



**Board for Professional Engineers,
Land Surveyors, and Geologists**

**Meeting of the Board for Professional
Engineers, Land Surveyors, and
Geologists**

**June 5-6, 2014
9:00 a.m.**



Department of Consumer Affairs, HQ2
1747 N. Market Blvd., Emerald Room
Sacramento, CA 95834

TABLE OF CONTENTS

MEETING OF THE BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS

BOARD MEETING LOCATION

JUNE 5-6, 2014

DEPARTMENT OF CONSUMER AFFAIRS, HQ2
1747 N. MARKET BLVD., EMERALD ROOM
SACRAMENTO, CA 95834

BOARD MEMBERS

Board Members: Erik Zinn, President; Kathy Jones Irish, Vice President; Natalie Alavi; Asha Brooks; Diane Hamwi; Eric Johnson; Coby King; Philip Quartararo; Mohammad Qureshi; Hong Beom Rhee; Karen Roberts; Ray Satorre; Jerry Silva; Robert Stockton; and Patrick Tami

June 5, 2014

- | | |
|--|---|
| I. Roll Call to Establish a Quorum | 5 |
| II. Public Comment
NOTE: The Board cannot take action on items not on the agenda. The Board will also allow for Public Comment during the discussion of each item on the agenda. | 7 |
| III. Strategic Planning Session
NOTE: The Board will engage in a strategic planning session on Thursday, June 5, 2014, which is anticipated to take the full day. The Board will allow for public comment on the Strategic Planning at the end of the session. | 9 |

June 6, 2014

- | | |
|--|----|
| I. Roll Call to Establish a Quorum | 11 |
| II. Public Comment
NOTE: NOTE: The Board cannot take action on items not on the agenda. The Board will also allow for Public Comment during the discussion of each item on the agenda. | 13 |
| III. Closed Session – Personnel Matters, Examination Procedures and Results, Administrative Adjudication, and Pending Litigation (As Needed) [Pursuant to Government Code sections 11126(a) and (b), 11126(c)(1), 11126(c)(3), 11126 (e)(1), and 11126(e)(2)(B)(i)] | 15 |
| A. Civil Litigation | |
| 1. <u>Dennis William McCreary vs. Board for Professional Engineers, Land Surveyors, and Geologists, Sierra County Superior Court Case No. 7361</u> | |
| 2. <u>Thomas Lutge v. Board for Professional Engineers, Land Surveyors, and Geologists, Department of Consumer Affairs, Court of Appeal, Third Appellate District, Case No. C075779 (Sacramento Superior Court Case No. 34-2012-80001329-CU-WM-GDS)</u> | |
| 3. <u>Ruvyn Grutman v. Board for Professional Engineers, Land Surveyors, and Geologists, Los Angeles Superior Court Case No. BS145675</u> | |
| 4. <u>Ruvyn Grutman v. Board for Professional Engineers, Land Surveyors, and Geologists, Los Angeles Superior Court Case No. BS145796</u> | |

5. <u>Sassan Salehipour v. Board for Professional Engineers, Land Surveyors, and Geologists</u> , Los Angeles County Superior Court Case No. BS146185	
IV. Open Session to Announce the Results of Closed Session	17
V. Executive Officer's Report	19
A. Legislation	
1. Discussion of Legislation for 2014: AB 186; AB 1551 AB 1702; AB 1855; AB 2165; AB 2396; AB 2598; SB 1159; SB 1467 (Possible Action)	21
B. Strategic Plan	
C. Sunset Report (Possible Action)	
D. Personnel	
1. Staff Presentations	
E. Administrative Task Force	
VI. Enforcement	35
A. Enforcement Statistical Reports (Possible Action)	
VII. Exams/Licensing	53
A. Update on Spring 2014 Exams (Possible Action)	
B. Professional Geophysicist October 2013 Examination Results (Possible Action)	
C. Approval of Professional Geophysicist examination test plan (Possible Action)	55
D. Discussion on the use of NCEES's credentials evaluations service (Possible Action)	61
VIII. Approval of Delinquent Reinstatements (Possible Action)	67
IX. Administration	71
A. FY 2013/14 Budget Overview (Possible Action)	
B. Outreach (Possible Action)	
X. Technical Advisory Committees (TACs)	77
A. Board Assignments to TACs (Possible Action)	
B. Appointment of TAC Members (Possible Action)	
C. Reports from the TACs (Possible Action)	
1. Proposed LS TAC Workplan (Possible Action)	
XI. Liaison Reports	81
A. ASBOG (Possible Action)	
B. ABET (Possible Action)	
C. NCEES (Possible Action)	
D. Technical and Professional Societies (Possible Action)	
XII. President's Report/Board Member Activities	83
XIII. Approval of Consent Items (Possible Action)	85
(These items are before the Board for consent and will be approved with a single motion. Any item that a Board member wishes to discuss will be removed from the consent items and considered separately.)	
A. Approval of the Minutes of the April 24-25, 2014 Board Meeting	

XIV.	Nomination and Election of President and Vice President for Fiscal Year 2014-2015	97
XV.	Other Items Not Requiring Board Action	99
XVI.	Adjourn	101

I. ROLL CALL TO ESTABLISH A QUORUM

II. PUBLIC COMMENT

III. **STRATEGIC PLANNING SESSION**

I. ROLL CALL TO ESTABLISH A QUORUM

II. PUBLIC COMMENT

III.

CLOSED SESSION

A. Civil Litigation

1. Dennis William McCreary vs. Board for Professional Engineers, Land Surveyors, and Geologists, Sierra County Superior Court Case No. 7361
2. Thomas Lutge v. Board for Professional Engineers, Land Surveyors, and Geologists, Department of Consumer Affairs, Sacramento Superior Court Case No. 34-2012-80001329-CU-WM-GDS
3. Ruin Grutman v. Board for Professional Engineers, Land Surveyors, and Geologists, Los Angeles Superior Court Case No. BS145675
4. Ruin Grutman v. Board for Professional Engineers, Land Surveyors, and Geologists, Los Angeles Superior Court Case No. BS145796
5. Sassan Salehipour v. Board for Professional Engineers, Land Surveyors, and Geologists, Los Angeles County Superior Court Case No. BS146185

IV. OPEN SESSION

V. EXECUTIVE OFFICER'S REPORT

Board for Professional Engineers, Land Surveyors, and Geologists

2014 Legislative Session

- AB 186** Maienschein. Professions and vocations: military spouses: temporary licenses. This bill would authorize a board within DCA to issue a temporary license for 12 months to an applicant who meets certain requirements.
STATUS: Introduced 1/28/13. Last amended 6/24/13. Passed Assembly. Heard in SEN B.,P. & E.D. Committee 7/1/13 - testimony taken. Set to be heard on 6/9/14 in Senate Business, Professions, and Economic Development Committee.
BOARD POSITION: Oppose unless amended
- AB 1551** Holden. Professional engineers and land surveyors: documents. Would prohibit a person from using a licensed engineer's documents, without the written consent of the licensed engineer and prohibit a person from using a licensed land surveyor's maps, plats, reports, descriptions, or other documentary evidence without the written consent of the licensed land surveyor.
STATUS: Introduced 1/27/14. Failed deadline pursuant to Joint Rule 61(b) (5).
BOARD POSITION: Support if amended
- AB 1702** Maienschein. Professions and vocations: incarceration. This bill would provide an individual who has satisfied the requirements needed to obtain a license while incarcerated, who upon release from incarceration, shall not be subject to a delay in processing the application or a denial of the license solely based on the prior incarceration, except when the incarceration was for a crime substantially related to the qualifications, functions, or duties of the business or profession.
STATUS: Introduced 2/13/14. Passed through Assembly and ordered to the Senate on 5/15/14. Referred to Senate B., P., & E. D.
BOARD POSITION: Watch
- AB 1855** Melendez. Land surveying: field survey record. This bill would additionally include in the practice of land surveying principles the determination and position of an easement. This bill contains other related provisions and other existing laws.
STATUS: Introduced 2/19/14. Failed deadline pursuant to Joint Rule 61(b) (5).
BOARD POSITION: Oppose
- AB 2165** Patterson. Professions and vocations: licenses. Add section to general B. & P. code that would require each board within DCA to complete the application review process and to issue, within 45 days, a license to an applicant who successfully satisfied all licensure requirements. Also requires each board to offer each examination the board provides for licensure a minimum of 6 times per year.
STATUS: Introduced 2/20/14. Failed deadline pursuant to Joint Rule 61(b) (5).
BOARD POSITION: Watch

Board for Professional Engineers, Land Surveyors, and Geologists

- AB 2396** Bonta. Convictions: Expungement: licenses. This bill would prohibit boards within the Department of Consumer Affairs (DCA) from denying a professional license based solely on a criminal conviction that has been withdrawn, set aside or dismissed by the court. STATUS: Introduced 2/20/14. Passed through Assembly and ordered to the Senate on 5/23/14.
STAFF RECOMMENDATION: Oppose
BOARD POSITION:
- AB 2598** Hagman. Department of Consumer Affairs: Administrative Expenses. Would require the DCA to make a claim to the Controller each month against any of the funds of a board for that board's pro rata share of the department's estimated monthly administrative expenses. This bill would prohibit the Controller from paying the department for a board's pro rata share of total administrative expenses in an aggregate amount over 20% of a board's budget. STATUS: Introduced 2/21/14. Failed deadline pursuant to Joint Rule 61(b) (5).
BOARD POSITION: Watch
- SB 1467** Committee on Business, Professions, and Economic Development. Professions and vocations. This is one of the Committee's omnibus bills. Among other things it removes the "eight-hour" term from written examinations for comity applicants as it is no longer valid due to the change in our method of administering examinations. Also, removes petroleum geology qualifications as the Board does not have regulations to certify petroleum geologists. STATUS: Introduced 3/25/14. Passed through Senate and ordered to Assembly on 5/15/14.
BOARD POSITION: Support

Board for Professional Engineers, Land Surveyors, and Geologists
Bill Analysis
2014 Legislative Session

BILL: AB 186

AUTHOR: Maienshein
COAUTHOR: Hagman

TOPIC: Professions and vocations: military spouses

DATE OF INTRODUCTION: 1/28/13

MOST RECENT VERSION: 6/24/13

ANALYSIS DATE: 5/27/14

BILLS LEGISLATIVE HISTORY: Passed Assembly. Heard 7/1/13 in Senate Committee on Business, Professions, & Economic Development – testimony taken. Set to be heard on 6/9/14.

BOARD POSITION: Oppose unless amended

SUMMARY: Assembly Bill 186 seeks to authorize military spouses, who have moved here on active duty orders and who have a valid professional license in another state, to receive a 12 month temporary license in the same profession for which they are applying for licensure. The licensee applicant must provide sufficient evidence of being married to, or in a domestic partnership or legal union with, an active duty member of the United States Armed Forces. Also, the licensee applicant shall not have been disciplined by another licensing entity and shall confirm, in writing, that all application information is accurate.

HISTORY: According to Assembly member Maienshein's office, "A recent study by the California Research Bureau has found that California has approximately 72,500 military spouses residing in the state at any given time. It is estimated that over one third of these individuals are involved in a profession that requires some sort of licensing requirement." "According to the Department of Defense, military spouses are ten times more likely to have moved across state lines in the last year compared to their civilian counterparts." With the implementation of provisional licensing through AB 186, military spouses will be able to immediately look for employment to help support their families while taking all the necessary steps to apply and receive a license from the state.

In 2011/12, AB 1904 (Chapter 399, Statutes of 2012), introduced temporary licensure or provisional license for a spouse or domestic partner of an active duty member of the Armed Forces of the United States. AB 1904 was amended, and passed, to require boards within the Department of Consumer Affairs (DCA) to expedite the license process.

AB 186 reestablishes a temporary license, limited to 12 months, while the individual's application is processed for licensure. To receive a temporary license, the individual must have a clean criminal history and verify, in writing, that all application information is accurate. DCA has not taken a formal position regarding the current version.

COMMENT: Until January 1, 2014, the Board issued temporary authorizations for engineers, geologists, and geophysicists. However, it was not considered a license, only an authorization granted for a specific project, and was not to exceed a certain number of days. For engineers, authorization was granted for 180 days; for geologists and geophysicists, it was 60 days. Since 1995, the Board issued temporary authorizations to forty civil engineers. However, only one (1) was issued since December 2010. If the individual was granted a temporary authorization they were required to take the next administration of the California specific examination. Several individuals

Board for Professional Engineers, Land Surveyors, and Geologists
Bill Analysis
2014 Legislative Session

failed to pass the California-specific exam. The Board sponsored legislation to repeal “temporary authorizations”. Senate Bill (SB) 152 (Chapter 178, Statutes 2013) removed sections 6760, 7848, and 7848.1 from Business and Professions Code pertaining to temporary authorizations being issued to practice professional engineering, geology, or geophysics.

The Board provides comity licensure to all out-of-state individuals that meet the Board requirements. All applicants who’ve taken and passed a national exam shall receive a license if passage of a national exam is all that is required. If the Board has a California specific exam, like civil engineering, the individual must take and pass that exam prior to receiving licensure from the Board and also have the education, experience, and reference letters to meet licensing requirements. If the individual is not approved and requires additional qualifications the applicant may work under responsible charge of a California licensee until those requirements are met.

The Board’s concern when issuing a temporary license is public safety, specifically related to the practice of civil engineering. The Board cannot guarantee that the individual meets California competency levels for licensure until that individual passes the California-specific exams. Specifically, the applicant needs to demonstrate knowledge of seismic forces in the design of structures. Because California has distinctive geography experience and education is necessary before the applicant practices civil engineering proficiently. Allowing any individual to provide professional engineering, geology, or geophysics to a California consumer without proper qualifications and competency opens up California, the consumer, and the Board to potential problems.

It is unknown at this time how many active military licensees the Board has licensed as current systems do not track this information. Most likely this number is very low, if any at all, but to allow a temporary license especially for a civil engineer may be detrimental to consumer safety.

Currently, the author’s office has accepted the Board’s proposed amendments that require these applicants (military spouses) take and pass any California specific examination before being issued a temporary license. The amendments have not been placed in the bill since the amendments were taken in Committee and the bill was held in Committee – as a two year bill.

Board for Professional Engineers, Land Surveyors, and Geologists
Bill Analysis
2014 Legislative Session

BILL: AB 1551

AUTHOR: Holden

TOPIC: Professional engineers and land surveyors: documents

DATE OF INTRODUCTION: 1/27/14

MOST RECENT VERSION: 1/27/14

ANALYSIS DATE: 5/27/14

BILLS LEGISLATIVE HISTORY: Introduced 1/27/14. Failed deadline pursuant to Joint Rule 61(b) (5).

BOARD POSITION: Support only if amended

SUMMARY: Assembly Bill (AB) 1551 prohibits a person from using a licensed engineer's documents, without the written consent of the licensed engineer. The bill would also prohibit a person from using a licensed land surveyor's maps, plats, reports, descriptions, or other documentary evidence without the written consent of the licensed land surveyor. The bill would prohibit a licensed engineer or land surveyor from unreasonably withholding consent to use these documents.

HISTORY: In 2013/14, AB 630 (Chapter 453, Statutes 2013), was passed and prohibits a person from using an architect's instruments of service without a written contract authorizing that use and prohibits an architect from unreasonably withholding consent from the architect's client to use those instruments of service. According to the author's office, the "bill clarifies that a person or entity must have contractual authorization to use the work, or instruments of service, prepared by an architect. By clarifying existing law in plain English, the objective is to establish a clear law that can be used to avoid timely and costly arguments when an unauthorized user attempts to use the instruments of service prepared by an architect."

The American Institute of Architects, California Council (AIACC) sponsored AB 630 based on numerous firms reporting that persons have attempted to use architectural instruments without consent. The AIACC argues that "architects provide a service and not a product. The service cannot be bought and sold except by the architect, with the consent of the architect, or by the client if the architect has transferred ownership of the intellectual property to the client."

The American Council of Engineering Companies (ACEC) is sponsoring AB 1551. The intent of legislation, similar to AB 630, is to provide contractual protections for engineers and land surveyors and the documents, maps, and reports that they create.

COMMENT: AB 1551, as introduced, intends to remove ambiguity as to who is authorized to use engineering documents and land surveyors maps, plats, and reports. Contractual consent must be written into a contract that specifies ownership.

Business and Professions Code (BPC) Sections (§§§§) 6735(b), 6735.3(b), 6735.4(b), and 8761.2 all provide that a professional engineer or land surveyor is not responsible for subsequent changes that are made to his or her civil, electrical, or mechanical engineering or land surveying documents that are made without his or her knowledge, authorization, or approval.

Additionally, BPC §§ 6749 and 8759 describing written contracts between the licensed professional and the client requires multiple descriptions of services that can include the protection of

Board for Professional Engineers, Land Surveyors, and Geologists
Bill Analysis
2014 Legislative Session

documents, plans, and reports or transfer of ownership of those documents, plans, and reports. Also, California Code of Regulations (CCR) §§ 475 and 476 identify codes of professional conduct for professional engineers and land surveyors. More specifically, CCR §§ 475 (c) and 476 (c) defines representation and a licensee attributing “proper credit to others for their professional work” and not misappropriating “the professional work of others”.

