

IN THE SENATE

SENATE BILL NO. 1011

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1 RELATING TO THE COORDINATE SYSTEM OF LAND DESCRIPTION; AMENDING SECTION
2 54-1210, IDAHO CODE, TO REMOVE A REPORTING REQUIREMENT AND TO MAKE A
3 TECHNICAL CORRECTION; REPEALING SECTION 55-1701, IDAHO CODE, RELATING
4 TO ESTABLISHING A COORDINATE SYSTEM; AMENDING CHAPTER 17, TITLE 55,
5 IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-1701, IDAHO CODE, TO
6 DEFINE TERMS; REPEALING SECTION 55-1702, IDAHO CODE, RELATING TO ZONE
7 REFERENCES; AMENDING CHAPTER 17, TITLE 55, IDAHO CODE, BY THE ADDITION
8 OF A NEW SECTION 55-1702, IDAHO CODE, TO PROVIDE FOR THE IDAHO PLANE
9 COORDINATE SYSTEM; REPEALING SECTION 55-1703, IDAHO CODE, RELATING TO
10 PLANE COORDINATES; AMENDING CHAPTER 17, TITLE 55, IDAHO CODE, BY THE
11 ADDITION OF A NEW SECTION 55-1703, IDAHO CODE, TO PROVIDE FOR THE USE
12 OF PLANE COORDINATES; AMENDING SECTION 55-1704, IDAHO CODE, TO PROVIDE
13 FOR ZONE NAMING AND CERTAIN INFORMATION TO BE INCLUDED WITHIN DOCUMENTS
14 CONTAINING COORDINATES; REPEALING SECTION 55-1705, IDAHO CODE, RELAT-
15 ING TO ZONE DEFINITIONS; AMENDING CHAPTER 17, TITLE 55, IDAHO CODE,
16 BY THE ADDITION OF A NEW SECTION 55-1705, IDAHO CODE, TO PROVIDE FOR
17 STATED OR IMPLIED ACCURACY OF COORDINATES; AMENDING CHAPTER 17, TITLE
18 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-1706, IDAHO CODE, TO
19 PROVIDE FOR GEODETIC COORDINATES; AMENDING CHAPTER 17, TITLE 55, IDAHO
20 CODE, BY THE ADDITION OF A NEW SECTION 55-1707, IDAHO CODE, TO PROVIDE
21 FOR NONAUTHORITATIVE PLANE OR GEOGRAPHIC COORDINATES; REPEALING SEC-
22 TION 55-1708, IDAHO CODE, RELATING TO SUPPLEMENTAL COORDINATE DESCRIPT-
23 TIONS; AMENDING CHAPTER 17, TITLE 55, IDAHO CODE, BY THE ADDITION OF A
24 NEW SECTION 55-1708, IDAHO CODE, TO PROVIDE FOR SUPPLEMENTAL COORDINATE
25 DESCRIPTIONS; AMENDING SECTION 55-1709, IDAHO CODE, TO PROVIDE FOR REAL
26 PROPERTY LESSEES, RIGHTS IN REAL PROPERTY, AND CERTAIN COORDINATES; AND
27 AMENDING CHAPTER 17, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SEC-
28 TION 55-1710, IDAHO CODE, TO PROVIDE FOR CERTAIN MODIFIED COORDINATES.
29

30 Be It Enacted by the Legislature of the State of Idaho:

31 SECTION 1. That Section 54-1210, Idaho Code, be, and the same is hereby
32 amended to read as follows:

33 54-1210. RECORDS AND REPORTS. (1) The board shall keep a record of its
34 proceedings and a record of all applications for licensure or certification,
35 which record shall show: the name, date of birth and last known address of
36 each applicant; the date of the application; the place of business of such
37 applicant; his education, experience and other qualifications; type of
38 examination required; whether or not the applicant was rejected; whether
39 or not a certificate or license was granted; the dates of the action of the
40 board; and any other information as may be deemed necessary by the board.

41 (2) The records of the board shall be prima facie evidence of the pro-
42 ceedings of the board set forth therein, and the minutes thereof, duly cer-

1 tified by the secretary of the board under seal, shall be admissible in evi-
2 dence with the same force and effect as if the original were produced.

3 ~~(3) Annually the board shall submit to the governor a report of its~~
4 ~~activities of the preceding year, and shall also transmit to him a summary~~
5 ~~statement of the receipts and expenditures of the board.~~

6 ~~(4)~~ Board records and papers are subject to disclosure according to
7 chapter 1, title 74, Idaho Code.

