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MINUTES OF THE REGULAR MEETING
LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD
9643 BROOKLINE AVENUE, SUITE 121
BATON ROUGE, LOUISIANA 70809-1433
November 19, 2012

At 8:08 a.m. on November 19, 2012, Richard Savoie, P.E., called the meeting to order with the following members present:

Richard L. Savoie, P.E.	Chairman
Norma Jean Mattei, Ph.D., P.E.	Vice Chairman
Miles B. Williams, P.E.	Treasurer
James E. Bowie, Ph.D., P.E.	Secretary

M. Ernest Gammon, P.L.S.
Ali M. Mustapha, P.E.
Theodore H. Thompson, P.E.
Kevin E. Crosby, P.E., P.L.S.
John W. "Billy" Moore, P.E.
John T. Irving, P.E.
David L. Patterson, P.L.S.

Also present: Donna D. Sentell, Executive Director
Victoria Hatton, Director of Enforcement
Joe H. Harman, P.E., Technical Support Staff
Tyson Ducote, Board Investigator
Justin Owens, Board Investigator
D. Scott Landry, Board Attorney

The invocation was led by Dr. Mattei and the pledge by Mr. Moore.

Public comment time was recognized by Chairman Savoie.

Chairman Savoie recognized and welcomed our newest Board members, Mr. Irving and Mr. Patterson.

Mr. Mustapha requested that the Board meeting agenda be amended to add a discussion concerning the need for applicants with foreign education to obtain credential evaluations.

The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr. Thompson, to accept the November 19-20, 2012 proposed Call for Meeting and Board Meeting Agenda, as amended.

The Board unanimously approved the motion made by Mr. Mustapha, seconded by Dr. Mattei, to approve the Minutes from the September 24, 2012 Board meeting.

The Board unanimously approved the motion made by Mr. Mustapha, seconded by Mr. Thompson, to schedule the Board's next regular meeting for Tuesday, January 22, 2013 in Lafayette, Louisiana.

The Board's September Task List was reviewed.

Enforcement

Case #2011-73 - Ms. Hatton reported on an unlicensed firm which practiced and/or offered to practice land surveying in Louisiana without proper licensure. The firm subsequently became licensed in Louisiana. The respondent has signed and returned the proposed consent order offered by the Complaint Review Committee. The proposed consent order contained the following sanctions:

1. Fine of \$2,000
2. Costs of \$352.02
3. Publication with name on the Board's website and in the Journal

1 4. Report to NCEES with name

2 After discussion, the Board unanimously approved the motion made by the Complaint
3 Review Committee, consisting of Dr. Mattei, Mr. Gammon and Mr. Allen, to approve
4 the signed Consent Order. The name of the respondent is R-Squared Global, L.L.C.
5 (formerly known as "Rodney Ray & Associates, LLC")
6

7 **Case #2012-5** - Ms. Hatton reported on a licensed land surveyor who aided or
8 assisted his unlicensed firm in practicing and/or offering to practice land surveying in
9 Louisiana without proper licensure. The firm subsequently became licensed in
10 Louisiana. The respondent has signed and returned the proposed consent order
11 offered by the Complaint Review Committee. The proposed consent order contained
12 the following sanctions:

- 13 1. Fine of \$1,000
- 14 2. Costs of \$345.79
- 15 3. Online Louisiana Laws & Rules and Professionalism & Ethics Quizzes
- 16 4. Publication with name on the Board's website and in the Journal
- 17 5. Report to NCEES with name

18 After discussion, the Board approved the motion made by the Complaint Review
19 Committee, consisting of Mr. Mattei, Mr. Gammon and Mr. Allen, with Mr. Irving, Mr.
20 Moore, Mr. Thompson, Dr. Bowie, Dr. Mattei, Mr. Williams, Mr. Gammon, Mr. Crosby
21 and Mr. Patterson for and Mr. Mustapha against, to approve the signed Consent
22 Order. The name of the respondent is Rodney A. Ray, P.L.S.
23

24 **Case #2011-117** - Ms. Hatton reported on an unlicensed firm which practiced and/or
25 offered to practice engineering and used the word "engineering" in its name and in
26 conjunction with its business in Louisiana without proper licensure. The firm
27 subsequently became licensed in Louisiana. The respondent has signed and returned
28 the proposed consent order offered by the Complaint Review Committee. The
29 proposed consent order contained the following sanctions:

- 30 1. Fine of \$250
- 31 2. Costs of \$382.05
- 32 3. Publication without name on the Board's website and in the Journal
- 33 4. No report to NCEES

34 After discussion, the Board approved the motion made by the Complaint Review
35 Committee, consisting of Mr. Moore, Mr. Gammon and Mr. Mustapha, with Mr. Irving,
36 Mr. Mustapha, Mr. Moore, Mr. Thompson, Dr. Bowie, Dr. Mattei, Mr. Williams, Mr.
37 Gammon and Mr. Patterson for and Mr. Crosby against, to approve the signed Consent
38 Order.
39