AB 1551 seeks to provide additional protections to the licensed engineer or licensed land surveyor at the consumer’s expense. The language indicates that “no person shall use a licensed” engineers or land surveyors documents, maps, reports. This is too ambiguous and attempts to discipline the public, consumer, or fellow licensee. Also, the licensed professional “may reasonably withhold consent to use the documents for cause, including, but not limited to, lack of full payment for services provided or failure of the requesting person to fulfill his or her obligations under a written contract pertaining to the services.” The authority provided to the licensed professional regarding withholding consent is vague and offers an opportunity for unseemly professionals to restrict services to consumers and is not providing protection for consumers by its process.

This bill also includes provisions that state “the Legislature finds and declares that the provisions of this sections are declaratory of existing law and shall not be construed to limit or eliminate any right otherwise granted by law.” However, it is unclear what “existing law” this purports to be declaratory of. There are no provisions in the Professional Engineers Act and Professional Land Surveyors Act that address “ownership” of engineering and land surveying documents. This proposal appears to be an attempt to move copyright infringement claims or claims of failure of the client to pay for services rendered from the civil courts to the licensing/regulatory board.

This is not a consumer protection bill. AB 1551, as written, protects the licensed professional and unfairly favors the rights of the licensed professional when providing contracted services to the detriment of the consumer.

Board for Professional Engineers, Land Surveyors, and Geologists
Bill Analysis
2014 Legislative Session

BILL: AB 1702

AUTHOR: Maienschein

TOPIC: Professions and vocations: incarceration

DATE OF INTRODUCTION: 2/13/14

MOST RECENT VERSION: 4/23/14

ANALYSIS DATE: 5/27/14

BILLS LEGISLATIVE HISTORY: Introduced 2/13/14. Passed through Assembly and ordered to the Senate on 5/15/14. Referred to Senate Business, Professions, and Economic Development.

BOARD POSITION: Watch

SUMMARY: Assembly Bill (AB) 1702 would provide that an individual who has satisfied the requirements needed to obtain a license while incarcerated, and upon release from incarceration, shall not be subject to a delay in processing the application or a denial of the license solely based on the prior incarceration, except when the incarceration was for a crime substantially related to the qualifications, functions, or duties of the business of profession.

HISTORY: AB 1702, as introduced, intends to ensure offenders who have completed all necessary requirements to obtain a professional license are able to do so without being penalized for their prior crimes. The author's office reports that "recidivism is a major problem in California, where the recidivism rate has hovered near two-thirds. Studies show that many of these former inmates commit new crimes within the first year of release."

"Studies also show that programs that teach prisoners vocational skills are vital to their successful rehabilitation. If prisoners have the opportunity to support themselves upon release, they are far less likely to reoffend and threaten the quality of life of our communities."

COMMENT: As written this bill most likely does not impact this Board. Business and Professions Code Sections 6751, 7841, and 8742 all deal with qualifying experience necessary to receive a license as a professional engineer, land surveyor, or geologist. AB 1702 does not address how our applicants would be able to get the required qualifying experience while incarcerated. Additionally, bill language does not address how the individual would be able to perform engineering, surveying, geology, or geophysics under the responsible charge of a licensee while incarcerated.

Furthermore, California Code of Regulations section 418 defines criteria for rehabilitation "when considering the denial of an application" for certification, or licensure, or for authority to use a restricted title. The criteria defines eligibility for licensure based on the nature and severity of a crime, time elapsed since the crime was committed, compliance with the law in response to the crime, and evidence of rehabilitation. Both statute and regulation offers the Board appropriate authority to determine eligibility without extensive delays in processing an application.

As a result of the authority already present in our statute and regulations staff recommends a watch position.

Board for Professional Engineers, Land Surveyors, and Geologists
Bill Analysis
2014 Legislative Session

BILL: AB 1855

AUTHOR: Melendez

TOPIC: Land Surveying: field survey record

DATE OF INTRODUCTION: 2/19/14

MOST RECENT VERSION: 2/19/14

ANALYSIS DATE: 5/27/14

BILLS LEGISLATIVE HISTORY: Introduced 2/19/14. Failed deadline pursuant to Joint Rule 61(b) (5).

BOARD POSITION: Oppose

SUMMARY: Assembly Bill (AB) 1855 would additionally include in the practice of land surveying principles the determination and position of an easement. This bill would also require a land surveyor to file a record of field survey relating to an easement or if any easement are not shown on those maps or records of survey.

HISTORY: In 1998, the Department of Consumer Affairs (DCA) Legal Office issued an opinion in response to a request from a licensee regarding monumentation of an easement and record of survey filing requirements. The opinion was issued based on concerns regarding the act of a land surveyor monumenting an easement and if that action would require the mandatory filing of Record of Survey. The conclusion was that "monumentation of an easement does not require the filing of Record of Survey". This decision was based on statutory language existing in Business and Professions Code (BPC) Sections (§§) 8726 and 8762 that define land surveying and records of survey.

In 2012, an additional inquiry was received seeking clarification and additional information regarding the requirement to file a Record of Survey in conjunction with the monumenting of easements. An opinion from a private attorney, included with that request, determined that a Record of Survey should be required when monumenting an easement. The opinion was based on determining that the Professional Land Surveyors Act "is meant to be read as a whole". By taking BPC § 8726 (c) and § 8762 as a whole, and taking into account the definition of "real property", it was concluded that the filing of a Record of Survey should be required when monumenting an easement. The DCA Legal Affairs Division disagreed with this opinion and stated that "legislative intent is to examine and scrutinize the actual words of the statute." In this manner, "the term "easement" is not specifically referenced in Section 8762," as it is when reading BPC § 8726 (c). "Consequently, if the Legislature intended to include the monumentation of an easement in the mandatory filing requirements of 8762, it would have employed that term as it did in defining the practice of land surveying in 8726."

COMMENT: Current statutory language requires the mandatory filing of a Record of Survey related to land boundaries or property lines when specific circumstances occur during the performance of or as a result of a field survey performed by the land surveyor. AB 1855, as written, will extend those same specific mandatory filing requirements when the land surveyor is performing a field survey relating to easements.

Historically, the act of physically "marking" the location of an easement in the field is often performed for the purposes of construction (i.e., a driveway for access, a private road, construction of a utility pipeline, construction of overhead power lines, etc.) and the "markers" set by the land surveyor are generally considered temporary in nature due to the fact that the physically constructed

Board for Professional Engineers, Land Surveyors, and Geologists
Bill Analysis
2014 Legislative Session

improvement (i.e., driveway, road, pipeline, utility poles, etc.) tends to memorialize the location of the easement rights and the temporary “markers” are usually disturbed or destroyed by the construction efforts. In addition, it is usually very rare for a land surveyor to perform a field survey related to easements without that same field survey also relating to the location of land boundaries or property lines due to the fact that the vast majority of easements are described in recorded title documents as beginning, ending, and/or coinciding with the location of known land boundaries or property lines.

Occasionally, during the design phase of new road, bridge, or abutment construction, temporary construction easements are negotiated and created for the purposes of allowing construction personnel access over privately owned lands to properly perform the construction tasks. These temporary construction easements are generally marked in the field and have time limits associated with their creation so the easements do not exist in perpetuity after the need for the temporary easement has become exhausted. This bill would require a permanent record of the location of the temporary easement when, 1) the easement agreement was typically recorded in the county offices, and 2) the temporary purpose for the easement has long become extinguished.

In California, ALTA surveys are required to be performed in accordance with national ALTA/ACSM Land Title Survey Standards (ALTA Survey) and normally required by lending institutions for most high value residential properties, commercial, and industrial properties whenever the real estate or loan transaction require funding that encumbers the property. The ALTA Survey standards currently require that all easements, recorded and/or observed, by the land surveyor performing the field survey be shown in accordance with the minimum requirements on the ALTA Survey map. There are times when the performance of an ALTA Survey triggers the mandatory filing of a Record of Survey in accordance with the BPC § 8762(b) simply due to the fact that an ALTA Survey is considered a “boundary survey” in California. If the ALTA Survey is for a property where the boundary survey does not trigger a mandatory filing of a Record of Survey, under current law, the locating of easements, within, across or benefiting the property on the ALTA survey map generally meets the lending institution needs and additionally showing the easements on a Record of Survey would not provide the owner, the lending institution, or the consumer additional benefit beyond the original purposes of a ALTA survey.

In summary, this bill would require the appropriately licensed professional to place permanent markers in situations where historically temporary markers are/were sufficient and require a permanent record to be filed in the county offices when those existing records have met the public’s needs for over 120 years in California. Inserting this bill into law would cause additional mandatory operating expenses for those licensed professionals that if required would undoubtedly be passed onto the consumer thereby increasing the costs associated with providing property line-related services to lending institutions, utility districts, state and local agencies, and ultimately, the consumers of California.

For these reasons, Staff recommends an oppose position.

Board for Professional Engineers, Land Surveyors, and Geologists
Bill Analysis
2014 Legislative Session

BILL: AB 2165

AUTHOR: Patterson

TOPIC: Professions and vocations: licenses

DATE OF INTRODUCTION: 2/20/14

MOST RECENT VERSION: 4/10/14

ANALYSIS DATE: 5/27/14

BILLS LEGISLATIVE HISTORY: Introduced 2/20/14. Failed deadline pursuant to Joint Rule 61(b) (5).

BOARD POSITION: Watch

SUMMARY: Assembly Bill (AB) 2165 would require each board with the Department of Consumer Affairs (DCA) to complete the application review process and to issue, within 45 days, a license to an applicant who successfully satisfied all licensure requirements. This bill also requires each board to offer each examination the board provides for licensure a minimum of 6 times per year, unless the Board uses a national examination.

HISTORY: AB 2165, as written, attempts to accelerate the application review process for all Boards of the DCA and issuance of a license. The problem is that there are extraordinary delays between graduation from accredited schools and issuance of a license. The author's office states that the board "must process the application and then authorize the applicant to test". In addition, other impediments include "taking the exam, waiting for exam results, and waiting for the license to finally be issued upon passage of the examination". The concern is that individuals remain unemployed in their chosen field for extended periods of time based on the administrative functions tied to processing and approval of an application for licensure. The author's office believes the solution is to shorten the processing time to issue a license to 45 days.

Additionally, this bill requires that boards provide examinations for testing a minimum of 6 times per year. This will offer more opportunities for an applicant to test and allow for expeditious response from the licensing board regarding the candidate's application for a license.

COMMENT: This Board's application review process requires a detailed evaluation of a candidate's education, experience, background, and references. California Code of Regulations section 470 identifies application response timeframes. The response times are based on the candidate passing the first available examination. "Within 60 calendar days after the filing of a complete application," the Board will determine if the candidate is eligible for licensure. A "complete application shall include a score for all parts of examination". The Board defines a complete application as one that includes exam results. Prior to receiving exam results the candidate's application is filed until exam results are released. Based on the analysis necessary to review an process and application for licensure, including requiring passage of an examination, it is improbable for the Board to meet the 45 day requirement.

Additionally, the majority of licenses issued by the Board require passage of both national and state specific examinations for licensure. Because the Board requires national examinations it is up to the discretion of the national council to determine the number of exams offered annually. The Board has control over the contract agreement to allow access to the exam, but does not have the authority to change the schedule of exams. It is not feasible that the Board can offer exams a minimum of 6 times per year. Based on the issues raised staff recommends opposing AB 2165.

Board for Professional Engineers, Land Surveyors, and Geologists
Bill Analysis
2014 Legislative Session

BILL: AB 2396

AUTHOR: Bonta

TOPIC: Convictions: expungement: licenses

DATE OF INTRODUCTION: 2/21/14

MOST RECENT VERSION: 5/15/14

ANALYSIS DATE: 5/27/14

BILLS LEGISLATIVE HISTORY: Introduced 2/21/14. Passed through Assembly and ordered to Senate on 5/23/14.

STAFF RECOMMENDATION: Watch

BOARD POSITION:

SUMMARY: Assembly Bill (AB) 2396 would prohibit boards within the Department of Consumer Affairs (DCA) from denying a professional license based solely on a criminal conviction that has been withdrawn, set aside or dismissed by the court.

HISTORY: This bill would prohibit boards and bureaus within DCA from denying a professional license based solely on a prior conviction that was dismissed by a court which determined that the individual completed all the terms of his or her sentence without committing any additional offenses. The author's aim is to alleviate barriers to employment after incarceration. This bill is sponsored by the Alameda County Board of Supervisors.

The Author's office reports that "According to a 2007 report prepared by the Board of Barbering and Cosmetology, of the 501 applicants denied by the Board over the preceding five years, all 501 applicants possessed criminal records. Only 33 applicants were determined to have produced evidence of rehabilitation. AB 2396 will eliminate this fundamental unfairness within the law. In addition, this bill will help address the shortage of qualified labor in many fields, increase employment in those fields, and spur economic growth."

COMMENT: Professional boards have great discretion when determining whether to deny a license. Existing law authorizes each board to deny a professional license based on an applicant's past conviction, "act involving dishonest, fraud, or deceit," or other act that could subject a licensee to license suspension or revocation, if that conviction or act is "substantially related" to the qualifications, functions, or duties of the business or profession for which application is made. In addition to general Business and Professions Code Section 480, 16 CCR 416 and 3060 define the substantial relationship for such crimes and acts. Additionally, 16 CCR 418 and 3061 describe the criteria for rehabilitation that the Board must consider when denying an application. Regulatory language is meant to provide direction when considering between types of convictions or types of dishonest acts, and determine that these convictions could be cause for denial of a license. It is up to each board to determine what they consider as criteria for license denial or rehabilitation. AB 2396 attempts to remove some of that authority. The Board reviews applications on a case by case basis to determine if the applicant has successfully rehabilitated and can pursue licensure. Accordingly, the licensing board needs to be able to determine if someone is sufficiently rehabilitated to protect the public health, safety, and welfare if given a license to practice a profession. Therefore, Board staff recommends and oppose position on AB 2396.

Board for Professional Engineers, Land Surveyors, and Geologists
Bill Analysis
2014 Legislative Session

BILL: AB 2598

AUTHOR: Hagman

TOPIC: Department of Consumer Affairs: Administrative Expenses

DATE OF INTRODUCTION: 2/21/14

MOST RECENT VERSION: 2/21/14

ANALYSIS DATE: 5/27/14

BILLS LEGISLATIVE HISTORY: Introduced 2/21/14. Failed deadline pursuant to Joint Rule 61(b) (5).

BOARD POSITION: Watch

SUMMARY: Assembly Bill (AB) 2598 would require the Department of Consumer Affairs (DCA) to make a claim to the Controller each month against any of the funds of a board, based on filled positions, for that board's pro-rata share of the department's estimated monthly administrative expenses. This bill would prohibit the Controller from paying the department for a board's pro-rata share of total administrative expenses in an aggregate amount over 20% of a board's budget.

HISTORY: Pro Rata as defined by the Department of Finance "is the recovery of administrative costs from special and non-governmental cost funds. The State of California provides certain services (central administrative agencies), such as, accounting, computing, payroll services, banking, etc., to operating agencies (departments) on a centralized basis. Pro Rata is a process that identifies these central service administrative costs and assigns them to benefited activities (functions) on a reasonable and consistent basis."

Pro Rata service costs are distributed by workload. Each central service agency submits their past year actual workload and expenditures and estimated budget year expenditures. Historically, costs are calculated by unit, normally authorized positions not filled positions, and multiplied by the workload of the benefiting department. Government Code sections 11010, 11270 through 11277, and 22883 and the State Administrative Manual section 8752 grant the authority to assess Pro Rata.

AB 2598, as written, intends to cap increased Pro Rata charges that in some cases have reached 40% of a programs budget. Additionally, language proposes to base charges on filled positions and not the number of positions authorized in the Governor's Budget.

COMMENT: Over the past five years, the Engineers and Land Surveyors fund has contributed, on average, 15% of its annual program expenditures to support central and departmental administrative services. The Geology and Geophysics account has contributed 28% over that same time period. The debate surrounding legislative intent is if central administrative service costs are the concern or departmental administrative service costs. Taken as a whole the Geology and Geophysics account over expends for Pro Rata annually. Taken separately the Geology and Geophysics account contributes 23% to departmental administrative service costs and the remainder goes towards central administrative services. At this time, Board staff is seeking further clarification with regard to legislative intent, the definition of Pro Rata, and the effects on smaller boards and bureaus that historically carry increased Pro Rata expenses. Board staff recommends a watch position until further information is received.

Board for Professional Engineers, Land Surveyors, and Geologists
Bill Analysis
2014 Legislative Session

BILL: SB 1467

AUTHOR: Committee on Business, Professions and Economic Development

TOPIC: Professions and vocations

DATE OF INTRODUCTION: 3/25/14

MOST RECENT VERSION: 5/1/14

ANALYSIS DATE: 5/27/14

BILLS LEGISLATIVE HISTORY: Introduced 3/25/14. Passed through Senate and ordered to Assembly on 5/15/14.

BOARD POSITION: Support

SUMMARY: Senate Bill (SB) 1467 is one of the Committee's omnibus bills. Among other things it removes the "eight-hour" term from written examinations for comity applicants as it is no longer valid due to the change in our method of administering examinations. Also, the bill removes petroleum geology qualifications as the Board does not have regulations to certify petroleum geologists.

COMMENT: The Board is sponsoring legislation to amend Section 6759 of the Professional Engineers Act (Business and Professions Code section 6700, et seq.) to remove language identifying "eight-hour" as a requirement of the written examination required for comity applicants seeking licensure in California. We are proposing to remove the "eight-hour" term from statute as it is an arbitrary term that is based on written exams rather than current computer based testing.

