of State Lands would be confusing and irreparably harmed."

AND

Page 3, delete lines 1 through 3

The Amendment was read _____
By: Representative Bond
LH/MHF - 031620010954 _____
MHF916 **Chief Clerk**