40 **Case #2012-25** - Ms. Hatton reported on a licensed engineer who aided or assisted
41 his unlicensed firm in practicing and/or offering to practice engineering and using the
42 word "engineering" in its name and in conjunction with its business in Louisiana
43 without proper licensure. The firm subsequently became licensed in Louisiana. The
44 respondent has signed and returned the proposed consent order offered by the
45 Complaint Review Committee. The proposed consent order contained the following
46 sanctions:

- 47 1. Fine of \$250
- 48 2. Costs of \$382.05
- 49 3. Online Louisiana Laws & Rules and Professionalism & Ethics Quizzes
- 50 4. Publication without name on the Board's website and in the Journal
- 51 5. No report to NCEES

52 After discussion, the Board approved the motion made by the Complaint Review
53 Committee, consisting of Mr. Moore, Mr. Gammon and Mr. Mustapha, with Mr. Irving,
54 Mr. Mustapha, Mr. Moore, Mr. Thompson, Dr. Bowie, Dr. Mattei, Mr. Williams, Mr.
55 Gammon and Mr. Patterson for and Mr. Crosby against, to approve the signed Consent
56 Order.
57

58 **Case #2011-87** - Ms. Hatton reported on an unlicensed firm which practiced and/or
59 offered to practice engineering and used the word "engineers" in its name and in
60 conjunction with its business in Louisiana without proper licensure. The firm
61 subsequently became licensed in Louisiana. The respondent has signed and returned
62 the proposed consent order offered by the Complaint Review Committee. The
63 proposed consent order contained the following sanctions:

- 64 1. Fine of \$1,250
- 65 2. Costs of \$390.82
- 66 3. Online Louisiana Laws & Rules Quiz by Supervising Professional
- 67 4. Publication with name on the Board's website and in the Journal
- 68 5. Report to NCEES with name

1 After discussion, the Board approved the motion made by the Complaint Review
2 Committee, consisting of Mr. Thompson, Mr. Savoie and Mr. Allen, with Mr. Irving, Mr.
3 Mustapha, Mr. Thompson, Dr. Bowie, Dr. Mattei, Mr. Williams, Mr. Gammon, Mr.
4 Crosby and Mr. Patterson for and Mr. Moore against, to approve the signed Consent
5 Order. The name of the respondent is James F. Turner Engineers, LP.
6

7 **Case #2012-4** - Ms. Hatton reported on a licensed engineer who aided or assisted his
8 unlicensed firm in practicing and/or offering to practice engineering and using the
9 word "engineers" in its name and in conjunction with its business in Louisiana
10 without proper licensure. The firm subsequently became licensed in Louisiana. The
11 respondent has signed and returned the proposed consent order offered by the
12 Complaint Review Committee. The proposed consent order contained the following
13 sanctions:

- 14 1. Fine of \$1,250
- 15 2. Costs of \$377.59
- 16 3. Online Louisiana Laws & Rules and Professionalism & Ethics Quizzes
- 17 4. Publication with name on the Board's website and in the Journal
- 18 5. Report to NCEES with name

19 After discussion, the Board unanimously approved the motion made by the Complaint
20 Review Committee, consisting of Mr. Thompson, Mr. Savoie and Mr. Allen, to approve
21 the signed Consent Order. The name of the respondent is James F. Turner II, P.E.
22

23 **Case #2011-108** - Ms. Hatton reported on an unlicensed firm which used the words
24 "engineer", "engineering" and modifications or derivatives thereof in conjunction with
25 its business in Louisiana without proper licensure. The respondent has signed and
26 returned the proposed consent order offered by the Complaint Review Committee.
27 The proposed consent order contained the following sanctions:

- 28 1. Fine of \$1,000
- 29 2. Costs of \$446.34
- 30 3. Cease & desist
- 31 4. Publication with name on the Board's website and in the Journal
- 32 5. No report to NCEES

33 After discussion, the Board unanimously approved the motion made by the Complaint
34 Review Committee, consisting of Mr. Moore, Mr. Mustapha and Mr. Thompson, to
35 approve the signed Consent Order. The name of the respondent is Screening Systems
36 International, Inc.
37

38 **Case #2011-43** - Ms. Hatton reported on an unlicensed individual who practiced
39 and/or offered to practice engineering and used the word "engineer", "engineering"
40 and modifications or derivatives thereof in conjunction with his name and business in
41 Louisiana without proper licensure. The respondent has signed and returned the
42 proposed consent order offered by the Complaint Review Committee. The proposed
43 consent order contained the following sanctions:

- 44 1. Fine of \$2,500
- 45 2. Costs of \$858.84
- 46 3. Cease & desist
- 47 4. Publication with name on the Board's website and in the Journal
- 48 5. Report to NCEES with name

49 After discussion, the Board unanimously approved the motion made by the Complaint
50 Review Committee, consisting of Mr. Moore, Dr. Mattei, and Mr. Danzy, to approve the
51 signed Consent Order. The name of the respondent is Ron J. McKinley.
52

53 **Case #2012-22** - Ms. Hatton reported on an unlicensed firm which practiced and/or
54 offered to practice engineering in Louisiana without proper licensure. The firm
55 subsequently became licensed in Louisiana. The respondent has signed and returned
56 the proposed consent order offered by the Complaint Review Committee. The
57 proposed consent order contained the following sanctions:

- 58 1. Fine of \$2,500
- 59 2. Costs of \$543.59
- 60 3. Publication with name on the Board's website and in the Journal
- 61 4. Report to NCEES with name

62 After discussion, the Board unanimously approved the motion made by the Complaint
63 Review Committee, consisting of Mr. Mustapha, Mr. Williams and Dr. Bowie, to
64 approve the signed Consent Order. The name of the respondent is HRST, Inc.
65

66 **Case #2011-98** - Ms. Hatton reported on a licensed engineer who (a) prepared,
67 sealed, signed and issued design drawings which contained a number of material
68 deficiencies, (b) prepared, sealed, signed and issued a certificate which contained a
69 false statement and a number of material deficiencies, and (c) prepared and issued a

1 final design drawing which was not sealed/signed/dated. The respondent has signed
2 and returned the proposed consent order offered by the Complaint Review
3 Committee. The proposed consent order contained the following sanctions:

- 4 1. Fine of \$3,500
- 5 2. Costs of \$1,703.78
- 6 3. Reimburse the homeowner's \$1,500 insurance deductible
- 7 4. Online Louisiana Laws & Rules and Professionalism & Ethics Quizzes
- 8 5. Appear before the committee to discuss the particulars of the violations
- 9 6. Publication with name on the Board's website and in the Journal
- 10 7. Report to NCEES with name

11 After discussion, the Board unanimously approved the motion made by the Complaint
12 Review Committee, consisting of Mr. Crosby, Mr. Thompson, and Dr. Bowie, to
13 approve the signed Consent Order. The name of the respondent is Robert D. Lee, P.E.

14
15 **Case #2012-75** - Ms. Hatton reported on a licensed engineering firm which (a)
16 prepared, sealed, signed and issued design drawings which contained a number of
17 material deficiencies, (b) prepared, sealed, signed, and issued a certificate which
18 contained a false statement and a number of material deficiencies, and (c) prepared
19 and issued a final design drawing which was not sealed/signed/dated. The
20 respondent has signed and returned the proposed consent order offered by the
21 Complaint Review Committee. The proposed consent order contained the following
22 sanctions:

- 23 1. Fine of \$3,500
- 24 2. Costs of \$1,703.78
- 25 3. Reimburse the homeowner's \$1,500 insurance deductible
- 26 4. Online Louisiana Laws & Rules and Professionalism & Ethics Quizzes by
27 Supervising Professional
- 28 5. Appear before the committee to discuss the particulars of the violations
- 29 6. Publication with name on the Board's website and in the Journal
- 30 7. Report to NCEES with name

31 After discussion, the Board unanimously approved the motion made by the Complaint
32 Review Committee, consisting Mr. Crosby, Mr. Thompson, and Dr. Bowie, to approve
33 the signed Consent Order. The name of the respondent is Robert D. Lee Consulting
34 Engineers, Inc.

35
36 Mr. Williams exited the meeting at 9:15 a.m.

37
38 **Case #2011-35** - Ms. Hatton reported on a licensed engineering firm which falsely
39 advertised on its website that two professional engineers were associated with the
40 firm despite the fact that they had no association with the firm and have never
41 worked for or with the firm. The respondent has signed and returned the proposed
42 consent order offered by the Complaint Review Committee. The proposed consent
43 order contained the following sanctions:

- 44 1. Fine of \$2,500
- 45 2. Costs of \$488.78
- 46 3. Online Louisiana Laws & Rules and Professionalism & Ethics Quizzes by
47 Supervising Professional
- 48 4. Appear before the committee to discuss the particulars of the violations
- 49 5. Cease and desist
- 50 6. Publication with name on the Board's website and in the Journal
- 51 7. Report to NCEES with name

52 After discussion, the Board unanimously approved the motion made by the Complaint
53 Review Committee, consisting of Mr. Crosby, Mr. Thompson, and Dr. Bowie, to
54 approve the signed Consent Order. The name of the respondent is Robert D. Lee
55 Consulting Engineers, Inc.

56
57 **Case #2012-29** - Ms. Hatton reported on an unlicensed firm which practiced and/or
58 offered to practice engineering in Louisiana without proper licensure. The firm
59 subsequently became licensed in Louisiana. The respondent has signed and returned
60 the proposed consent order offered by the Complaint Review Committee. The
61 proposed consent order contained the following sanctions:

- 62 1. Fine of \$2,500
- 63 2. Costs of \$498.84
- 64 3. Publication with name on the Board's website and in the Journal (with the
65 respondent allowed to review the summary prior to publication)
- 66 4. Report to NCEES with name

67 After discussion, the Board unanimously approved the motion made by the Complaint
68 Review Committee, consisting of Dr. Bowie, Mr. Savoie and Mr. Williams, to approve
69 the signed Consent Order. The name of the respondent is Kahuna Ventures LLC.