Also, the Board is seeking to amend Section 7842 of the Geologist and Geophysicist Act (Business and Professions Code section 7800, et seq.) to remove language providing for the qualifications for a certification in Petroleum Geology because the Board does not issue a certification in Petroleum Geology. This amendment would only remove language that provides for the qualifications for certification in Petroleum Geology. A Professional Geologist's license authorizes a licensee to perform petroleum geology.

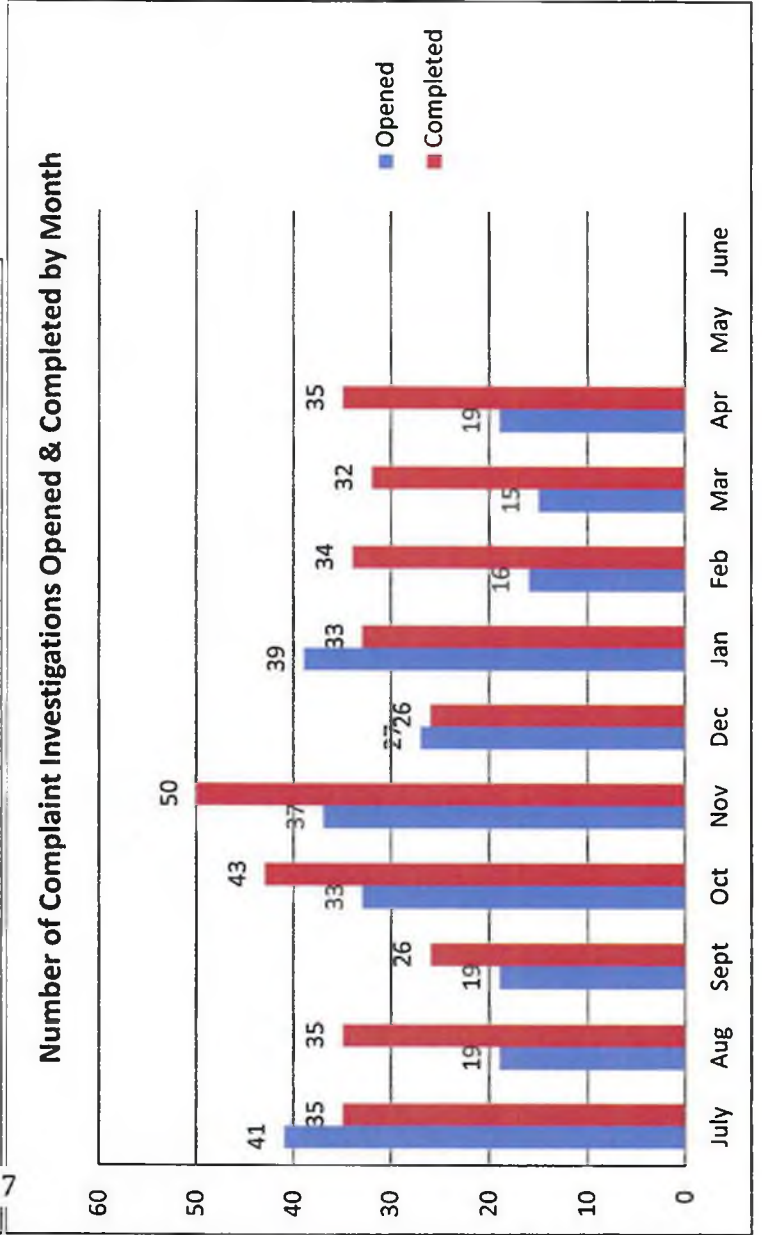
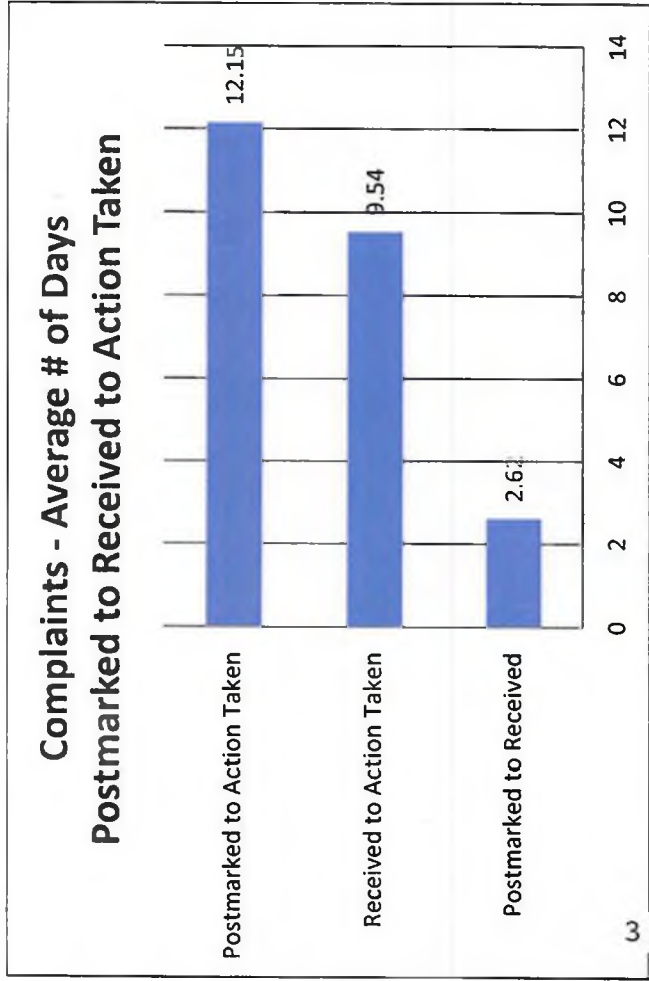
Board staff recommends a support position.

VI. ENFORCEMENT



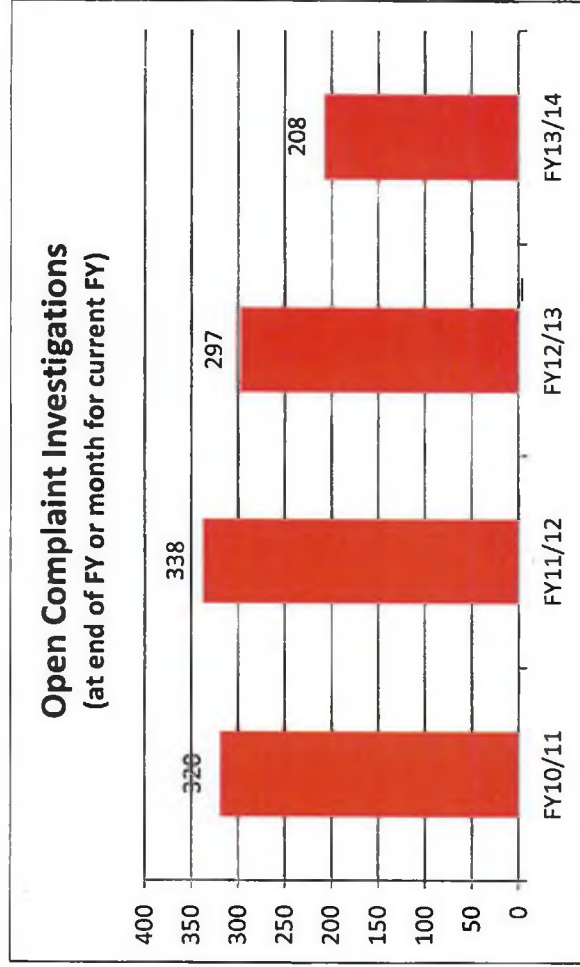
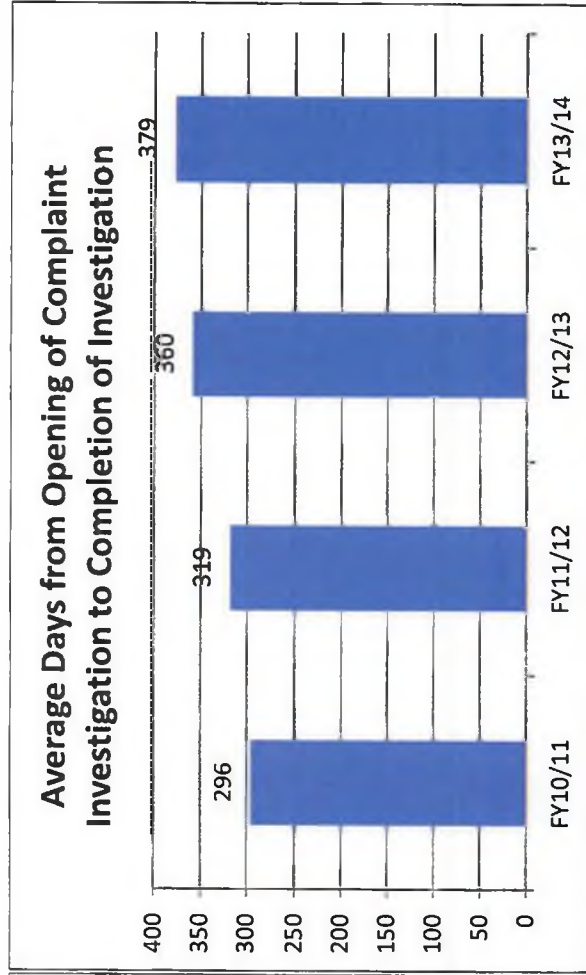
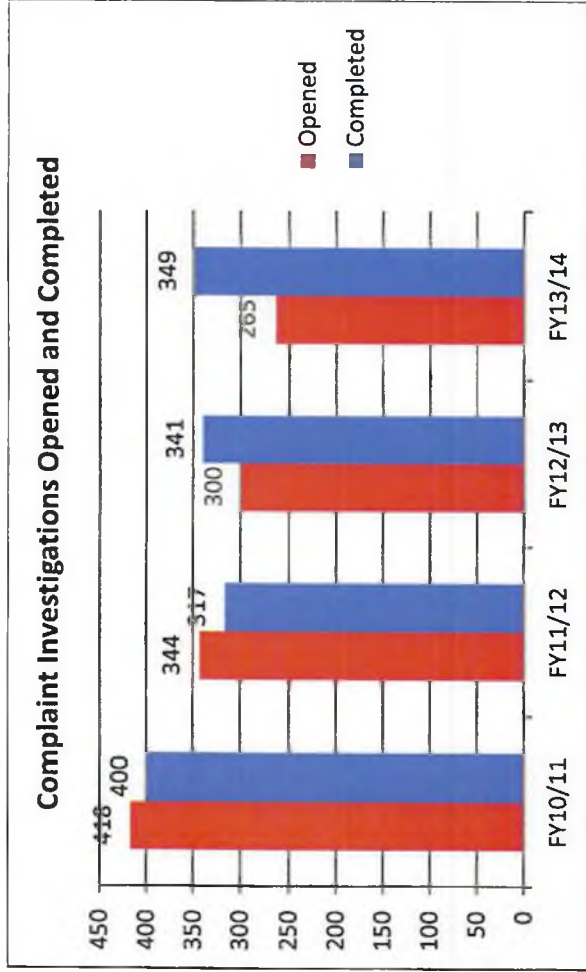
PELS ENFORCEMENT PROGRAM

Complaint Investigation Phase



PELS ENFORCEMENT PROGRAM

Complaint Investigation Phase

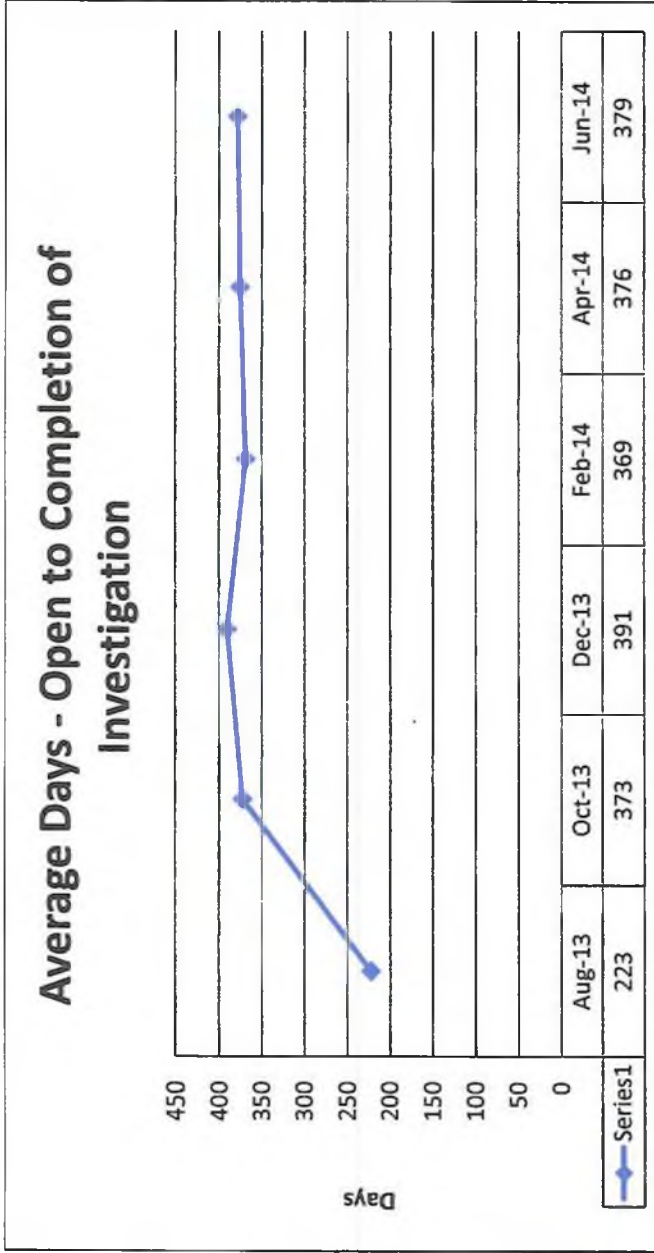


NOTE: FY13/14 statistics are through April 30, 2014

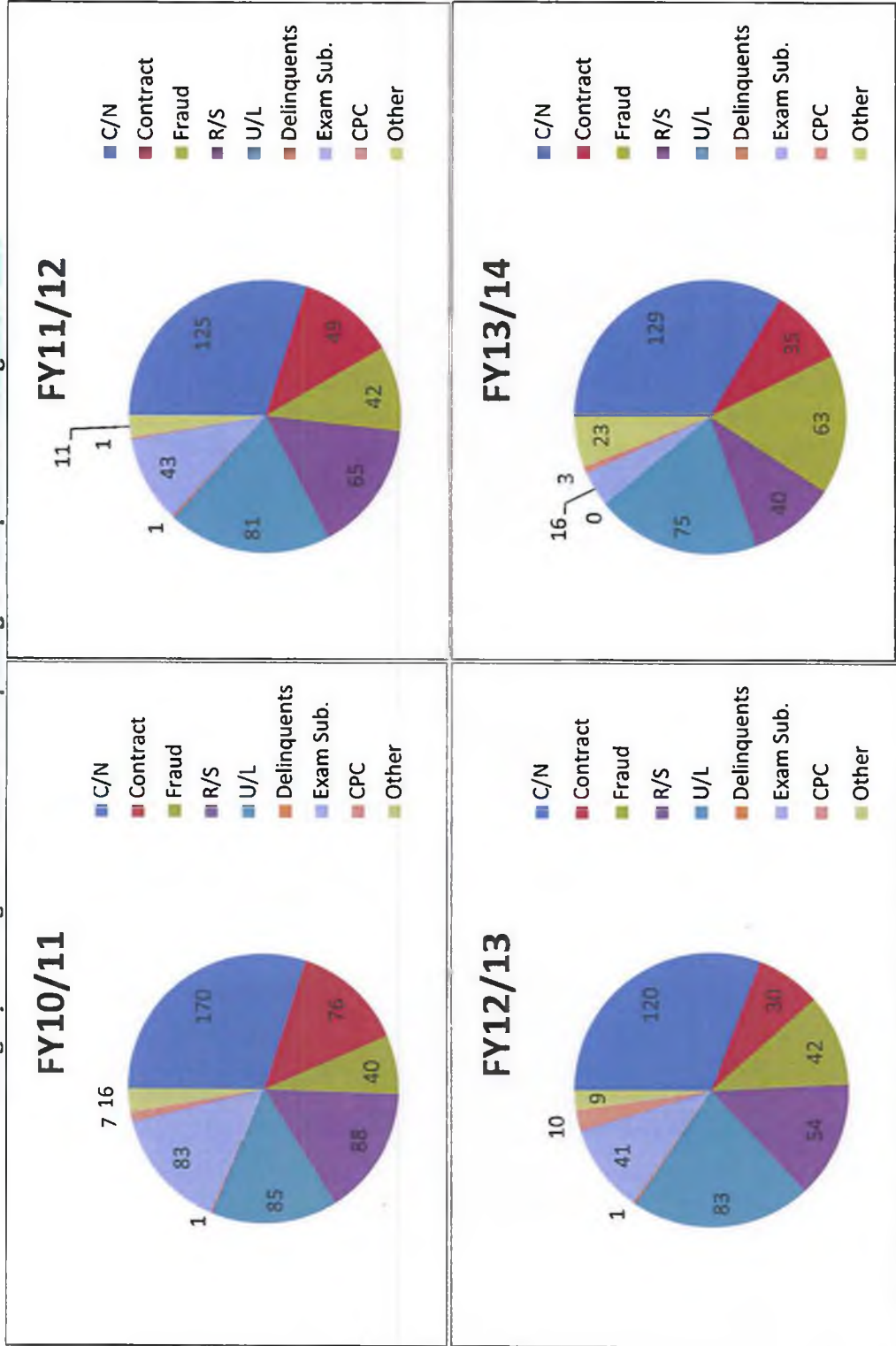
PELS ENFORCEMENT PROGRAM

Complaint Investigation Phase

Percentage Change of Aging Based on Board Meeting Dates



PELS ENFORCEMENT PROGRAM
Category of Alleged Violations at Opening of Complaint Investigation Case