8 SECTION 2. That Section 55-1701, Idaho Code, be, and the same is hereby
9 repealed.

10 SECTION 3. That Chapter 17, Title 55, Idaho Code, be, and the same is
11 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
12 ignated as Section 55-1701, Idaho Code, and to read as follows:

13 55-1701. DEFINITIONS. The following definitions shall apply to terms
14 used in this chapter:

15 (1) "Board" means the Idaho board of licensure of professional engi-
16 neers and professional land surveyors.

17 (2) "Idaho plane coordinate system" or "IPCS" means the system, and any
18 successor system, of map projections specific to the state of Idaho main-
19 tained by NGS.

20 (3) "Idaho transverse mercator" or "IDTM" means the statewide mapping
21 projection, and any successor system, specific to the state of Idaho main-
22 tained by the NGS.

23 (4) "Identifying information" means the datum, adjustment, epoch, co-
24 ordinate system, zone, and unit of a plane coordinate system.

25 (5) "National geodetic survey" or "NGS" means the federal agency, and
26 any successor agency, that defines and manages the NSRS.

27 (6) "National spatial reference system" or "NSRS" means the consistent
28 coordinate system, and any successor system, defining latitude, longitude,
29 height, scale, gravity, orientation, and shoreline throughout the United
30 States.

31 (7) "State plane coordinate system" or "SPCS" means the nationwide sys-
32 tem, and any successor system, of map projections maintained by NGS.

33 SECTION 4. That Section 55-1702, Idaho Code, be, and the same is hereby
34 repealed.

35 SECTION 5. That Chapter 17, Title 55, Idaho Code, be, and the same is
36 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
37 ignated as Section 55-1702, Idaho Code, and to read as follows:

38 55-1702. IDAHO PLANE COORDINATE SYSTEM. (1) The board shall, by rule,
39 provide and prescribe the information that defines the currently accepted
40 system of plane coordinates of the IPCS.

41 (2) The most recent system of plane coordinates that has been estab-
42 lished by the NGS based on the NSRS, adopted by the board, and designated as
43 the SPCS for defining and stating the positions or locations of points within
44 the state of Idaho shall be known as the "Idaho plane coordinate system."

1 (3) Coordinates established or determined under previously defined
2 systems may be used, provided identifying information is included in the
3 document containing the coordinates.

4 (4) Coordinates derived by transformation from a prior system of plane
5 coordinates shall be qualified as such in the document containing the coor-
6 dinates. Such document shall also provide:

7 (a) Identifying information of the prior system and the system trans-
8 lated to, together with a statement of the method of translation;

9 (b) The type of transformation and parameters used and identifying in-
10 formation of the system translated to; or

11 (c) Other metadata sufficient to translate coordinates between the
12 original and destination systems.

13 SECTION 6. That Section [55-1703](#), Idaho Code, be, and the same is hereby
14 repealed.

15 SECTION 7. That Chapter 17, Title 55, Idaho Code, be, and the same is
16 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
17 ignated as Section 55-1703, Idaho Code, and to read as follows:

18 55-1703. PLANE COORDINATES. (1) The plane coordinates to be used in
19 expressing the position or location of a point in the appropriate zone of
20 the IPCS shall consist of two (2) distances expressed in the units of mea-
21 sure used by the NGS at the time the SPCS is published. The east x-coordinate
22 shall give the distance east of the y-axis, and the north y-coordinate shall
23 give the distance north of the x-axis. The y-axis of any zone shall be paral-
24 lel with the central meridian of that zone. The x-axis of any zone shall be at
25 right angles to the central meridian of that zone.

26 (2) The coordinates described in subsection (1) of this section shall
27 be made to depend upon and conform to the most recent system of plane coordi-
28 nates, known as the SPCS and based upon the NSRS as maintained and provided by
29 the NGS or its successors, provided such system has been adopted by adminis-
30 trative rule by the board.

31 SECTION 8. That Section 55-1704, Idaho Code, be, and the same is hereby
32 amended to read as follows:

33 55-1704. ZONE NAMING AND DOCUMENTS REPORTING COORDINATES WITHIN
34 ~~TWO~~ MULTIPLE ZONES. Any document containing coordinates of the IPCS will in-
35 clude, at a minimum, the datum, adjustment, epoch, and zone names as defined
36 by the NGS. When any document reports coordinates of points that lie within
37 ~~two (2) multiple~~ coordinate zones, the coordinates of all points shall refer
38 to one (1) of the zones, which shall be named in the document.