1
2 **Case #2012-54** - Ms. Hatton reported on an unlicensed firm which practiced and/or
3 offered to practice engineering in Louisiana without proper licensure. The firm
4 subsequently became licensed in Louisiana. The respondent has signed and returned
5 the proposed consent order offered by the Complaint Review Committee. The
6 proposed consent order contained the following sanctions:

- 7 1. Fine of \$2,500
- 8 2. Costs of \$360.73
- 9 3. Publication with name on the Board's website and in the Journal
- 10 4. Report to NCEES with name

11 After discussion, the Board unanimously approved the motion made by the Complaint
12 Review Committee, consisting of Mr. Thompson, Dr. Bowie and Mr. Williams, to
13 approve the signed Consent Order. The name of the respondent is Cimation, L.L.C.
14

15 Chairman Savoie exited the meeting at 9:35 a.m.
16

17 The Board recessed at 9:50 a.m. and resumed at 10:12 a.m. Mr. Moore, Mr. Ducote
18 and Mr. Owens were not present.
19

20 **Committee Reports**

21 **Land Surveying Committee**

22
23 Mr. Gammon reviewed the letter received from the Terrebonne Parish Consolidated
24 Government and the Terrebonne Levee and Conservation District requesting a change
25 to the Board's Standards of Practice for Boundary Surveys.
26

27
28 After discussion, the Board unanimously approved the motion made by the Land
29 Surveying Committee to amend Rule 2909(A) as follows:
30

31 *Route Survey* – a survey for determining the route of a proposed pipeline, power
32 line, cable, road or other linear facilities, excluding flood protection levees, in
33 order to acquire a right-of-way, servitude or easement from the property owner
34 being crossed.
35

36 The Land Surveying Committee requested that Board staff send the officials in
37 Terrebonne Parish a letter notifying them of the proposed rule change and the
38 rulemaking time frame for it to become final. Due to the rulemaking time frame, the
39 Board instructed the enforcement staff to treat the situation as if the proposed rule
40 change were already in effect (*i.e.*, the Board will not attempt to enforce the current
41 provisions of Rule §2909(A) against any professional land surveyor or licensed land
42 surveying firm who is providing land surveying services relating to a route survey for
43 flood protection levees).
44

45 **Liaison and Law Review Committee**

46
47 The Board unanimously approved the motion made by the Liaison and Law Review
48 Committee to adopt the following Board position statement on compiled land
49 surveying as-built record drawings:
50

51 **POSITION STATEMENT ON** 52 **COMPILED LAND SURVEYING AS-BUILT RECORD DRAWINGS**

53 **Position:**

54
55 The Board considers the preparation of compiled land surveying as-built
56 record drawings to be the practice of land surveying. Therefore, the Board
57 requires that these drawings be sealed/signed/dated by a professional land
58 surveyor. Compiled land surveying as-built record drawings must also contain
59 notes identifying the sources of the data and a disclaimer stating whether or
60 not the professional land surveyor who has sealed/signed the drawings
61 has verified the data.
62

63 **Underlying Laws and Rules:**

64
65 Compiled land surveying as-built record drawings are often used to
66 document how an existing structure, building site or other development
67 project was constructed.
68
69

1 The laws and rules of the Board do not specifically mention requirements
2 for sealing compiled land surveying as-built record drawings. The Board's
3 laws and rules do, however, address what is considered the "practice of land
4 surveying". In this regard, La. R.S. 37:682(13) states:

5
6 (a) "Practice of land surveying" shall include the measuring of areas,
7 land surfaces, streams, bodies of water, and swamps for correct
8 determination and description, for the establishment, reestablishment,
9 ascertainment, or description of land boundaries, corners, divisions,
10 distances, and directions, the plotting and monumenting of lands and
11 subdivisions thereof, and mapping and topographical work.

12
13 (b) A person shall be construed to practice or offer to practice land
14 surveying who engages in land surveying and who by verbal claim,
15 sign, advertisement, letterhead, card, or in any other way represents
16 himself to be a land surveyor, or who represents himself as able to
17 perform or who does perform any land surveying service or work, or
18 any other service designated by the practitioner which is recognized as
19 land surveying.

20
21 The Board's rules further define the "practice of land surveying" in LAC
22 Title 46:LXI§105(A), which states:

23
24 *Practice of Land Surveying*—defined in R.S. 37:682. The board
25 recognizes that there exists a close relationship between land surveying
26 and some areas of engineering, with some activities common to both
27 professions; however, survey work related to property boundaries must
28 be performed under the responsible charge of a professional land
29 surveyor. Presented below are guidelines which shall be used as an aid
30 in determining the types of surveying services which may be rendered
31 by professional land surveyors or professional engineers.

32 a. Surveying and mapping functions which require the
33 establishment of relationships to property ownership boundaries are
34 unique to land surveying and must be performed by or under the
35 responsible charge of a professional land surveyor. These functions
36 include:

- 37 i. boundary surveys;
38 ii. subdivision surveys and plats;
39 iii. public land surveys.

40 b. Surveying and mapping functions not unique to land surveying
41 must be performed by or under the responsible charge of a
42 professional land surveyor whenever they require the establishment of
43 the relationship of property ownership boundaries. Those functions
44 include:

- 45 i. surveys of servitudes (easements) and rights of way;
46 ii. surveys of leases;
47 iii. topographical surveys;
48 iv. surveys for record;
49 v. layout surveys for construction;
50 vi. hydrographic surveys;
51 vii. mine surveys;
52 viii. mapping.