NOTE: FY13/14 statistics are through April 30, 2014

NOTE: May total more than the number of complaint investigation cases opened since cases may involve more than one category

C/N = Competence/Negligence

Contract = Contractual Issues (breach of contract, failure to execute written contract, failure to include all required elements in written contract)

Fraud = Fraud/Deceit/Misrepresentation; Aiding and abetting; Criminal conviction

R/S = Failure to file; Failure to resubmit; Monumentation

U/L = Unlicensed Activity

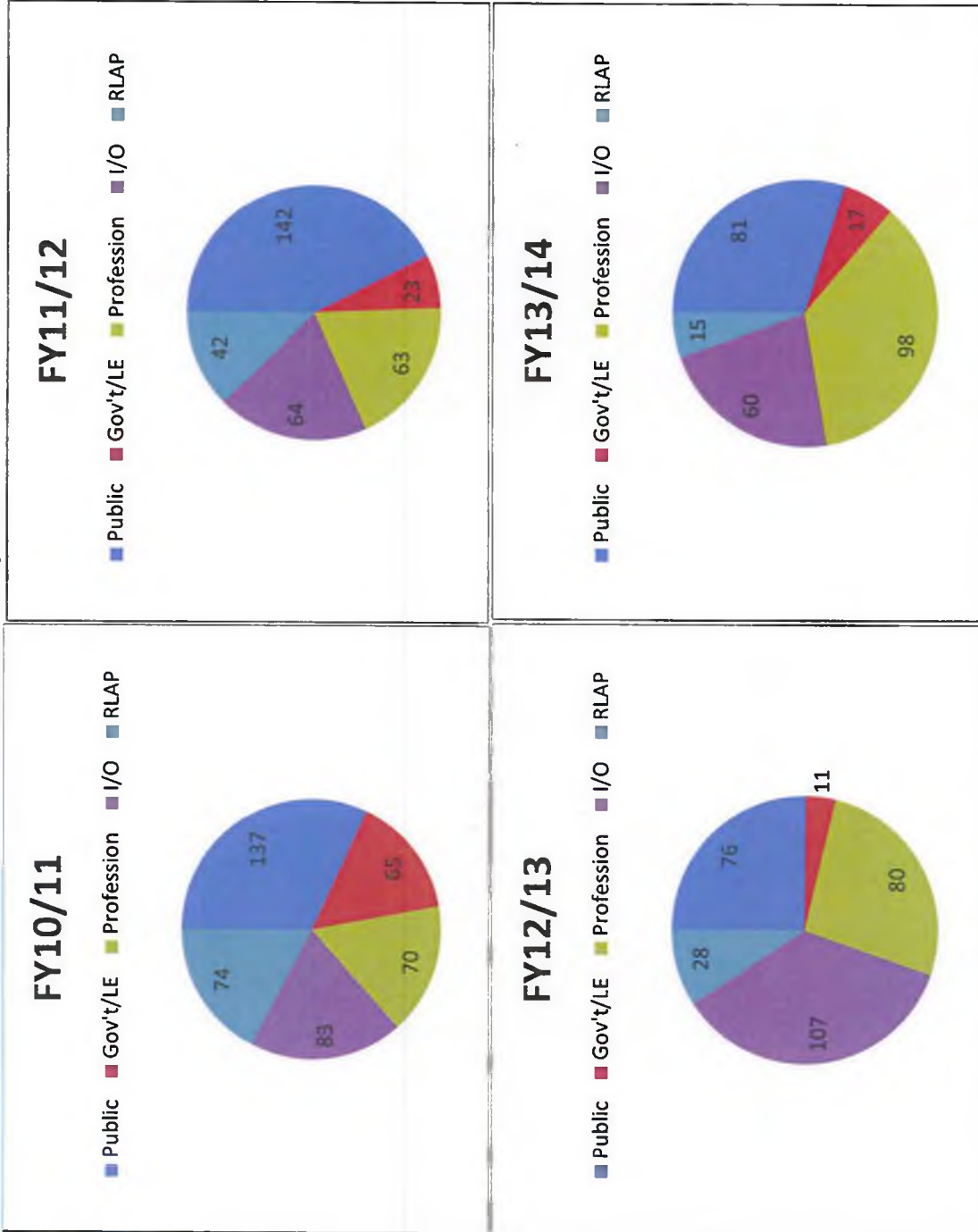
Delinquents = Delinquent Reinstatement applicants

Exam Sub. = Exam subversion (includes those removed from exams and collusion analyses)

CPC = Code of Professional Conduct (16 CCR §§ 475 & 476)

Other = Anything not covered above (i.e., failure to sign/seal; failure to file OR)

PELS ENFORCEMENT PROGRAM
Source of Complaint



NOTE: FY13/14 statistics are through April 30, 2014

NOTE: May total more than the number of complaint investigation cases opened since cases may involve more than one source
Public = Consumers, individuals not licensed by BPELSG, attorneys, etc.

Gov't/LE = Government Agency or Law Enforcement (includes federal, state, and local governmental entities, e.g. County Surveyor's Office, Building Dept.)

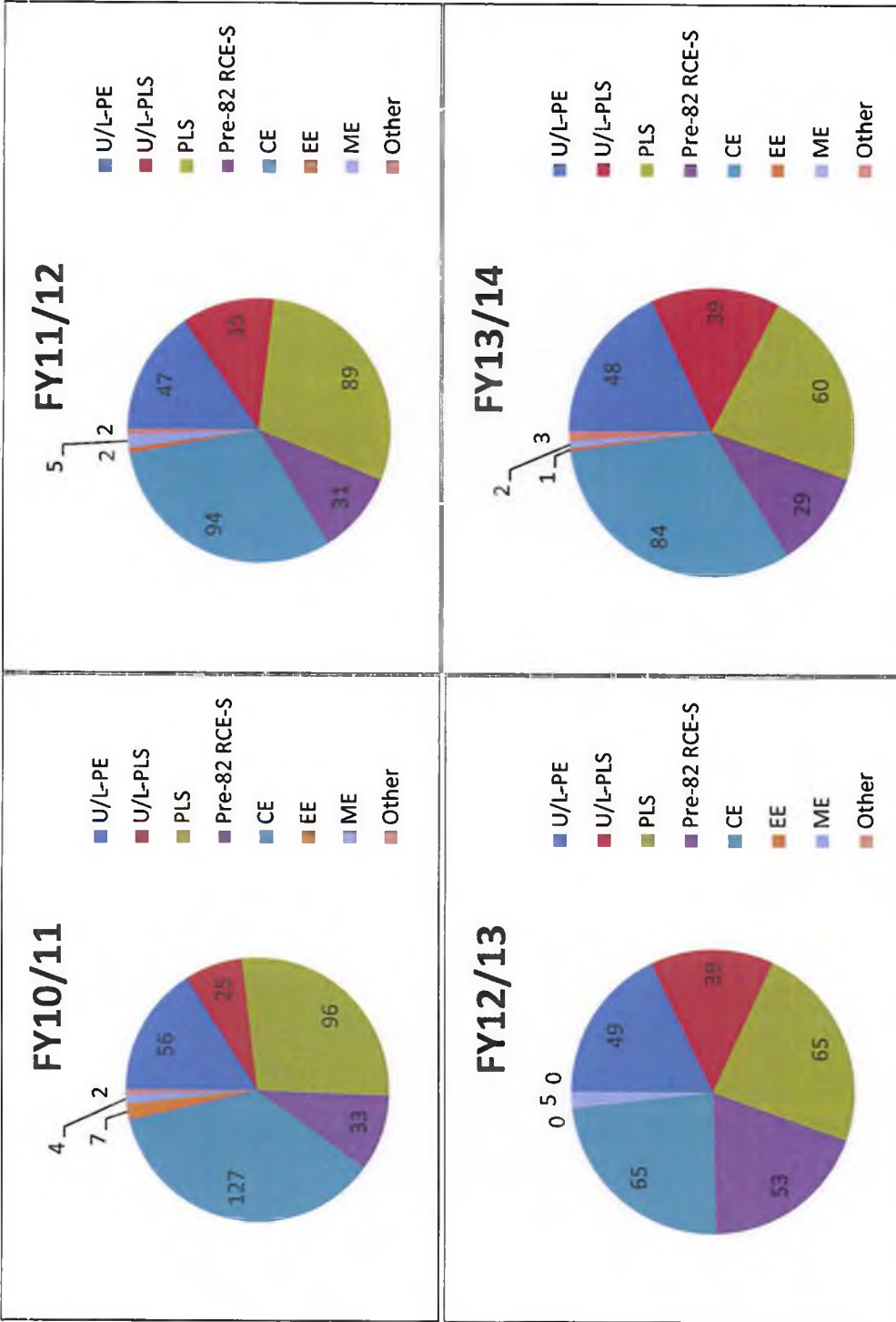
Profession = Licensees of BPELSG; also includes professional associations (such as the JPPC)

I/O = Internal/Other – no complainant (exam subversion), inquiries that result in the Enforcement Unit opening a case, anonymous

RLAP = Reporting of Legal Actions Program – cases opened as a result of receiving a report of a civil judgment, settlement, arbitration award, or conviction

PELS ENFORCEMENT PROGRAM

Area of Practice/Licensure of Subject



NOTE: FY13/14 statistics are through April 30, 2014

NOTE: May total more than the number of complaint investigation cases opened since cases may involve more than one area

U/L-PE = unlicensed activity relating to the practice of professional engineering

U/L-PLS = unlicensed activity relating to the practice of professional land surveying

PLS = allegations relating to the practice of land surveying by a Professional Land Surveyors

Pre-82 RCE-S = allegations relating to the practice of land surveying by a Pre-82 Civil Engineer

CE = allegations relating to the practice of civil engineering by a Civil Engineer

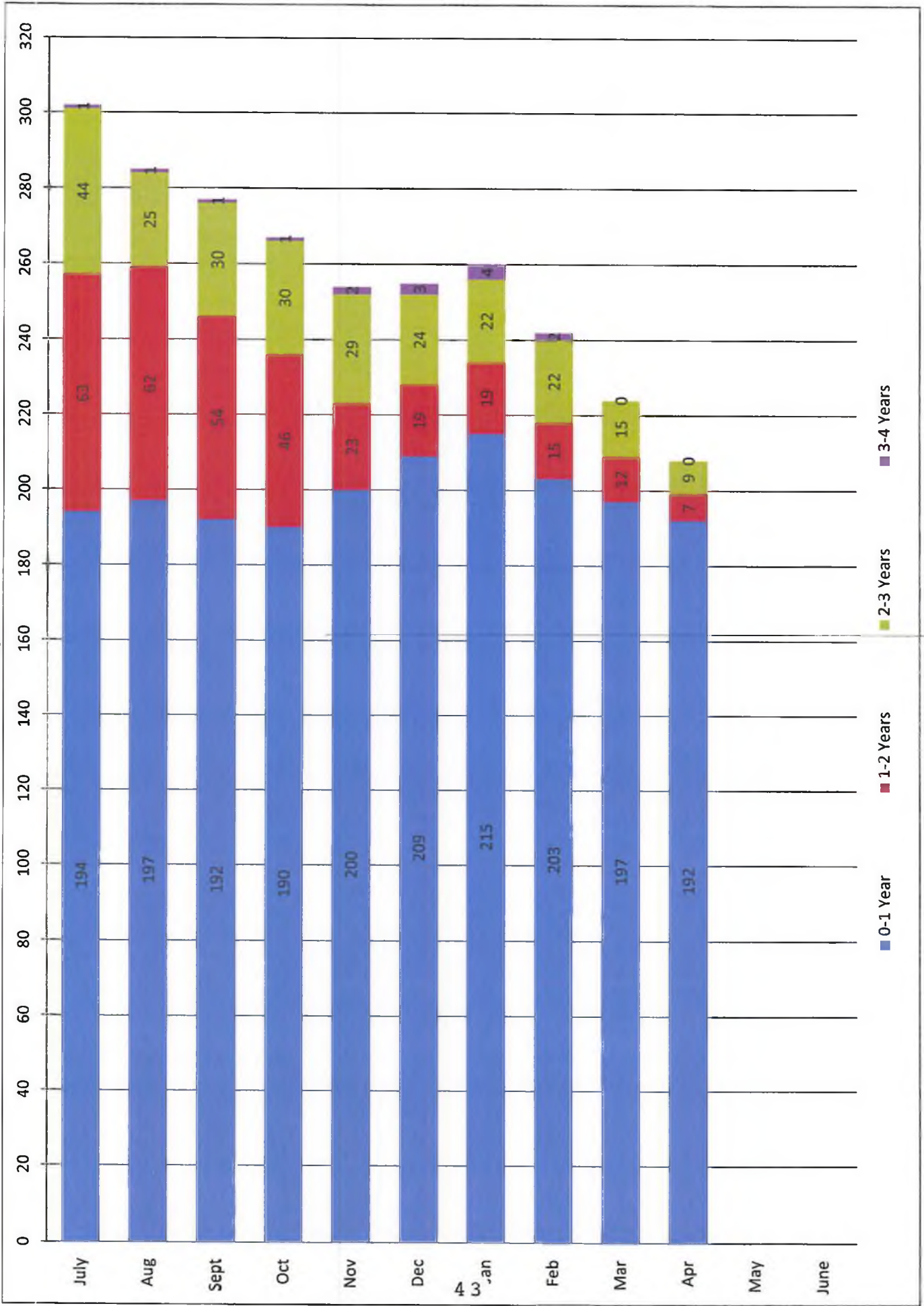
EE = allegations relating to the practice of electrical engineering by an Electrical Engineer

ME = allegations relating to the practice of mechanical engineering by a Mechanical Engineer

Other = allegations relating to the practice of any other discipline of engineering by a licensee in the specific discipline (i.e., traffic engineering by a Traffic Engineer)

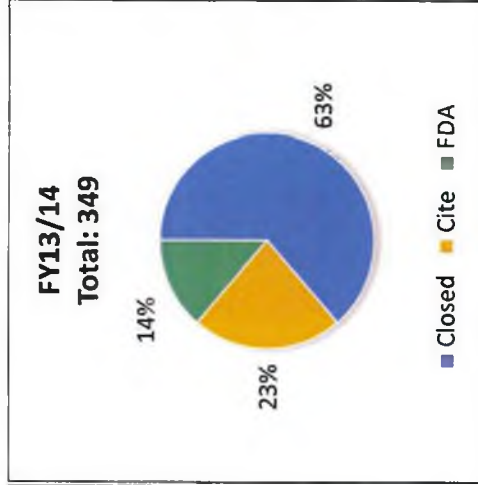
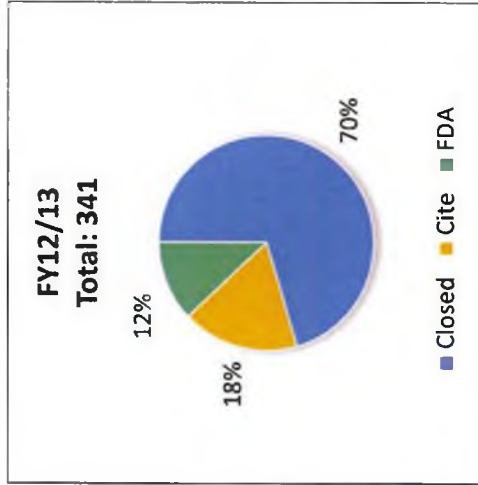
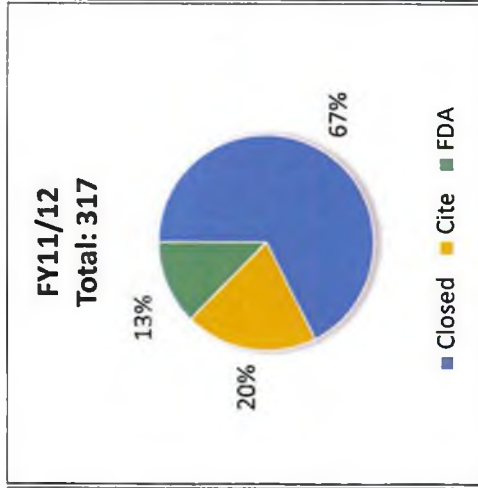
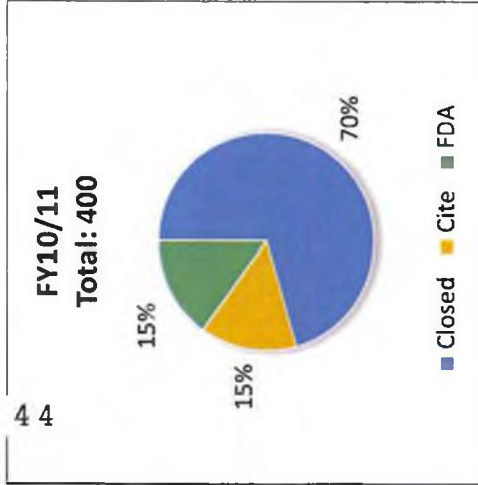
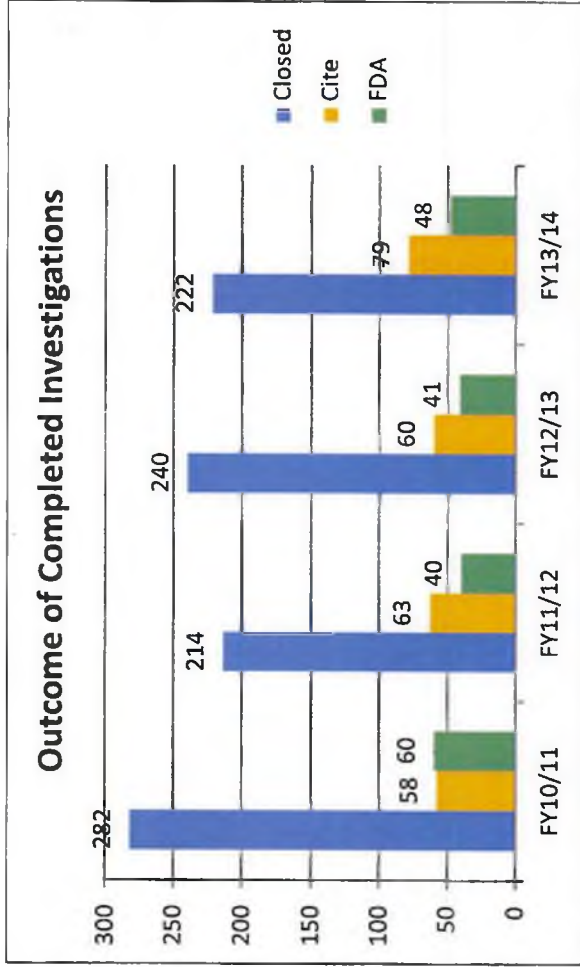
Aging of Open (Pending) Complaint Investigation Cases