39 SECTION 9. That Section [55-1705](#), Idaho Code, be, and the same is hereby
40 repealed.

41 SECTION 10. That Chapter 17, Title 55, Idaho Code, be, and the same is
42 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
43 ignated as Section 55-1705, Idaho Code, and to read as follows:

1 55-1705. STATED OR IMPLIED ACCURACY. The accuracy of coordinates
2 shall be as stated in the document containing the coordinates. The expres-
3 sion of coordinates to decimals of the units used may not be construed as a
4 statement of expected accuracy or reliability, unless so stated in the docu-
5 ment containing the coordinates. Statements of accuracy must be defined as
6 relative, absolute, or both.

7 SECTION 11. That Chapter 17, Title 55, Idaho Code, be, and the same is
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
9 ignated as Section 55-1706, Idaho Code, and to read as follows:

10 55-1706. GEODETIC COORDINATES. The official geodetic datums to which
11 geodetic coordinates, including but not limited to latitude, longitude,
12 ellipsoid height or orthometric height, are referenced within the state of
13 Idaho shall be those defined by the NGS.

14 SECTION 12. That Chapter 17, Title 55, Idaho Code, be, and the same is
15 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
16 ignated as Section 55-1707, Idaho Code, and to read as follows:

17 55-1707. NONAUTHORITATIVE PLANE OR GEOGRAPHIC COORDINATES. The pro-
18 visions of this chapter shall not be construed to prohibit the appropriate
19 use of coordinates from nonauthoritative sources or coordinates based on
20 alternative datums and geodetic reference networks. However, such coordi-
21 nates shall be clearly identified as nonauthoritative or alternative to the
22 IPCS and documented in such a way so as not to be confused with coordinates of
23 the IPCS. Nonauthoritative and alternative coordinates shall not be used to
24 define regulatory boundaries or rights in real property. The board may adopt
25 rules to define appropriate use of such coordinates.

26 SECTION 13. That Section 55-1708, Idaho Code, be, and the same is hereby
27 repealed.

28 SECTION 14. That Chapter 17, Title 55, Idaho Code, be, and the same is
29 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
30 ignated as Section 55-1708, Idaho Code, and to read as follows:

31 55-1708. SUPPLEMENTAL COORDINATE DESCRIPTIONS. (1) Whenever coordi-
32 nates based on the IPCS are used to describe any boundary or right in real
33 property, which in the same document or another document of record is also
34 described by reference to any subdivision, line, or corner of the United
35 States public land surveys or the lines or corners of a recorded subdivi-
36 sion, the description by coordinates shall be construed as supplemental
37 to the basic description of such subdivision, line, or corner contained in
38 the official plats and field notes of the United States public land surveys
39 filed of record or in a recorded subdivision plat. In the event of any con-
40 flict, a description by reference to the subdivisions, lines, or corners
41 of the United States public land surveys or lines and corners of a recorded
42 subdivision shall prevail over any description by coordinates, unless said
43 coordinates are upheld by adjudication, in which case the coordinate de-
44 scription shall prevail.

1 (2) Every recorded map, survey, plat, conveyance, or other instrument
2 affecting title to or rights in real property that delineates, describes, or
3 refers to such property or any part thereof by reference to coordinates based
4 upon the IPCS shall also describe the property by reference and tie to public
5 land survey corners as defined in section 55-1603(11), Idaho Code, unless
6 such property is within a recorded subdivision, in which case the property
7 may be described by reference and tie to lines and corners within such subdivi-
8 sion.

9 SECTION 15. That Section 55-1709, Idaho Code, be, and the same is hereby
10 amended to read as follows:

11 55-1709. DESCRIPTION BY COORDINATE NOT MANDATORY. Nothing contained
12 in this chapter shall require any lessee, purchaser, or mortgagee of real
13 property or any right in real property to rely wholly on a land description,
14 any part of which depends exclusively upon coordinates of the designated
15 ~~Idaho coordinate system~~ IPCS.

16 SECTION 16. That Chapter 17, Title 55, Idaho Code, be, and the same is
17 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
18 ignated as Section 55-1710, Idaho Code, and to read as follows:

19 55-1710. MODIFIED COORDINATES. Coordinates within the IPCS that have
20 been modified for any purpose or coordinates within non-IPCS systems shall
21 have:

22 (1) The qualifier "MODIFIED" added to the datum, adjustment, epoch, and
23 zone reference. The document containing the coordinates shall include any
24 datum adjustment, scale, elevation, or combined factors applied together
25 with the origin of scale application and any other transformation parameters
26 applied; or

27 (2) A label or description displayed in a manner that clearly shows the
28 coordinates were not obtained through the IPCS.