53 c. Surveying and mapping functions which do not require the
54 establishment of the relationship of property ownership boundaries
55 must be performed by or under the responsible charge of either a
56 professional engineer or a professional land surveyor. Such surveying
57 and mapping functions include:

- 58 i. surveys of servitudes (easements) and rights of way;
59 ii. surveys of leases;
60 iii. topographical surveys;
61 iv. surveys for record drawing;
62 v. layout surveys for construction;
63 vi. hydrographic surveys;
64 vii. mine surveys;
65 viii. mapping;
66 ix. geodetic surveys;
67 x. cartographic surveys;
68 xi. horizontal and vertical control surveys;
69 xii. quantity and measurement surveys;

1 xiii. profiles and cross-sections;

2 xiv. site grading plans.

3 d. Professional services which require the application of
4 engineering principles and the interpretation of engineering data must
5 be performed by or under the responsible charge of a professional
6 engineer.

7
8 The Board's laws and rules also address the use of seals and "responsible
9 charge". La. R.S. 37:682(14) defines "responsible charge" as "the direct
10 control and personal supervision of . . . land surveying service or work . . ."

11
12 LAC Title 46:LXI§2503(C) and (D) state:

13
14 C. Licensees shall approve and seal only those design documents and
15 surveys which are safe for public health, property, and welfare, which
16 are complete and accurate, which are in conformity with accepted . .
17 . land surveying standards or practice, and which conform to
18 applicable laws and ordinances.

19 1. Licensees shall comply fully with Chapter 27 (Use of Seals).

20 2. Except as permitted by §2701.A.3.b.ii.(a), licensees shall not seal
21 the work of or take the professional responsibility for any documents
22 related to . . . land surveying not performed by the licensee or under
23 the licensee's responsible charge.

24 3. Licensees may not accept the responsibility for, nor review,
25 revise, sign, or seal drawings when such plans are begun by persons
26 not properly licensed and qualified; or do any other act to enable
27 either such licensees or the project owners, directly or indirectly, to
28 evade the requirements of the licensure law.

29
30 D. Licensees shall submit to a client only that work (plans,
31 specifications, reports, and other documents) prepared by the licensee
32 or by an employee (or subordinate) of the licensee (which is under the
33 licensee's responsible charge); however, licensees, as a third party,
34 may complete, correct, revise, or add to the work of another licensee
35 or other related design professional, if allowed by Louisiana statutes,
36 when engaged to do so by a client, provided:

37 1. the client furnishes the documentation of all such work
38 submitted to him by the previous licensee(s), or their related design
39 professional(s);

40 2. the previous licensees or other related design professionals are
41 notified in writing by the licensee of the engagement referred to herein
42 immediately upon acceptance of the engagement; and

43 3. all work completed, corrected, revised, or added to shall contain
44 a notation describing the work done by the licensee now in
45 responsible charge, shall have the seal and signature of the licensee
46 affixed thereto, the date of execution, and shall become the
47 responsibility of the licensee.

48
49 LAC Title 46:LXI§2505(C) and (D) state:

50
51 C. Licensees shall not affix their signatures or seals to any plans or
52 documents dealing with subject matters in which they lack
53 competence, nor to any such plan or document not prepared under
54 their responsible charge. Responsible charge requires a licensee or
55 employee to carry out all client contacts, provide internal and external
56 financial control, oversee employee training, and exercise control and
57 supervision over all job requirements to include research, planning,
58 design, field supervision and work product review. A licensee shall not
59 contract with a non-licensed individual to provide these professional
60 services. Research, such as title searches and soil testing, may be
61 contracted to a non-licensed individual, provided the licensee reviews
62 the work. The . . . professional land surveyor may affix their seal,
63 signature and date to drawings and documents depicting the work of
64 two or more professionals provided that a note under the seal
65 designates the specific subject matter for which each is responsible.

66
67 D. Licensees may accept an assignment outside of their areas of
68 competence to the extent that their services are restricted to those
69 phases of the project in which they are qualified, and to the extent that

1 they are satisfied that all other phases of such project will be
2 performed or supervised by licensed, qualified associates, consultants,
3 or employees, in which case they may then seal, sign and date the
4 documents for the total project.
5

6 LAC Title 46:LXI§2701(A)(3) states, in pertinent part, as follows:
7

8 A. The following rules for the use of seals to identify work performed
9 by a . . . professional land surveyor shall be binding on every licensee.
10

11 3. Seal Responsibility

12 a. The application of the licensee's seal, signature, and date
13 shall constitute certification that the work thereon was done by the
14 licensee or under his/her responsible charge. . . .