FY13/14



PELS ENFORCEMENT PROGRAM

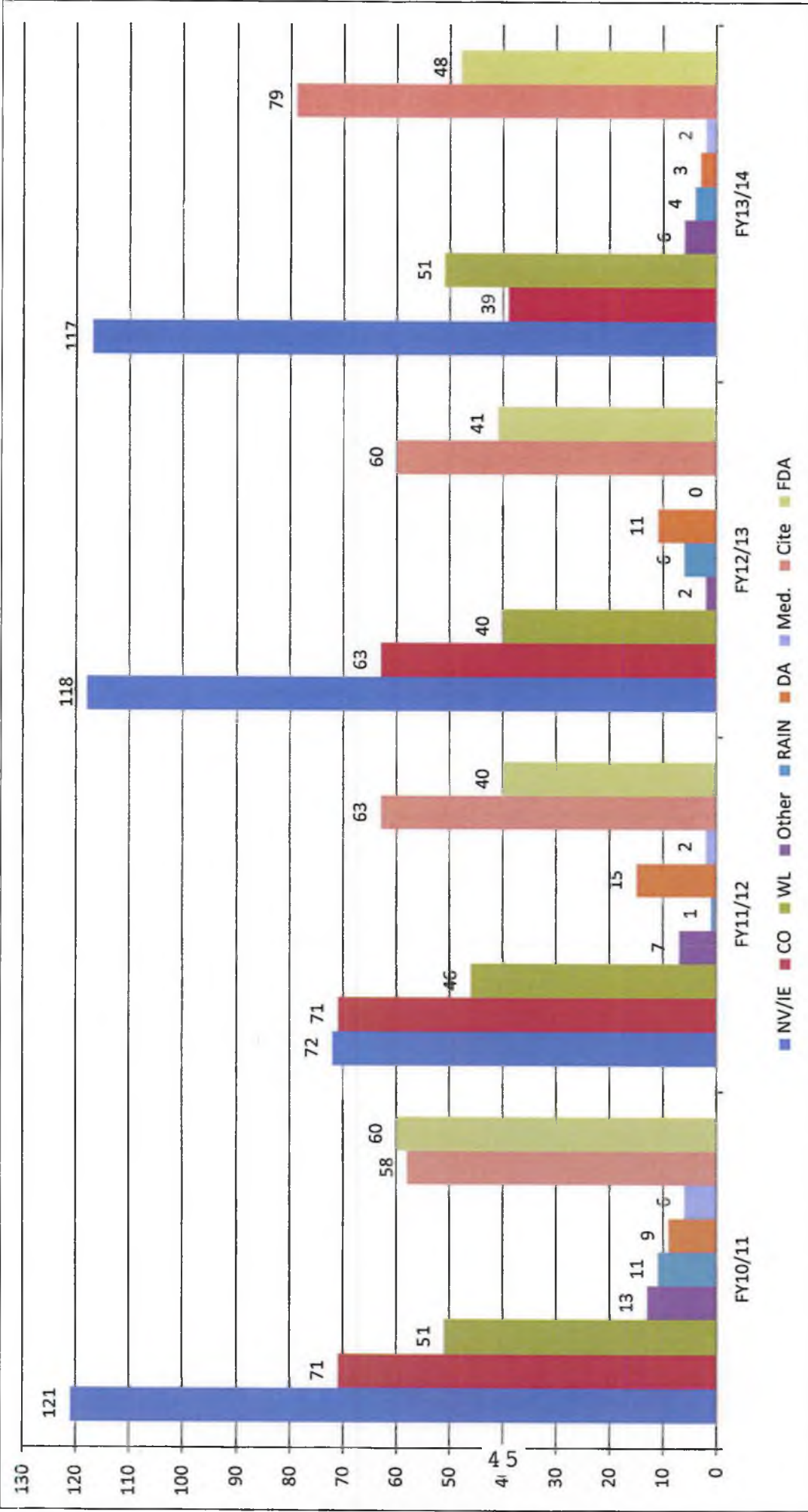
Outcome of Completed Investigations



NOTE: FY13/14 statistics are through April 30, 2014
 Closed = Closed with No Action Taken, includes the categories listed on the next page.
 Cite = Referred for Issuance of Citation
 FDA = Referred for Formal Disciplinary Action

PELS ENFORCEMENT PROGRAM

Outcome of Completed Investigations



NOTE: FY13/14 statistics are through April 30, 2014

Closed = Closed with No Action Taken, includes the categories listed below:

NV/IE = No Violation/insufficient Evidence

CO = Compliance Obtained

WL = Warning Letter

Other = Other Reason for Closing Without Action (e.g., subject deceased)

RAIN = Resolved After Initial Notification

DA = Referred to District Attorney with Request to File Criminal Charges

Med. = Mediated

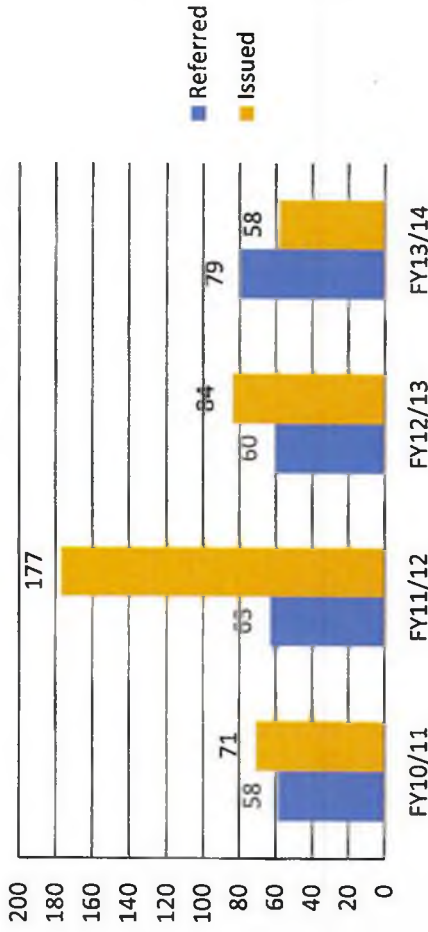
Cite = Referred for Issuance of Citation

FDA = Referred for Formal Disciplinary Action

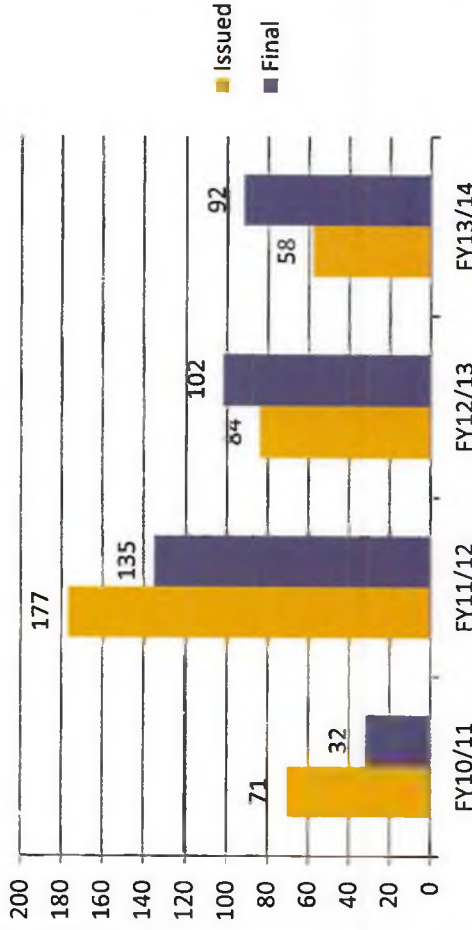
PELS ENFORCEMENT PROGRAM

Citations (Informal Enforcement Actions)

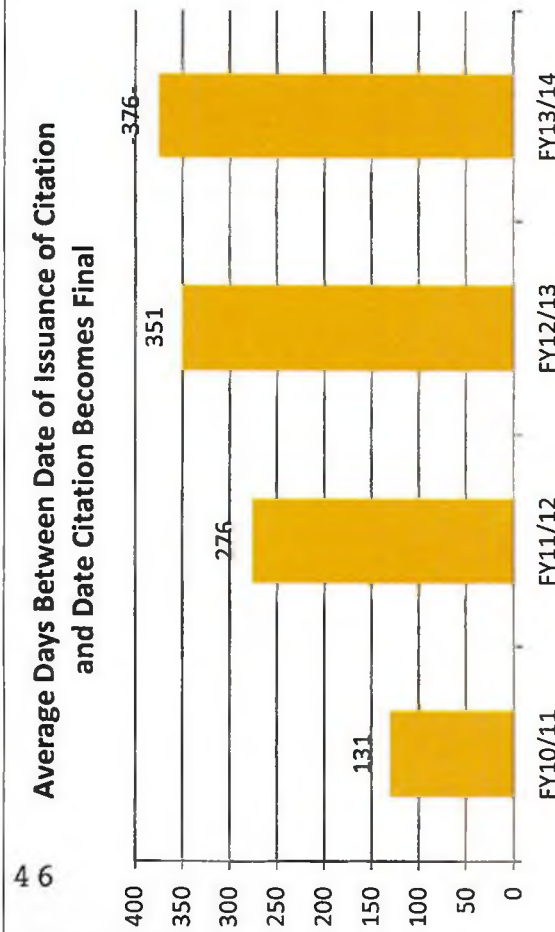
Number of Complaint Investigations Referred and Number of Citations Issued



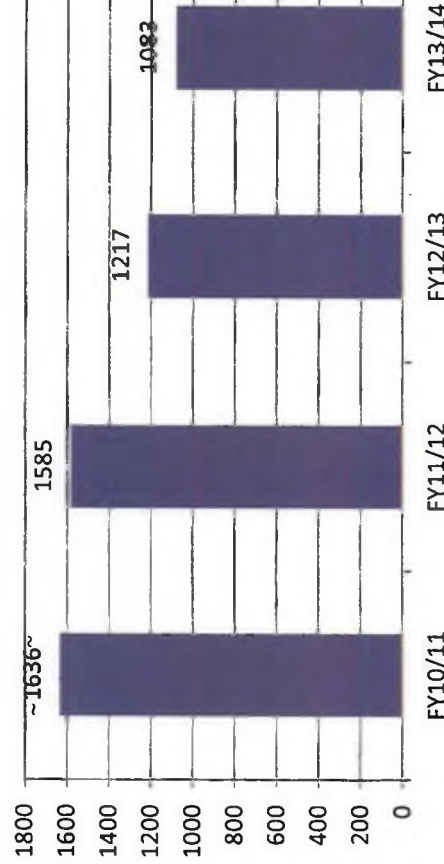
Number of Citations Issued and Final



Average Days Between Date of Issuance of Citation and Date Citation Becomes Final



Average Days from Opening of Complaint Investigation to Date Citation Becomes Final

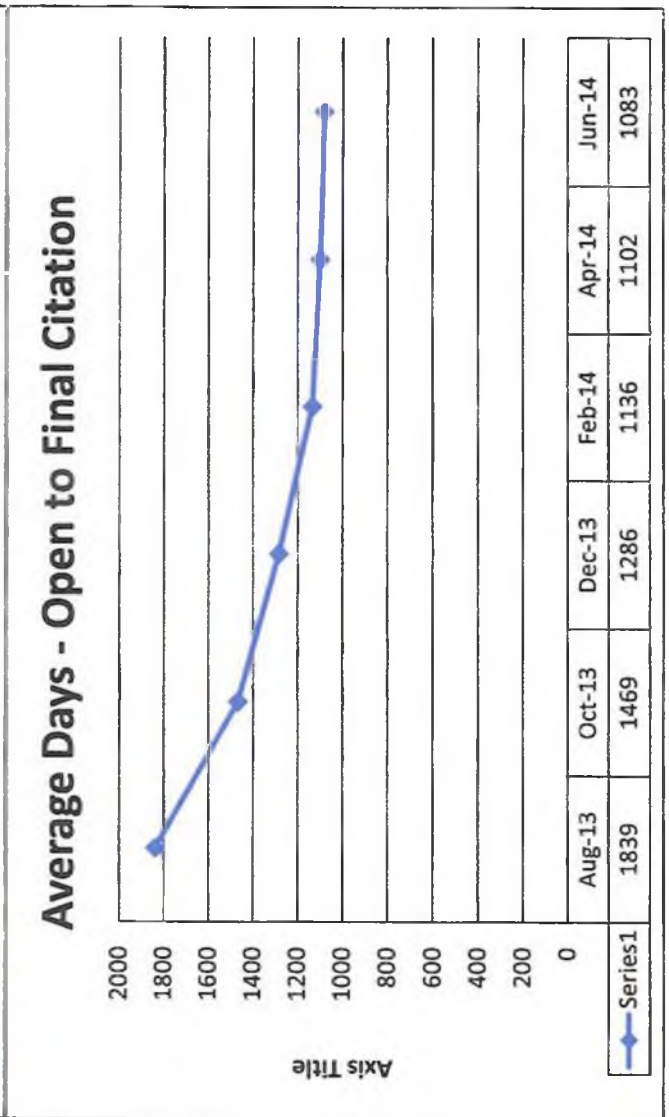
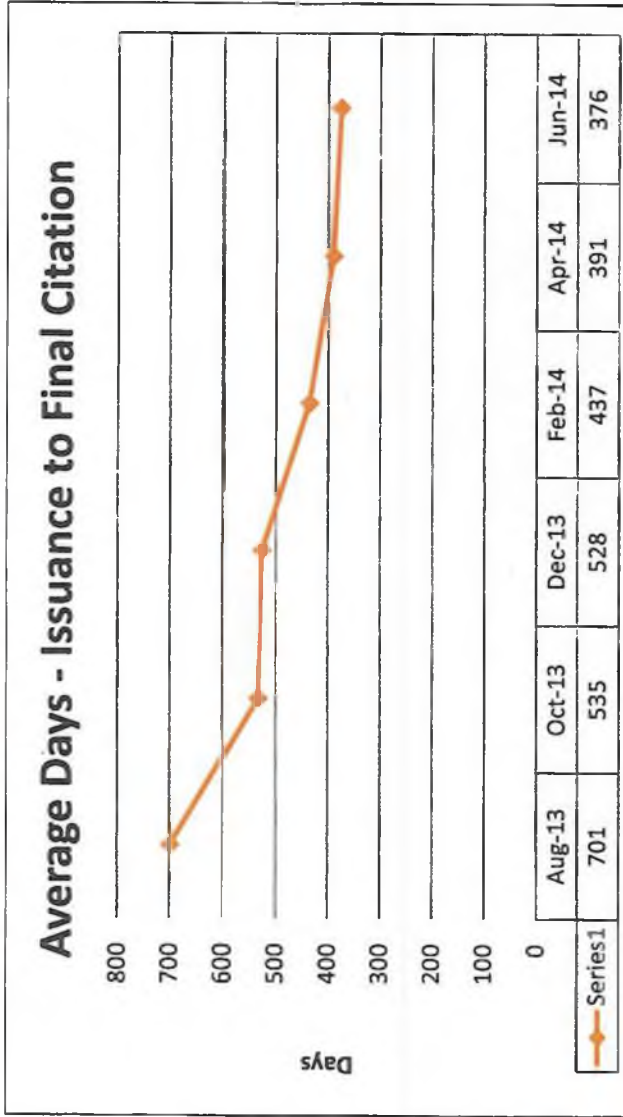


