

mark corners and monuments of imperishable material, also to prepare plats and field notes jointly, one (1) copy of which shall be filed with the auditor and recorder of each of the counties so interested. The fees and compensations for such surveys, plats and field notes, shall be paid out of the county treasury upon the order of the county commissioners of each county to the respective surveyors or--engineers so employed.

SECTION 2. That Section 31-2707, Idaho Code, be, and the same is hereby amended to read as follows:

31-2707. COUNTY SURVEYS TO BE MADE BY REGISTERED PROFESSIONAL LAND SURVEYOR OR-ENGINEER. All surveys, maps and plats ordered by the board of county commissioners shall be made by a registered professional land surveyor or-engineer retained by the board who shall be paid such fee as may be fixed and agreed upon.

Approved March 27, 1989.

CHAPTER 102  
(S.B. No. 1079)

AN ACT

RELATING TO PLATS AND VACATIONS; AMENDING SECTION 50-1305, IDAHO CODE, TO ELIMINATE THE REFERENCE TO ENGINEER; AMENDING SECTION 50-1309, IDAHO CODE, TO ELIMINATE THE REFERENCE TO ENGINEER; AND AMENDING SECTION 50-1327, IDAHO CODE, TO CORRECT A REFERENCE.

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

SECTION 1. That Section 50-1305, Idaho Code, be, and the same is hereby amended to read as follows:

50-1305. VERIFICATION. The county shall choose and require a legally qualified professional land surveyor or-engineer to perform land surveying in Idaho to sufficiently check the plat and computations thereon to determine that the requirements herein are met, and said engineer-or professional land surveyor shall certify such compliance on the plat. For performing such service the county shall collect from the subdivider a fee as provided by local ordinance reasonably related to the cost of providing such service.

SECTION 2. That Section 50-1309, Idaho Code, be, and the same is hereby amended to read as follows:

50-1309. CERTIFICATION OF PLAT -- DEDICATION OF STREETS AND ALLEYS -- DEDICATION OF PRIVATE ROADS TO PUBLIC -- JURISDICTION OVER PRIVATE ROADS. 1. The owner or owners of the land included in said plat shall make a certificate containing the correct description of

the land, with the statement as to their intentions to include the same in the plat, and make a dedication of all public streets and alleys shown on said plat, which certificate shall be acknowledged before an officer duly authorized to take acknowledgments and shall be indorsed on the plat. The professional land surveyor or engineer making the survey shall certify the correctness of said plat.

2. No dedication or transfer of a private road to the public can be made without the specific approval of the governing agency accepting such private road.

3. Highway districts and single county-wide highway districts shall not have jurisdiction over private roads designated as such on subdivision plats and shall assume no responsibility for the design, construction, maintenance and/or repair of private roads.

SECTION 3. That Section 50-1327, Idaho Code, be, and the same is hereby amended to read as follows:

50-1327. FILING OR RECORDING OF NONCOMPLYING MAP OR PLAT PROHIBITED. No person shall offer for recording, or cause to be recorded, a plat not containing a sanitary restriction, unless there is submitted for record at the same time the certificate of the state board of health as required in section 50-1326, Idaho Code. The filing and recording of a noncomplying plat shall in no way invalidate a title conveyed thereunder.

Approved March 27, 1989.

CHAPTER 103  
(S.B. No. 1080)

AN ACT

RELATING TO THE CORNER PERPETUATION AND FILING ACT; AMENDING SECTION 55-1612, IDAHO CODE, TO CORRECT A CODE CITATION AND TO ELIMINATE THE EXEMPTION FROM PENALTY FOR GOVERNMENT SURVEYORS.

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

SECTION 1. That Section 55-1612, Idaho Code, be, and the same is hereby amended to read as follows:

55-1612. PENALTY. ~~(a)~~ Surveyors failing to comply with the provisions hereof shall be deemed to be within the purview of section 54-1220~~(b)~~, Idaho Code, and shall be subject to the revocation or suspension of their certificate as in said section provided.

~~(b)--Government surveyors shall be exempt from the provisions of section 55-1612(a) of this act.~~

Approved March 27, 1989.