15 b. Responsible Charge

16 i. Plans, specifications, drawings, reports or other
17 documents will be deemed to have been prepared under the
18 responsible charge of a licensee only when:

19 (a). the client or any public or governmental agency
20 requesting preparation of such plans, specifications, drawings, reports
21 or other documents makes the request directly to the licensee or the
22 licensee's employee as long as the employee works in the licensee's
23 place(s) of business;

24 (b). the licensee supervises the initial preparation of
25 the plans, specifications, drawings, reports or other documents and
26 has continued input into their preparation prior to their completion;

27 (c). the licensee reviews the final plans, specifications,
28 drawings, reports or other documents; and

29 (d). the licensee has the authority to, and does make
30 any necessary and appropriate changes to the final plans,
31 specifications, drawings, reports or other documents:

32 (i). if the plans, specifications, drawings, reports, or
33 other such documents are prepared outside the licensee's office, the
34 licensee shall maintain all evidence of the licensee's responsible charge
35 including correspondence, time records, check prints, telephone logs,
36 site visit logs, research done for project, calculations, changes, and all
37 written agreements with any persons preparing the documents
38 outside of the licensee's office accepting professional responsibility for
39 such work;

40 (ii). a licensee failing to maintain written
41 documentation of the items set forth above, when such are applicable,
42 shall be considered to be in violation of R.S. 37:698(A)(6), and the
43 licensee shall be subject to the disciplinary action procedure as set
44 forth in the licensure law.

45 ii. No licensee shall affix his/her seal or signature to
46 reports, plats, sketches, working drawings, specifications, design
47 calculations, or other . . . land surveying documents developed by
48 others not under his/her responsible charge and not subject to the
49 authority of that licensee, except:
50

51 iii. No licensee shall affix his/her seal, signature or date to
52 documents having titles or identities excluding the licensee's name
53 unless:

54 (a). such documents were indeed developed by the
55 licensee under the licensee's responsible charge;

56 (b). the licensee shall exercise full authority to
57 determine his/her development; and

58 (c). except as set forth in §2701.A.3.b.i.(a).
59

60 LAC Title 46:LXI§2701(A)(4)(a) states, in pertinent part, as follows:
61

62 4. Seal Use

63 a. Completed Work

64
65 ii. The licensee shall affix his/her seal, sign his/her name, and
66 place the effective date on all land surveying documents that have been
67 issued by the licensee to a client or any public or governmental agency
68 as completed work. For purposes of this §2701.A.4.a.ii, effective date is

1 defined as the date the licensee certifies that the land surveying
2 document represents his/her work.

3 iii. Drawings and Plats

4 (a). In the case of multiple sealings, the first sheet or title
5 page shall be sealed, signed and dated by the licensee or licensees in
6 responsible charge. In addition, each sheet shall be sealed, signed and
7 dated by the licensee or licensees responsible for each sheet.

8 iv. Specifications, Reports, Design Calculations and
9 Information

10 (a). In the case of specifications or reports of multiple
11 pages, the first sheet or title page of each document shall be sealed,
12 signed and dated by the licensee or licensees in responsible charge.
13 Subsequent revisions shall be dated and initialed by the licensee in
14 responsible charge whose seal, signature and date appears on the first
15 sheet or title page.

16
17 The Board discussed incorporating the following language from the Board position
18 statement on compiled land surveying as-built record drawings into the Board's rules:

19
20 The Board considers the preparation of compiled land surveying as-built
21 record drawings to be the practice of land surveying. Therefore, the Board
22 requires that these drawings be sealed/signed/dated by a professional land
23 surveyor. Compiled land surveying as-built record drawings must also contain
24 notes identifying the sources of the data and a disclaimer stating whether or
25 not the professional land surveyor who has sealed/signed the drawings
26 has verified the data.

27
28 Chairman Savoie charged the Liaison and Law Review Committee with recommending
29 the appropriate language to incorporate the Board's position statement on compiled
30 land surveying as-built record drawings into the Board's rules.

31
32 Chairman Savoie also charged the Liaison and Law Review Committee with
33 recommending the appropriate language to incorporate the Board's position
34 statement on compiled engineering as-built record drawings into the Board's rules.

35
36 The Board unanimously approved the motion made by the Liaison and Law Review
37 Committee to amend Rule 903(A) and enact Rule 1901(B) as follows:

38
39 §903. Professional Engineer Licensure

40
41 A. The requirements for licensure as a professional engineer under
42 the alternatives provided in the licensure law are as follows:

43
44 A.1. ...

45
46 2. the applicant for licensure as a professional engineer shall be an
47 individual who holds a valid license to engage in the practice of engineering
48 issued to him/her by proper authority of a state, territory, or possession of the
49 United States, or the District of Columbia, based on requirements that do not
50 conflict with the provisions of the licensure law, and which were of a standard
51 not lower than that specified in the applicable licensure law in effect in
52 Louisiana at the time such license was issued, who is of good character and
53 reputation, who has submitted an application for licensure in accordance with
54 the requirements of R.S. 37:694, and if the state, territory, or possession, or
55 the District of Columbia, in which he/she is licensed will accept the licenses
56 issued by the board on a comity basis, and who was duly licensed as a
57 professional engineer by the board; or

58
59 3. effective until December 31, 2015, the applicant for licensure as a
60 professional engineer shall be an individual who holds a bachelor of science
61 degree in naval architecture and marine engineering, or in an equivalent
62 board-approved curriculum, from an accredited engineering curriculum of
63 four years or more approved by the board as being of satisfactory standing,
64 who is of good character and reputation, who has a verifiable record of twenty
65 years or more of progressive engineering experience in naval architecture and
66 marine engineering on engineering projects of a level and scope satisfactory to
67 the board, who was recommended for licensure by five personal references,
68 three of whom are professional engineers who have personal knowledge of
69 the applicant's engineering experience and character and ability, who has