NOTE: FY13/14 statistics are through April 30, 2014

PELS ENFORCEMENT PROGRAM

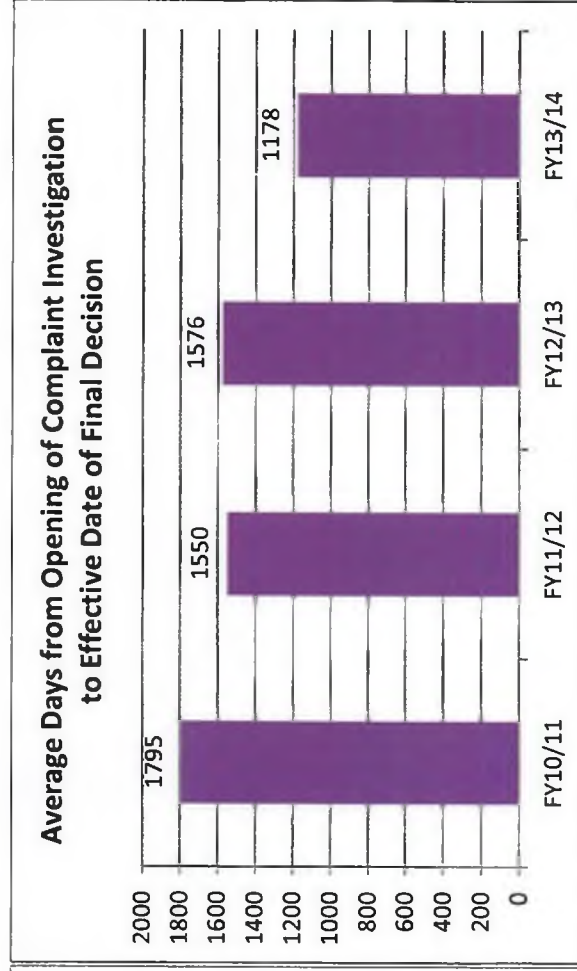
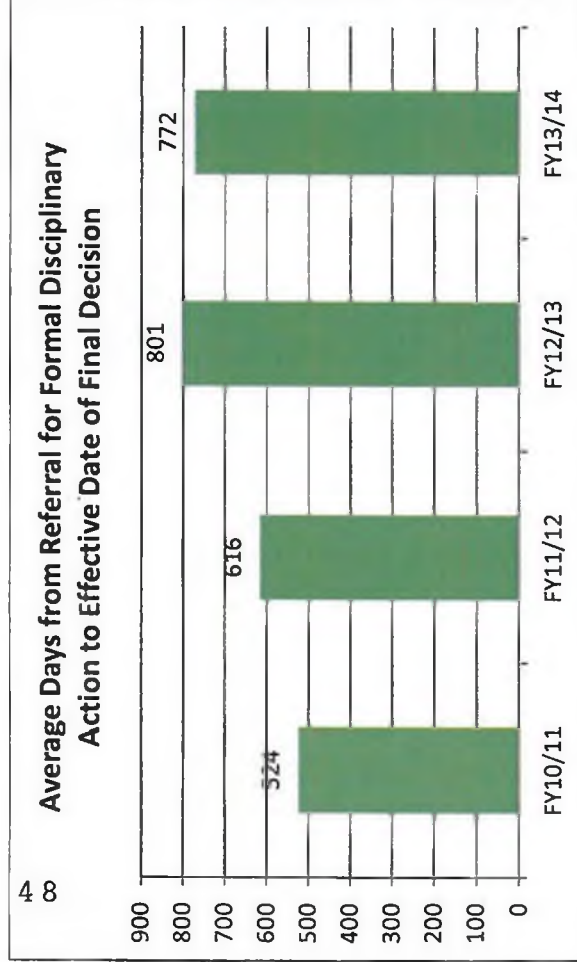
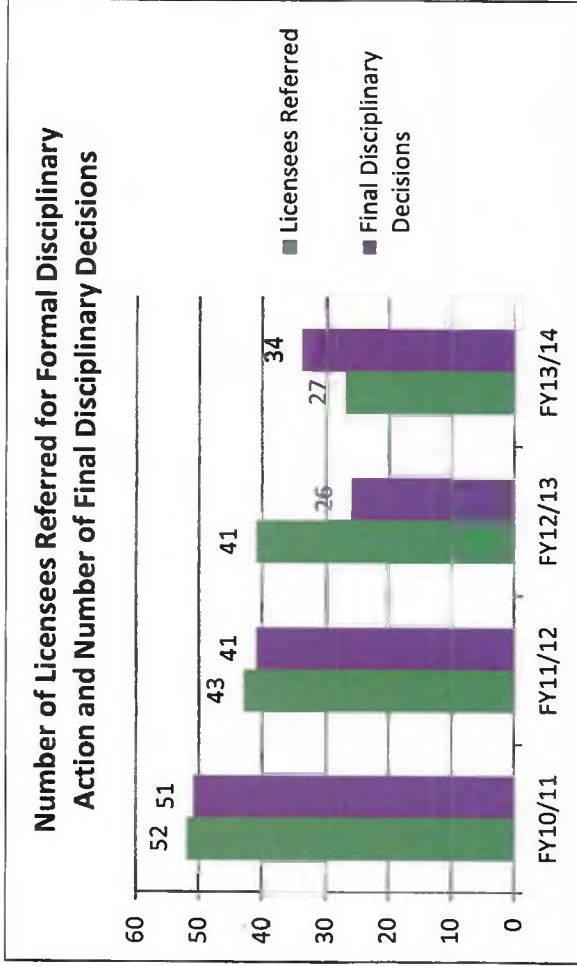
Citations (Informal Enforcement Actions)

Percentage Change of Aging Based on Board Meeting Dates



PELS ENFORCEMENT PROGRAM

Formal Disciplinary Actions Against Licensees

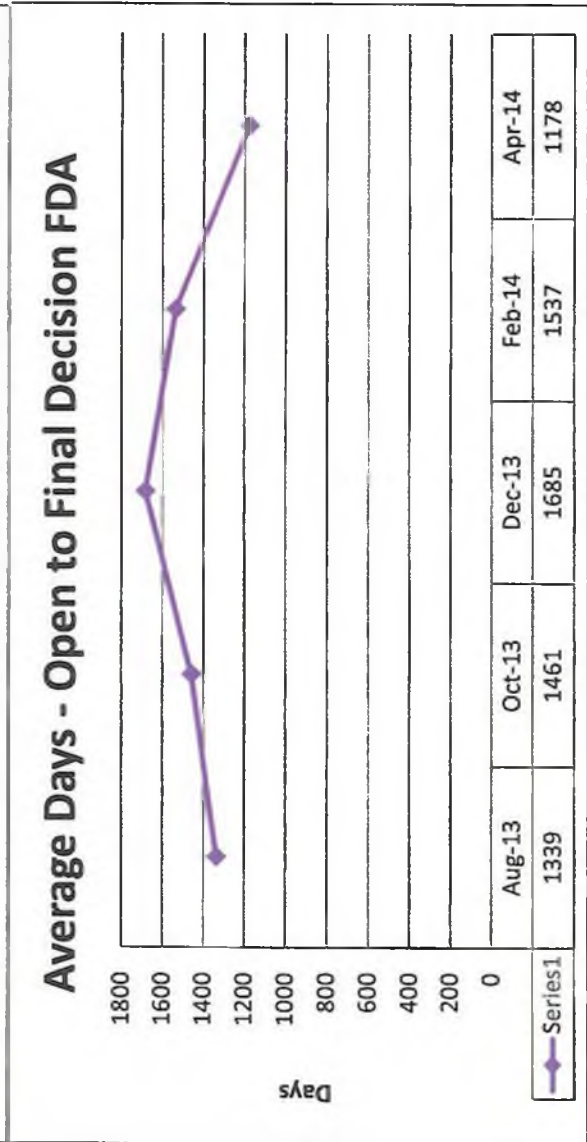
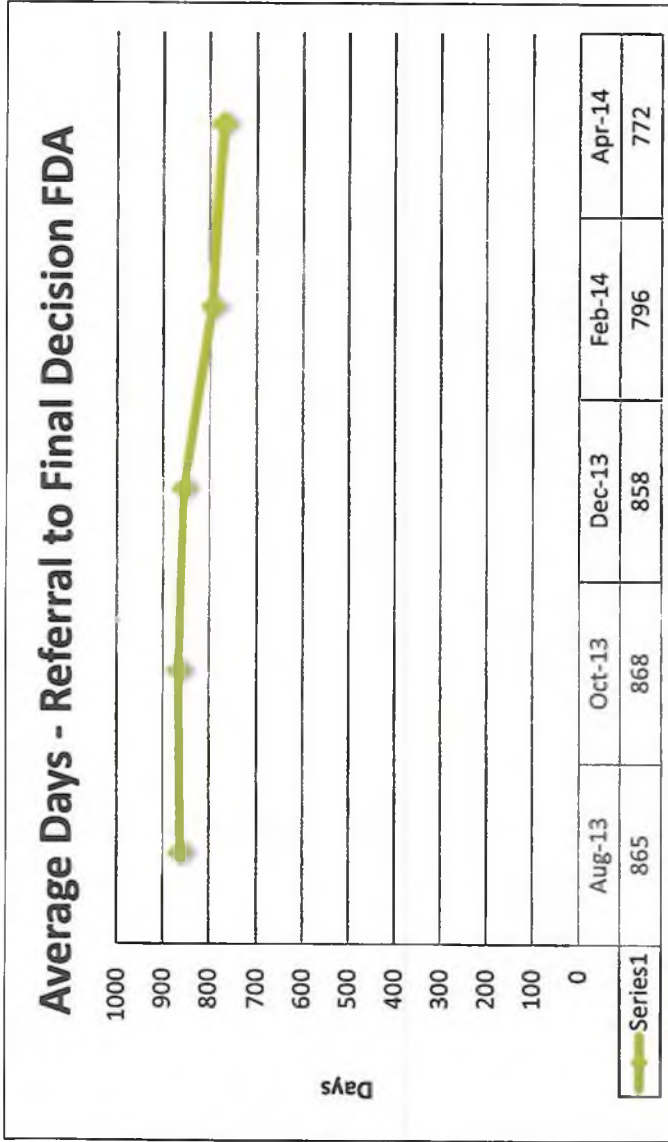


NOTE: FY13/14 statistics are through April 30, 2014

PELS ENFORCEMENT PROGRAM

Formal Disciplinary Actions Against Licensees

Percentage Change of Aging Based on Board Meeting Dates

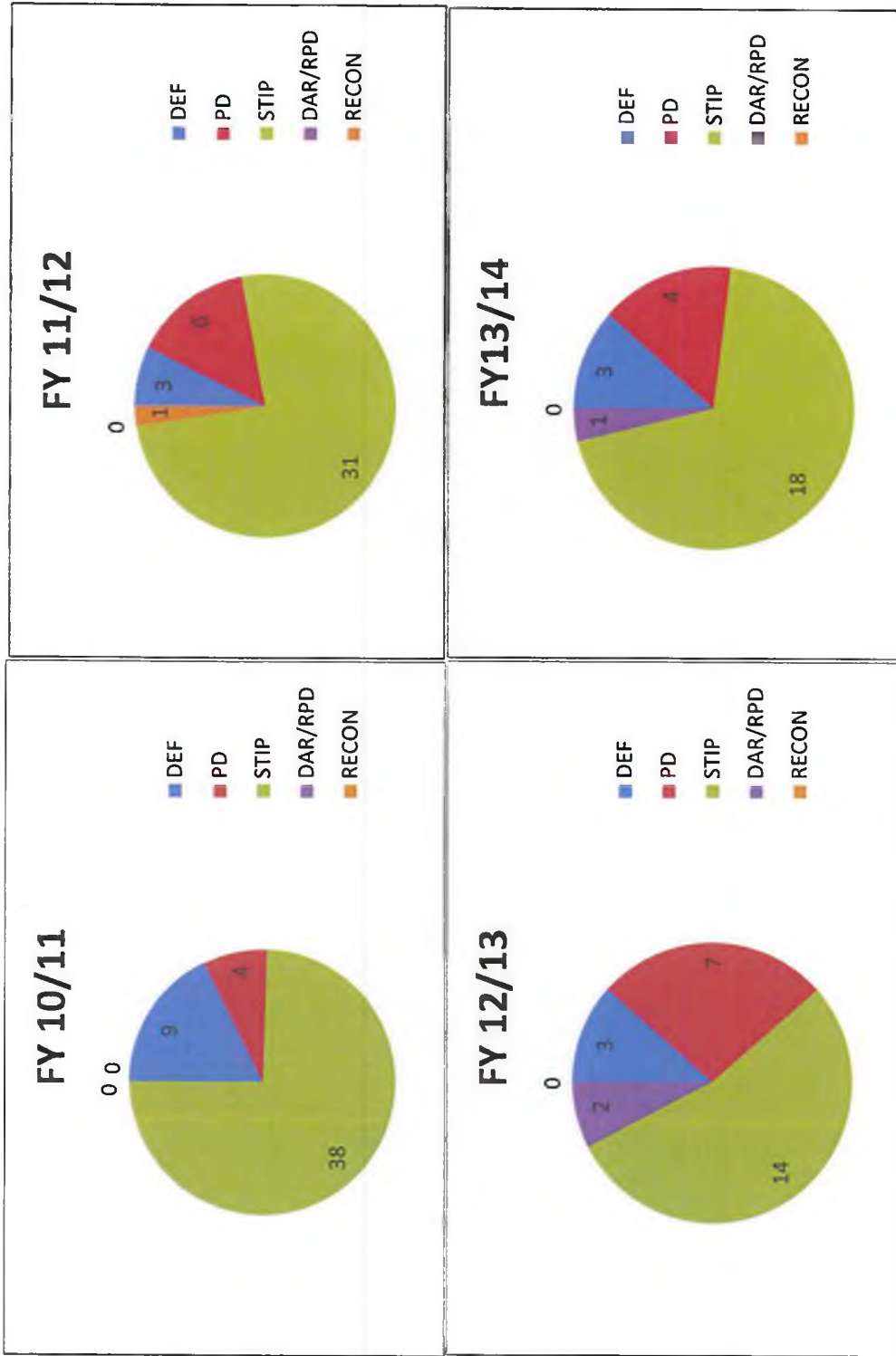


NOTE: No decisions became final in April 2014, so there is no new data to report.

PELS ENFORCEMENT PROGRAM

Formal Disciplinary Actions Against Licensees

Types of Decisions



NOTE: FY13/14 statistics are through April 30, 2014

DEF = Default Decision

PD = Proposed Decision

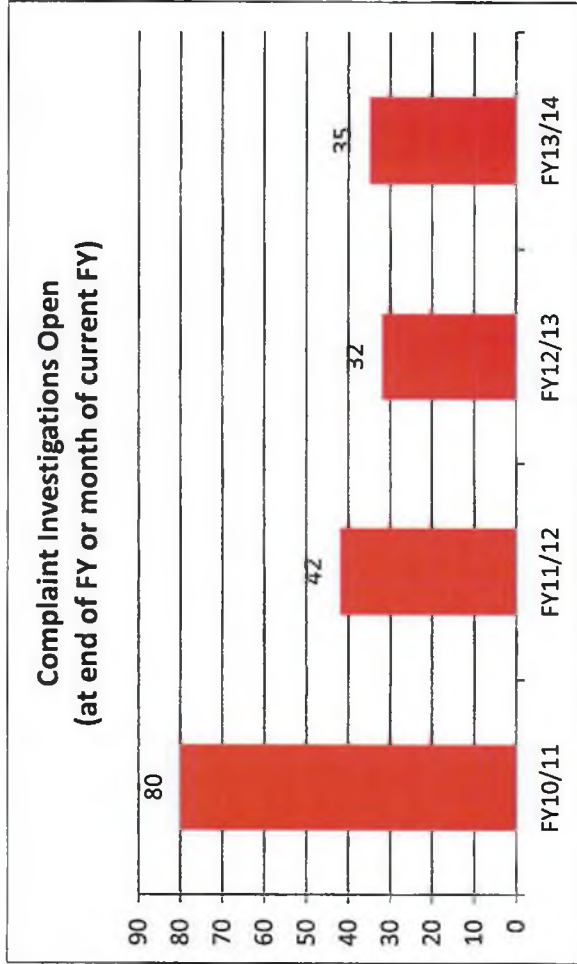
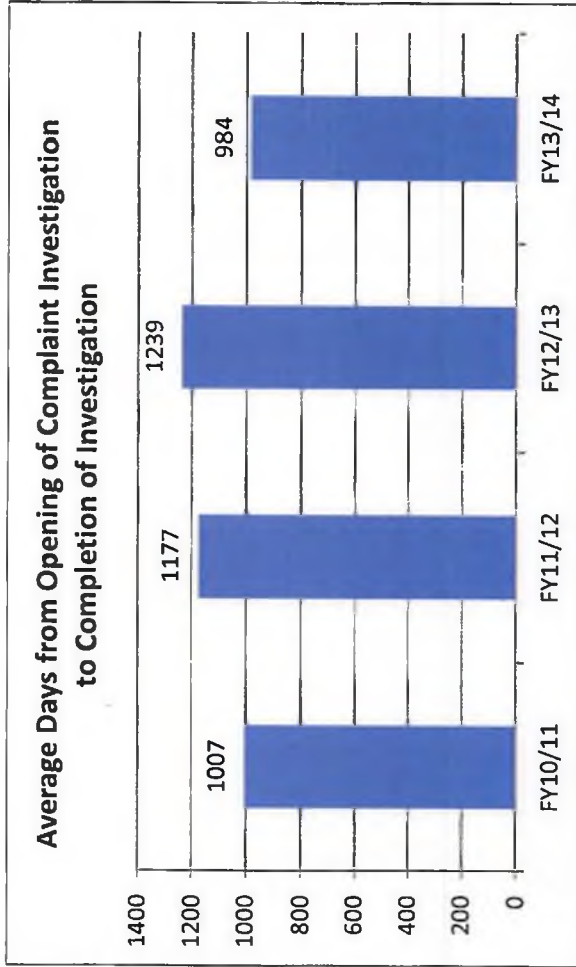
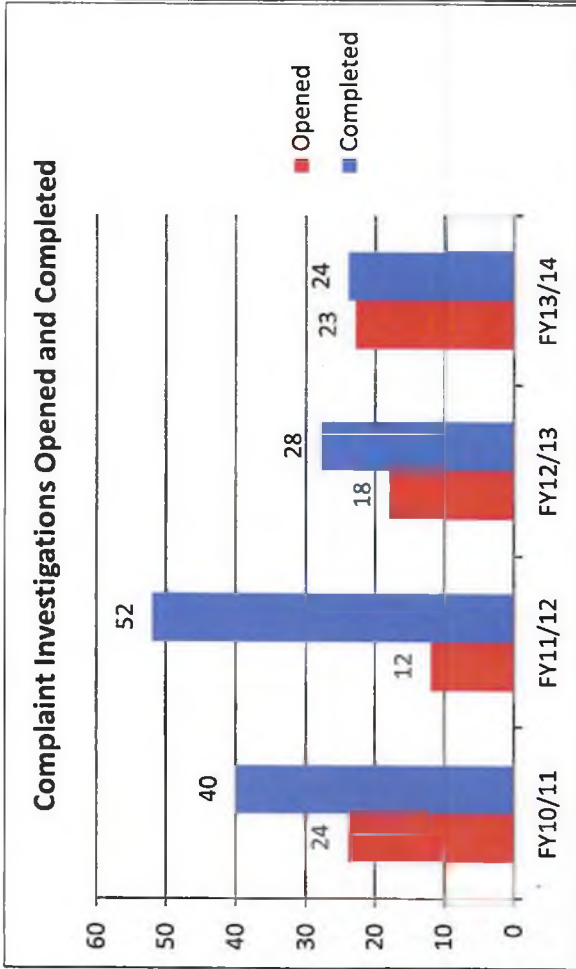
STIP = Stipulated Settlement

