

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
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**FISCAL IMPACT STATEMENT**

**LS 6293**  
**BILL NUMBER: SB 32**

**DATE PREPARED:** Jan 26, 1999  
**BILL AMENDED:** Jan 26, 1999

**SUBJECT:** Drainage law duties of county surveyors.

**FISCAL ANALYST:** Beverly Holloway  
**PHONE NUMBER:** 232-9851

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** (Amended) This bill allows registered surveyors to prepare plans for a sanitary sewer or public water main.

This bill increases the fee for each deed the county recorder records.

A survey to incorporate a town must be certified by a surveyor. An engineer's authority to certify the survey is removed under the provisions of this bill.

This bill provides that a county surveyor who is not registered as a land surveyor or professional engineer must employ a person registered as a land surveyor or professional engineer to perform the drainage job functions of a county surveyor that require a registered land surveyor or professional engineer. (Current law requires that a county surveyor who is not registered as a professional engineer must employ a professional engineer to perform the drainage job functions of a county surveyor that require a professional engineer.)

This bill provides that if a county full-time employee is a registered land surveyor or professional engineer and the county surveyor is not registered as a land surveyor or professional engineer, the drainage board may designate the employee to perform the functions of the county surveyor that are allowed under the employee's land surveyor's or professional engineer's license.

This bill specifies the procedures for county surveyor to approve plans and hydraulic data for certain regulated drains. (Current law allows a county surveyor registered as a professional engineer to approve plans and hydraulic data for certain regulated drains.)

This bill allows a drain maintenance fund to collect the annual assessment when the fund balance exceeds the fund limit.

The drain construction contracts that are not more than \$75,000 (current law is \$25,000) are allowed to be awarded without certain bidding and contract restrictions.

**Effective Date:** July 1, 1999.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** (Revised) The inclusion of a registered land surveyor in the implementation of drainage laws could reduce expenditures of a county. If a county currently employs a registered land surveyor (instead of, or in addition to, a professional engineer) then the county would not have to contract with a qualified individual to perform the functions of the county surveyor. The fiscal impact is indeterminable and dependent on local action.

The drain construction contracts that are not more than \$75,000 (current law is \$25,000) are allowed to be awarded by the county drainage board without certain bidding and contract restrictions. This could decrease the amount of money expended for cost of legal advertising for a drain construction project. The fiscal impact is indeterminable and will vary among counties.

**Explanation of Local Revenues:** (Revised) This bill increases the fee from \$1 to \$5 for each deed the county recorder records. The fees collected are deposited in the County Surveyor's Corner Perpetuation Fund which is used for but not limited to a Geodetic Advisor, the maintenance of corner record book, and the procedure for the establishment and perpetuation of corners. The fiscal impact of this provision is indeterminable and will vary among counties.

Currently, statute provides that the annual assessment **shall** not be collected when the balance of the drain maintenance fund exceeds the fund limit. This bill provides that a drain maintenance fund **may** collect the annual assessment when the fund balance exceeds the fund limit. The allowance to collect the annual assessment once the drain maintenance fund exceeds the fund limit will allow for more funds to be transferred to a reconstruction fund that covers the same watershed as the maintenance fund from which the money is transferred. The transfer of funds is currently allowed by statute (IC 36-9-27-45.5(b)). The fiscal impact of this provision is indeterminable and dependent on local action.

**State Agencies Affected:**

**Local Agencies Affected:** Counties.

**Information Sources:**