1 submitted an application for licensure in accordance with the requirements of
2 R.S. 37:694, and who was duly licensed as a professional engineer by the
3 board; or
4

5 4. effective until December 31, 2015, the applicant for licensure as a
6 professional engineer shall be an individual who holds a master of science
7 degree in naval architecture and marine engineering, or in an equivalent
8 board-approved curriculum, or two bachelor of science degrees in related
9 engineering curricula, from an accredited engineering curriculum approved by
10 the board as being of satisfactory standing, who is of good character and
11 reputation, who has a verifiable record of fifteen years or more of progressive
12 engineering experience in naval architecture and marine engineering on
13 engineering projects of a level and scope satisfactory to the board, who was
14 recommended for licensure by five personal references, three of whom are
15 professional engineers who have personal knowledge of the applicant's
16 engineering experience and character and ability, who has submitted an
17 application for licensure in accordance with the requirements of R.S. 37:694,
18 and who was duly licensed as a professional engineer by the board; or
19

20 5. effective until December 31, 2015, the applicant for licensure as a
21 professional engineer shall be an individual who holds a doctor of philosophy
22 degree in naval architecture and marine engineering, or in an equivalent
23 board-approved curriculum, from an accredited engineering curriculum
24 approved by the board as being of satisfactory standing, who is of good
25 character and reputation, who has a verifiable record of ten years or more of
26 progressive engineering experience in naval architecture and marine
27 engineering on engineering projects of a level and scope satisfactory to the
28 board, who was recommended for licensure by five personal references, three
29 of whom are professional engineers who have personal knowledge of the
30 applicant's engineering experience and character and ability, who has
31 submitted an application for licensure in accordance with the requirements of
32 R.S. 37:694, and who was duly licensed as a professional engineer by the
33 board; or
34

35 6. effective until December 31, 2015, the applicant for licensure as a
36 professional engineer shall be an individual who has demonstrated long-
37 standing experience in naval architecture and marine engineering, who is of
38 good character and reputation, who has a verifiable record of thirty years or
39 more of progressive engineering experience in naval architecture and marine
40 engineering on engineering projects of a level and scope satisfactory to the
41 board, who was recommended for licensure by five personal references, three
42 of whom are professional engineers who have personal knowledge of the
43 applicant's engineering experience and character and ability, who has
44 submitted an application for licensure in accordance with the requirements of
45 R.S. 37:694, and who was duly licensed as a professional engineer by the
46 board.
47

48 **§1901. Disciplines**

49
50
51
52 B. Each individual licensed under R.S. 37:693(B)(5) and §903.A.3 through 6
53 shall be listed by the board as a professional engineer in the discipline of naval
54 architecture/marine engineering.
55

56 Mr. Williams returned to meeting at 11:05 a.m.

57
58 The Liaison and Law Review Committee made a motion to amend Rules 903, 905 and
59 909 and to enact Rule 911 relating to the new law on military-trained applicants and
60 military spouses.
61

62 The Board disapproved the motion made by Mr. Mustapha, seconded by Mr. Crosby,
63 with Mr. Mustapha for and Mr. Irving, Mr. Moore, Mr. Thompson, Dr. Bowie, Dr. Mattei,
64 Mr. Williams, Mr. Gammon, Mr. Crosby and Mr. Patterson against, to table the previous
65 Liaison and Law Review Committee motion.
66

67 The Board recessed at 11:55 a.m. and resumed at 12:45 p.m.
68

1 The Board approved the motion made by Mr. Mustapha, seconded by Mr. Williams,
2 with Mr. Mustapha Mr. Irving, Mr. Moore, Mr. Thompson, Dr. Bowie, Dr. Mattei, Mr.
3 Williams, Mr. Gammon and Mr. Crosby for and Mr. Thompson against, to table the
4 previous Liaison and Law Review Committee motion until the May 2013 Board
5 meeting.

6
7 Chairman Savoie charged the Liaison and Law Review Committee with recommending
8 the appropriate rule changes to (a) require applicants for the Fundamentals of
9 Engineering and Fundamentals of Surveying examinations to apply directly to NCEES
10 and (b) remove the Fundamentals of Engineering and Fundamentals of Surveying
11 examinations from Rule 1315(B) and (C).

12
13 At 1:30 p.m., the following representatives from LSPS, ACEC/L, LES and the Ad Hoc
14 Committee on Licensure Requirements for Professional Engineers entered the
15 meeting: Ms. Ronda Courville, Executive Director of LSPS; Mr. Dan Mobley, Executive
16 Director of ACEC/L; Ms. Brenda Gajan, Executive Director of LES; Mr. Alan Kraus, P.E.;
17 Mr. Jason Thornhill, P.E. and Ken McManis, Ph.D., P.E., P.L.S. Mr. Thornhill was the
18 spokesman for the committee and presented a report of the committee's work.

19
20 The Board recessed at 2:30 p.m. and resumed at 2:55 p.m. Ms. Courville, Mr. Mobley,
21 Ms. Gajan, Mr. Kraus, Mr. Thornhill, and Dr. McManis were not present.