DAR/RPD = Decision After Rejection of Proposed Decision/Reduction of Order of Proposed Decision

RECON = Modification of Default Decision or Proposed Decision after Petition for Reconsideration

G&G ENFORCEMENT PROGRAM

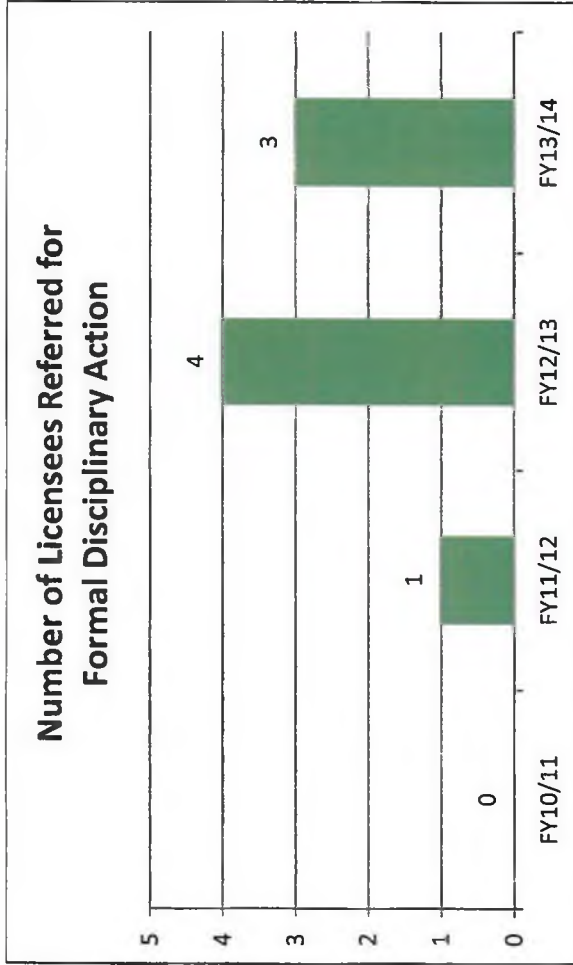
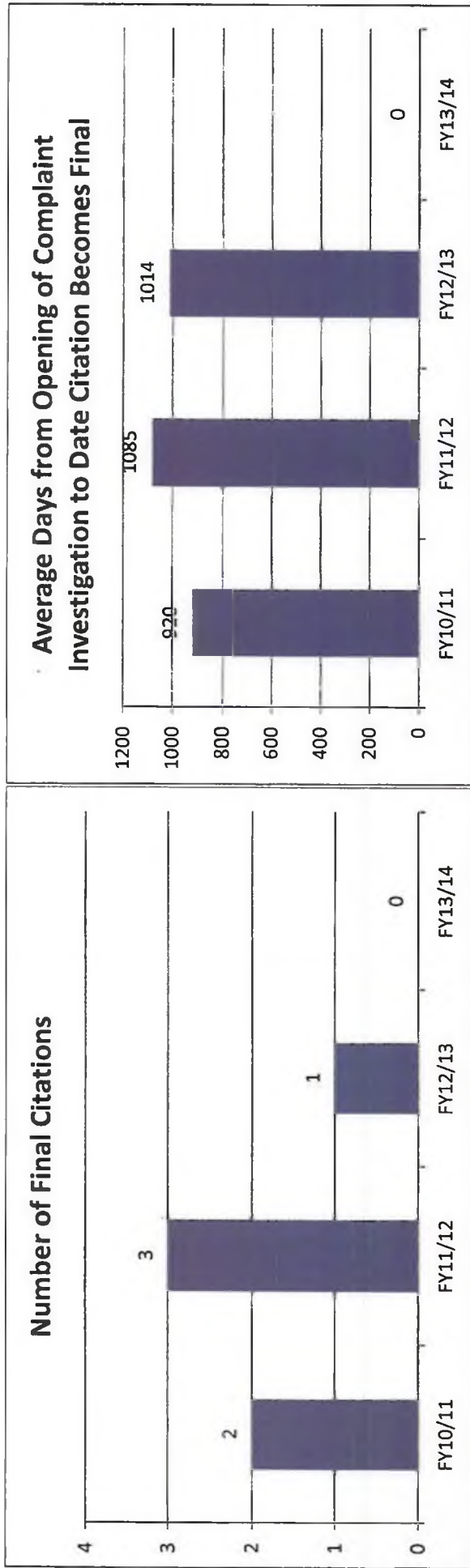
Complaint Investigation Phase



NOTE: FY13/14 statistics are through April 30, 2014

G&G ENFORCEMENT PROGRAM

Citations (Informal Enforcement Actions) and Formal Disciplinary Actions against Licensees



NOTE: FY13/14 statistics are through April 30, 2014

VII.

EXAMS/LICENSING

**BOARD FOR
PROFESSIONAL ENGINEERS,
LAND SURVEYORS, AND GEOLOGISTS**

PROFESSIONAL GEOPHYSICIST (PGp)

EXAMINATION OUTLINE

JUNE 2014

Professional Geophysicist Examination Outline

I. PROJECT PLANNING (44%): This content area assesses the candidate's knowledge of designing a project that is consistent with geophysical methods and client objectives.	
A. Pre-design Planning (22%)	
<i>Job Task</i>	<i>Associated Knowledge Statement</i>
1. Determine applicability of geophysical methods for projects by evaluating client objectives.	1. Knowledge of geophysical investigation methods and their applications. 7. Knowledge of methods used to estimate geophysical parameters.
2. Assess geophysical project sites through field inspection, site history, and review of existing data to identify conditions that may impact project scope.	2. Knowledge of methods for obtaining existing physical, geophysical, geological, and other relevant data. 10. Knowledge of interference sources that affect geophysical data quality. 37. Knowledge of geological principles related to geophysical projects.
3. Select geophysical investigation methods in accordance with site conditions, geology, and client objectives.	5. Knowledge of site physical characteristics that could impact the quality of geophysical data. 8. Knowledge of geophysical characteristics that differentiate targets from their surroundings. 18. Knowledge of magnetic measurement methods and their applications. 19. Knowledge of seismic measurement methods (e.g., surface wave analysis, seismic refraction/reflection, ground vibration analysis, seismic tomography) and their applications. 20. Knowledge of electrical measurement methods and their applications. 21. Knowledge of electrical measurement methods and their applications. 22. Knowledge of electromagnetic measurement methods (e.g., VLF, GPR, TDF) and their applications. 23. Knowledge of borehole geophysical methods and their applications. 37. Knowledge of geological principles related to geophysical projects.
4. Select equipment and instruments required for various geophysical investigation methods.	9. Knowledge of geophysical instruments, their applications, and their limitations.
5. Identify and evaluate public safety concerns related to geophysical projects.	11. Knowledge of procedures for assessing public health and safety risks associated with geophysical projects.
6. Develop conceptual geophysical models for geophysical projects.	39. Knowledge of physics principles related to geophysical projects.

Professional Geophysicist Examination Outline

B. Project Design (22%)		
	Job Task	Associated Knowledge Statement
7.	Design geophysical projects based on site conditions, geology, regulations, and client objectives.	37. Knowledge of geological principles related to geophysical projects.
8.	Identify and evaluate environmental and operational hazards related to geophysical work.	35. Knowledge of how geohazards impact human occupancy, infrastructure, and the environment.
9.	Prepare/revise project work plans in accordance with geophysical project requirements.	6. Knowledge of methods used to calculate cost estimates for geophysical projects.
10.	Identify and apply relevant local, State, and federal regulations to geophysical projects.	3. Knowledge of local, State, and federal regulations related to geophysical projects. 34. Knowledge of California Occupational Safety and Hazard Act (Cal/OSHA) laws and regulations related to geophysical work.
11.	Develop quality assurance (QA) and quality control (QC) plans and procedures to ensure the validity of data gathered during geophysical projects.	12. Knowledge of quality assurance (QA) and quality control (QC) requirements and procedures related to geophysical data. 17. Knowledge of methods for minimizing interference and instrument error when collecting geophysical data.
51	Assess the limitations of geophysical projects using available data.	4. Knowledge of the limitations of geophysical surveys.

Professional Geophysicist Examination Outline

II. INVESTIGATION PREPARATION AND DATA COLLECTION (22%): This content area assesses the candidate's knowledge of preparing an investigation and collecting data for a geophysical project.		Associated Knowledge Statement
Job Task		
13.	Develop and implement site safety plans and procedures to mitigate hazards related to geophysical work.	32. Knowledge of operational and environmental hazards related to geophysical work. 33. Knowledge of methods for minimizing hazardous site conditions (e.g., safety zones).
14.	Set up survey grids and lines on geophysical projects.	15. Knowledge of basic field survey techniques (e.g., map reading, grid layout, compass use, GPS use) and their applications for geophysical projects.
15.	Initialize and set recording parameters on geophysical instruments.	13. Knowledge of procedures for setting up geophysical instruments and recording their parameters.
16.	Calibrate or validate instruments used in geophysical projects according to equipment specifications.	14. Knowledge of calibration/validation requirements and techniques for geophysical instruments.
17.	Record data using measurement methods outlined in work plans or geophysical survey designs.	13. Knowledge of procedures for setting up geophysical instruments and recording their parameters.
18.	Verify that geophysical measurements and data have been collected in accordance with applicable standards and work plans.	16. Knowledge of methods and procedures for using various instruments and equipment in geophysical projects.

III. DATA ANALYSIS AND REPORTING (34%): This content area assesses the candidate's knowledge of processing, analyzing, and interpreting geophysical data. It includes the candidate's knowledge of communicating project results. It also includes professional ethics and legal compliance.

A. Data Analysis and Interpretation (20%)		Associated Knowledge Statement
Job Task		
19.	Process geophysical data using appropriate techniques.	25. Knowledge of methods for processing geophysical data. 26. Knowledge of geophysical software applications for data analysis and their limitations.
20.	Analyze geophysical data using applicable principles.	24. Knowledge of methods for evaluating the quality of geophysical data. 27. Knowledge of data analysis techniques for geophysical data.
21.	Interpret geophysical results by integrating geological information, site conditions, and project objectives.	28. Knowledge of methods for integrating a geophysical model into a geological model. 37. Knowledge of geological principles related to geophysical projects.
B. Reporting and Compliance (14%)		
22.	Prepare technical documents to communicate the findings of geophysical projects.	29. Knowledge of methods for documenting and communicating geophysical results to various audiences (e.g., client, public, regulatory agency). 30. Knowledge of methods for preparing data visualizations (e.g., digital presentations, maps, cross sections) to depict results of geophysical projects.
23.	Report geohazard findings to clients and/or governmental agencies.	31. Knowledge of requirements for reporting geophysical findings to clients and regulatory agencies. 36. Knowledge of legal responsibilities for reporting geohazards to clients and governmental agencies.
24.	Conduct professional work in compliance with ethical standards and legal requirements.	38. Knowledge of California Code of Regulations, Title 16, Division 29 (Professional and Vocational Regulations), Sections 3000 - 3067 related to geophysicists. 40. Knowledge of California Business and Professions Code related to geophysicists.

From NCEES Website:

Credentials Evaluations

An invaluable resource for international licensees

NCEES Credentials Evaluations is a service for state licensing boards and applicants. It is designed primarily for candidates who have earned their degrees outside the United States and are pursuing licensure through one of the member licensing boards of NCEES.

Do I need an evaluation?

If you aren't sure whether you need a credentials evaluation through NCEES, contact your state board before you begin the process. Most applicants are referred to NCEES Credentials Evaluations by a state licensing board.

You do not need an evaluation if your degree was accredited by the Engineering Accreditation Commission of ABET at the time of your graduation. ABET also accredits some programs in other countries.

If you aren't sure whether your degree program is EAC-accredited, you can search for it at ABET's website: [accredited program search](#).

If you are a surveyor, contact your state board to determine whether an evaluation is necessary prior to requesting an evaluation with NCEES.

Purpose of an evaluation

To earn a license to practice engineering or surveying, candidates must meet requirements in three areas: education, experience, and examinations. State licensing boards sometimes require that a candidate's educational background be evaluated to ensure that it is comparable to an accredited degree in the United States. The evaluation process helps ensure that a candidate is qualified academically for licensure. Usually, this takes place when a candidate applies to sit for a licensing exam offered by NCEES.

Engineering education standard

When it conducts an evaluation, NCEES compares the candidate's college-level education against the NCEES Engineering Education Standard.

This standard reflects generally agreed-upon educational qualifications for entering the profession. If your college-level coursework meets the standard, your evaluation report will indicate this. If it does not, your report will indicate any areas of deficiency.

Your evaluation will serve as a reference for the licensing board, which will make any decision regarding your eligibility to obtain a license.

What will the evaluation look like?

The evaluation will contain the following:

- An applicant summary
- A comparability summary, which includes the evaluation result (whether the NCEES Engineering Education Standard has been met), and any area(s) of deficiency relative to the standard
- An education summary, including institution(s) attended, major(s), and degree(s) earned
- A criteria analysis, which breaks down coursework corresponding to the NCEES standard

Ready to apply?

Read more about the application process and timeline.

Fees

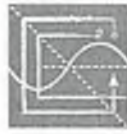
Evaluation: \$400

Re-evaluation: \$225

Activation of an inactive file: \$75

Transmission to an additional licensing board: \$60 each

Note that all refunds will be subject to a \$40 administrative fee. Also note that NCEES does not grant refunds for applications submitted more than one year prior to the refund request.



NCEES

*advancing licensure for
engineers and surveyors*

NCEES Engineering Education Standard

Applicants having engineering degrees from programs that are not accredited by EAC/ABET must demonstrate the following:

A. 32 college semester credit hours of higher mathematics and basic sciences

1. Credits in mathematics must be beyond algebra and trigonometry and must emphasize mathematical concepts and principles rather than computation. Courses in calculus and differential equations are required. Additional courses may include linear algebra, numerical analysis, probability and statistics, and advanced calculus.
2. Credits in basic sciences must include courses in chemistry and calculus-based general physics with a minimum of a two-semester (or equivalent) sequence in one or the other. Additional basic sciences courses may include life sciences (biology), earth sciences (geology, ecology), and advanced chemistry or physics. Computer skills and/or programming courses may not be used to satisfy mathematics or basic science requirements.

Basic engineering science courses or sequence of courses in this area are acceptable for credit but may not be counted twice.

B. 16 college semester credit hours in a general education component that complements the technical content of the curriculum

Examples of traditional courses in this area are philosophy, religion, history, literature, fine arts, sociology, psychology, political science, anthropology, economics, professional ethics, and social responsibility. No more than 6 credit hours of languages other than English or other than the applicant's native language are acceptable for credit. English and foreign language courses in literature and civilization may be considered in this area. Courses that instill cultural values are acceptable, while routine exercises of personal craft are not.