22
23 Chairman Savoie appointed the following individuals to a new ad hoc committee to
24 review individual engineering curriculum courses in connection with determining
25 whether such courses can be used to satisfy the educational requirements for PLS
26 licensure: Mr. Tim Allen; Dr. McManis; Mr. Gammon; Mr. Mustapha and Dr. Bowie.

27 **Continuing Professional Development Committee**

28
29 The Board unanimously approved a motion made by the Continuing Professional
30 Development Committee to authorize the concept of allowing one PDH for each hour
31 of thesis credit for professors advising M.S. and Ph.D. students (up to a maximum of
32 ten PDHs per renewal period).

33
34 After discussion, Chairman Savoie charged the Liaison and Law Review Committee
35 with recommending the appropriate rule changes to allow CPD credit for college
36 professors who serve as thesis directors for M.S. and Ph.D. engineering students.

37
38 Mr. Landry and Mr. Moore exited the meeting at 4:00 p.m.

39 **Applications**

40 **New Applications**

41
42 The Board disapproved the motion made by Mr. Mustapha, seconded by Dr. Mattei,
43 with Mr. Mustapha, Mr. Thompson, Dr. Mattei and Mr. Crosby for and Mr. Gammon,
44 Mr. Williams, Dr. Bowie, Mr. Patterson and Mr. Irving against, to *approve* the
45 application of Mr. Joseph **Banach** for licensure as a professional engineer by comity.

46
47 The Board unanimously approved the motion made by Dr. Bowie, seconded by Mr.
48 Gammon, to *approve* the application of Mr. Joseph **Banach** for licensure as a
49 professional engineer by comity based on Act 276 of the 2012 Legislative Session
50 regarding military-trained applicants.

51 **Committee Reports (continued)**

52 **Finance Committee**

53
54 The Board unanimously approved the motion made by the Finance Committee to
55 accept the proposed 2013-14 budget as presented.

56
57 The Board approved the motion made by Mr. Patterson, seconded by Mr. Thompson,
58 with Mr. Irving, Mr. Thompson, Dr. Mattei, Mr. Williams, Mr. Gammon, Mr. Crosby, Dr.
59 Bowie and Mr. Patterson for and Mr. Mustapha against, to conduct Lexis/Nexis
60 criminal background checks on all applicants who divulge a criminal violation and
61 random Lexis/Nexis criminal background checks on 10% of all other applicants.

1 **Old/New Business**

2
3 Mr. Crosby, Mr. Thompson, Dr. Bowie and Ms. Hatton exited the meeting at 5:10 p.m.
4 and returned at 5:50 p.m.

5
6 The Board approved the motion made by Mr. Gammon, seconded by Mr. Crosby, with
7 Mr. Crosby, Mr. Williams, Mr. Gammon, Mr. Irving, Dr. Mattei and Dr. Bowie for and
8 Mr. Mustapha and Mr. Thompson against, to have the Education/Accreditation
9 Committee review the Board's current policy for applicants with foreign education
10 needing a credential evaluation.

11
12 Chairman Savoie charged the Enforcement Ad Hoc Committee with developing a
13 policy for Board review concerning the following issues for applicants who have prior
14 felony convictions:

- 15
16
- How long after a person has completed his/her sentence must they wait to
17 apply to the Board for licensure/certification?
 - Are there any particular felony convictions that would preclude someone from
18 ever becoming a licensee/intern? If so, does the Board want to list these and
19 is it legally permissible to list these?
20
21

22 **Committee Reports (continued)**

23
24 **Nominations and Awards Committee**

25
26 Chairman Savoie presented the following list of nominations for election of Board
27 officers for 2013-14:

28
29 Miles B. Williams, P.E. - 6 months as Chairman/6 months as Vice Chairman
30 James E. Bowie, Ph.D., P.E. - 6 months as Vice Chairman/6 months as Chairman
31 M. Ernest Gammon, P.L.S. - Treasurer
32 Theodore H. Thompson, P.E. - Secretary
33

34 **Closing Business**

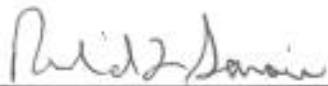
35
36 The Board unanimously approved the motion made by Dr. Mattei, seconded by Mr.
37 Gammon, to approve all committee recommendations and actions.

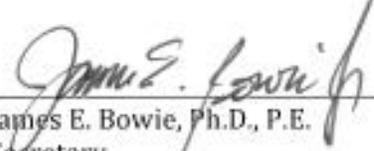
38
39 The Board unanimously approved the motion made by Dr. Mattei, seconded by Mr.
40 Thompson, to acknowledge and confirm all licenses and certificates issued by the
41 Board.

42
43 The Board unanimously approved the motion made by Dr. Mattei, seconded by Mr.
44 Thompson, to approve all Board expenses.

45
46 The Board unanimously approved the motion made by Dr. Mattei, seconded by Mr.
47 Crosby, to adjourn.

48
49 The meeting adjourned at 6:10 p.m. on Monday, November 19, 2012.
50

51
52
53 
54 _____
55 Richard L. Savoie, P.E.
56 Chairman

51
52
53 
54 _____
55 James E. Bowie, Ph.D., P.E.
56 Secretary