C. 48 college semester credit hours of engineering science and engineering design

Courses shall be taught within the college/faculty of engineering and shall have their roots in mathematics and basic sciences but carry knowledge further toward creative application of engineering principles. Examples of approved engineering science courses are mechanics, thermodynamics, heat transfer, electrical and electronic circuits, materials science, transport phenomena, and computer science (other than computer programming skills). Courses in engineering design stress the establishment of objectives and criteria, synthesis, analysis, construction, testing, and evaluation. Graduate-level engineering courses can be included to fulfill curricular requirements in this area. Engineering technology courses cannot be considered to meet engineering topic requirements.

NCEES Credentials Evaluations

NCEES Credentials Evaluations will adhere to the following in conducting evaluations:

- Evaluations will be conducted on the following:
 1. Foreign engineering degree programs
 2. U.S.-based, non-EAC/ABET-accredited degree programs in engineering, engineering technology, related science, or mathematics only when coupled with a master's degree or doctorate from a program that is EAC/ABET-accredited at the undergraduate or graduate level

Evaluations may be conducted on programs that do not meet these criteria if specifically requested by an NCEES member board. Such requests must come directly from the member board to the NCEES Manager of Credentials Evaluations.

- NCEES will evaluate all programs against the NCEES standard. NCEES will no longer determine substantial equivalence to an EAC/ABET-accredited program.
- In conducting the evaluation, NCEES will consider the breadth of the applicant's education, to include bachelor's degree coursework, master's degree coursework, and doctorate coursework in determining satisfaction of the NCEES standard.
- NCEES will provide credit for any advanced coursework earned prior to college enrollment that is deemed appropriate for college-level academic credit (such as Advanced Placement, A-levels, Abitur, French Baccalaureate, International Baccalaureate, Lebanese Baccalaureate, etc.).
- A maximum of six hours' credit will be granted for thesis, special topics, and independent study at any level.
- Cooperative training, practicums, internships, and continuing education activities will not receive educational credits to satisfy the NCEES standard.
- NCEES will not conduct evaluations of degrees that are offered entirely via the Internet.
- NCEES will note any deficiencies in the applicant's educational history compared to the NCEES standard.

For applicants whose educational record indicates satisfaction of the NCEES standard, NCEES will report that the applicant possesses the education required in order to be considered by a member board for entry into the professional practice of engineering.

For applicants whose education record indicates deficiencies relative to the NCEES standard, those deficiencies will be noted for any action deemed appropriate by a member board. NCEES will also provide any relevant information concerning the educational requirements and/or any prerequisites for entry into engineering programs in the applicant's country for consideration and overall qualification by a member board.

NCEES Surveying Education Standard

A. 18 college semester credit hours of mathematics and basic sciences

1. A minimum of 12 credits in mathematics must be beyond basic mathematics, but the credits include college algebra or higher mathematics. These courses must emphasize mathematical concepts and principles rather than computation. Mathematics courses may include college algebra, trigonometry, analytic geometry, differential and integral calculus, linear algebra, numerical analysis, probability and statistics, and advanced calculus
2. A minimum of 6 credits must be in basic sciences. These courses must cover one or more of the following topics: general chemistry, advanced chemistry, life sciences (biology), earth sciences (geology, ecology), general physics, and advanced physics. Computer skills and/or programming courses may not be used to satisfy mathematics or basic science requirements.

B. 16 college semester credit hours in a general education component that complements the technical content of the curriculum

Examples of traditional courses in this area are philosophy, religion, history, literature, fine arts, sociology, psychology, political science, anthropology, economics, professional ethics, and social responsibility. No more than 6 credit hours of languages other than English or other than the applicant's native language are acceptable for credit. English and foreign language courses in literature and civilization may be considered in this area. Courses that instill cultural values are acceptable, while routine exercises of personal craft are not.

C. 30 college semester credit hours of surveying science and surveying practice

Courses shall be taught by qualified surveying faculty. Examples of surveying courses are basic surveying, route surveying, geodesy, geographic information systems, land development design and planning, global positioning systems, photogrammetry, mapping, legal principles of land surveying, boundary law, professional surveying and mapping, and remote sensing. Graduate-level surveying courses can be included to fulfill curricular requirements in this area.

NCEES Credentials Evaluations

NCEES Credentials Evaluations will adhere to the following in conducting evaluations:

- Evaluations will be conducted on the following:
 1. Foreign surveying degree programs
 2. U.S.-based, non-EAC/ASAC/TAC ABET-accredited degree programs in surveying
 3. U.S.-based B.S./B.A. programs for applicants that have met the "surveying core" program requirements.
- Evaluations may be conducted on programs that do not meet these criteria if specifically requested by an NCEES member board. Such requests must come directly from the member board to the NCEES Manager of Credentials Evaluations.
- NCEES will evaluate all programs against the NCEES standard. NCEES will no longer determine substantial equivalence to an EAC/ASAC/TAC ABET-accredited program.
- In conducting the evaluation, NCEES will consider the breadth of the applicant's education, to include bachelor's degree coursework, master's degree coursework, and doctorate coursework in determining satisfaction of the NCEES standard.
- NCEES will provide credit for any advanced coursework earned prior to college enrollment that is deemed appropriate for college-level academic credit (such as Advanced Placement, A-levels, Abitur, French Baccalaureate, International Baccalaureate, Lebanese Baccalaureate, etc.).
- A maximum of six hours' credit will be granted for thesis, special topics, and independent study at any level.

- Cooperative training, practicums, internships, and continuing education activities will not receive educational credits to satisfy the NCEES standard.
- NCEES will not conduct evaluations of degrees that are offered entirely via the Internet.
- NCEES will note any deficiencies in the applicant's educational history compared to the NCEES standard.

For applicants whose educational record indicates satisfaction of the NCEES standard, NCEES will report that the applicant possesses the education required in order to be considered by a member board for entry into the professional practice of surveying.

For applicants whose educational record indicates deficiencies relative to the NCEES standard, those deficiencies will be noted for any action deemed appropriate by a member board. NCEES will also provide any relevant information concerning the educational requirements and/or any prerequisites for entry into surveying programs in the applicant's country for consideration and overall qualification by a member board.

VIII. APPROVAL OF DELINQUENT REINSTATEMENTS

APPROVAL OF DELINQUENT REINSTATEMENTS

Motion: Approve the following 3 and 5-year delinquent reinstatement applications.

MECHANICAL

RENZO SALERNO

Reinstate applicant's mechanical license once he/she pays all delinquent and renewal fees.

IX. ADMINISTRATION

- A. FY 2013/14 Budget Overview (Possible Action)
- B. Outreach (Possible Action)

FY 2013/14 Budget Overview:

The information provided below is a summary of the Engineers and Land Surveyors fund and the Geologists & Geophysicists account. The data is based on approved Governor’s Budget, projected expenditures & revenue, projections to year-end, applications received and renewals processed through April 2014.

The Engineers and Land Surveyors (PELS) Fund as of April 30, 2014:

	FY 13/14	FY 12/13
Expenditures	\$6.4 Million	\$5.9 Million
Revenue	\$7.9 Million	\$7.4 Million
Applications	9,441	9,202
Renewals	36,189	31,946

Budget Allotment	\$9.74 Million
Projection to Year-End	\$7.99 Million
Surplus/Deficit	\$1.75 Million
Revenue (Year-End)	\$8.77 Million

Expenditures have increased versus last FY as a result of increased contract costs with Prometric, our California Specific exam developer. Overall, the Board is generating more revenue than allocated expenses and is projected to have a surplus at the end of the year. Applications are up slightly but will remain consistent with last year’s numbers.

The Geologist and Geophysicists (GEO) Account as of April 30, 2014:

	FY 13/14	FY 12/13
Expenditures	\$970 Thousand	\$1 Million
Revenue	\$853 Thousand	\$871 Thousand
Applications	332	183
Renewals	3,418	3,618

Budget Allotment	\$1.38 Million
Projection to Year-End	\$1.23 Million
Surplus/Deficit	\$154 Thousand
Revenue (Year-End)	\$998 Thousand

Expenditures will increase versus last FY as a result of increased pro-rata costs and Prometric exam administration contracts costs. Applications are up across the Board for GIT, PG, CEG and CHG. Renewals are in a down year cyclically. Overall, revenue at year-end should remain consistent with historical averages.

0770 - Board for Prof. Engineers and Land Surveyors

Analysis of Fund Condition

Prepared 5/27/14

(Dollars in Thousands)

Budget Act and GF Loan Repayments

NOTE: \$7.0 M GF Loan Outstanding

	ACTUAL 2012-13	Budget Act CY 2013-14	BY 2014-15	BY+1 2015-16
BEGINNING BALANCE	\$ 697	\$ 1,923	\$ 5,160	\$ 3,790
Prior Year Adjustment	\$ -39	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 658	\$ 1,923	\$ 5,160	\$ 3,790
REVENUES AND TRANSFERS				
Revenues:				
125600 Other regulatory fees	\$ 88	\$ 106	\$ 72	\$ 73
125700 Other regulatory licenses and permits	\$ 2,560	\$ 2,543	\$ 2,604	\$ 2,656
125800 Renewal fees	\$ 5,415	\$ 6,054	\$ 5,031	\$ 5,132
125900 Delinquent fees	\$ 57	\$ 53	\$ 50	\$ 51
141200 Sales of documents	\$ -	\$ -	\$ -	\$ -
142500 Miscellaneous services to the public	\$ -	\$ -	\$ -	\$ -
150300 Income from surplus money investments	\$ 8	\$ 7	\$ 11	\$ 11
160400 Sale of fixed assets	\$ -	\$ -	\$ -	\$ -
161000 Escheat of unclaimed checks and warrants	\$ 8	\$ 8	\$ 8	\$ 8
161400 Miscellaneous revenues	\$ 1	\$ 2	\$ 2	\$ 2
Totals, Revenues	\$ 8,137	\$ 8,773	\$ 7,778	\$ 7,933
Transfers from Other Funds				
FO0001 Proposed GF Loan Repayment per item 1110-011-0770, Budget Act of 2008	\$ -	\$ 2,000	\$ -	\$ -
FO0001 Proposed GF Loan Repayment per item 1110-011-0770, Budget Act of 2011	\$ -	\$ 500	\$ 500	\$ 1,000
Totals, Revenues and Transfers	\$ 8,137	\$ 11,273	\$ 8,278	\$ 8,933
Totals, Resources	\$ 8,795	\$ 13,196	\$ 13,438	\$ 12,723
EXPENDITURES				
Disbursements:				
1110 Program Expenditures (State Operations)	\$ 6,819	\$ 7,992	\$ 9,640	\$ 9,833
8840 SCO (State Operations)	\$ 7	\$ 1	\$ -	\$ -
8880 Financial Information System for CA (State Operations)	\$ 46	\$ 43	\$ 8	\$ -
Total Disbursements	\$ 6,872	\$ 8,036	\$ 9,648	\$ 9,833
FUND BALANCE				
Reserve for economic uncertainties	\$ 1,923	\$ 5,160	\$ 3,790	\$ 2,890
Months in Reserve	2.9	6.4	4.6	3.5

0205 - Geology Analysis of Fund Condition

Prepared 5/27/14

(Dollars in Thousands)

	ACTUAL 2012-13	CY 2013-14	BUDGET	
			ACT BY 2014-15	BY + 1 2015-16
BEGINNING BALANCE	\$ 1,041	\$ 1,066	\$ 831	\$ 496
Prior Year Adjustment	\$ 19	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 1,060	\$ 1,066	\$ 831	\$ 496
REVENUES AND TRANSFERS				
Revenues:				
125600 Other regulatory fees	\$ 1	\$ 2	\$ 2	\$ 2
125700 Other regulatory licenses and permits	\$ 221	\$ 224	\$ 224	\$ 224
125800 Renewal fees	\$ 815	\$ 753	\$ 815	\$ 815
125900 Delinquent fees	\$ 14	\$ 14	\$ 15	\$ 15
141200 Sales of documents	\$ -	\$ -	\$ -	\$ -
142500 Miscellaneous services to the public	\$ -	\$ -	\$ -	\$ -
150300 Income from surplus money investments	\$ 4	\$ 3	\$ 3	\$ 3
160400 Sale of fixed assets	\$ -	\$ -	\$ -	\$ -
161000 Escheat of unclaimed checks and warrants	\$ -	\$ 1	\$ 1	\$ 1
161400 Miscellaneous revenues	\$ -	\$ -	\$ -	\$ -
Totals, Revenues	\$ 1,055	\$ 997	\$ 1,060	\$ 1,060
Totals, Revenues and Transfers	\$ 1,055	\$ 997	\$ 1,060	\$ 1,060
Totals, Resources	\$ 2,115	\$ 2,063	\$ 1,891	\$ 1,556
EXPENDITURES				
Disbursements:				
1110 Program Expenditures (State Operations)	\$ 1,042	\$ 1,226	\$ 1,394	\$ 1,422
8840 FSCU (State Operations)	\$ 1	\$ -	\$ -	\$ -
8880 Financial Information System for CA (State Operations)	\$ 6	\$ 6	\$ 1	\$ -
Total Disbursements	\$ 1,049	\$ 1,232	\$ 1,395	\$ 1,422
FUND BALANCE				
Reserve for economic uncertainties	\$ 1,066	\$ 831	\$ 496	\$ 134
Months in Reserve	10.4	7.0	4.2	1.1

Upcoming Outreach Dates

Date	Day of Week	Location	Type of Event tradeshow/school expo	Event Site	Time	Staff Representative
May 30	Friday	Cal Poly Pomona	Engineering Project Showcase	Cal Poly Pomona Campus	2:00 pm - 4:30 pm	R. Mathe PLS
May 31	Saturday	Cal Poly San Luis Obispo	Engineering Project Showcase	Cal Poly SLO Campus	1:00 pm - 5:00 pm	
June 05	Thursday	UC Davis	Engineering Project Showcase	UC Davis Campus	2:00 pm - 4:00 pm	
June 19	Thursday	Camp Pendleton Day	Society of American Military Engineers	Camp Pendleton	7:30 am - 3:00 pm	M. Donelson PE
June 20	Friday	SD State; UC San Diego; U of San Diego	College Engineering and Geology programs x 2 each school	SD State; UC San Diego; U of San Diego	8:00 am - 5:00 pm	M. Donelson PE
76 July 1 - 30	month	Cal Poly SLO - UC Santa Barbara - Cal State Fullerton	ABET Notification of <u>possible</u> visits in October	Cal Poly SLO - UC Santa Barbara - Cal State Fullerton	<u>Possible</u> ABET visits in October	B. Phayer
October 12 -- 17	Sunday -- Friday	Long Beach	Society of Fire Protection Engineers Expo	Long Beach Hilton	All week	
October 12 -- 18	Sunday -- Saturday	Statewide -- all CA geology programs	American Geosciences Institute (AGI)	Earth Sciences Week Statewide	Statewide -- all CA geology programs	

X. **TECHNICAL ADVISORY COMMITTEES (TACS)**

- A. Board Assignments to TACs (Possible Action)
- B. Appointment of TAC Members (Possible Action)
- C. Reports from the TACs (Possible Action)
 - 1. Proposed LS TAC Workplan (Possible Action)

**BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS**

2535 Capitol Oaks Drive, Suite 300, Sacramento, California, 95833-2944

Telephone: (916) 263-2222 – Toll Free: 1-866-780-5370

Facsimile: (916) 263-2246

www.bpelsg.ca.gov

**PROPOSED
WORK PLAN
TECHNICAL ADVISORY COMMITTEE (PROFESSIONAL LAND SURVEYOR)****INTRODUCTION**

TAC (PLS) recognizes its position as an advisory committee to the Board, providing input to the liaison Board members on matters requested by the Board for Professional Engineers and Land Surveyors. The input may take the form of assistance to Board staff, direct assistance to the liaison Board members, or recommendations made directly to the Board in the form of proposed motions or recommendations. In all cases, the focus of the activities of the TAC (PLS) will be in the interest of safeguarding property and public welfare.

YEAR PLAN

1. To assist the Board staff in the review of applications for licensure as a Professional Land Surveyor.
2. To help clarify "gray" areas in the existing laws, rules, and regulations regarding the practice of land surveying and make recommendations for handling and/or revising the laws, rules, and regulations, where appropriate.
3. To aid in formulating suggested procedures, information required, and questions to be asked with regard to enforcement issues relating to the practice of land surveying, and to advise the Board staff upon review of such enforcement cases.
4. To meet in closed session to address specific consumer and inter-professional complaints, and make recommendations to the Board regarding their solutions.
5. To review proposed legislation that would affect the practice of land surveying.
6. To review ABET matters regarding the practice of land surveying when referred by the Board.
7. To assist with any National Council of Examiners for Engineering and Surveying (NCEES) matters regarding land surveying when referred by the Board.
8. To coordinate with the Board's other Technical Advisory Committees as required by the Board.
9. To assist Board staff in the review of Board Rule 425 --Responsible training and educational requirements and make recommended changes to meet practice standards.

XI.

LIAISON REPORTS

- A. ASBOG (Possible Action)
- B. ABET (Possible Action)
- C. NCEES (Possible Action)
- D. Technical and Professional Societies (Possible Action)

XII. **PRESIDENT'S REPORT/BOARD MEMBER ACTIVITIES**

XIII. **APPROVAL OF CONSENT ITEMS**

(These items are before the Board for consent and will be approved with a single motion. Any item that a Board member wishes to discuss will be removed from the consent items and considered separately.)

- A. Approval of the Minutes of the April 24-25, 2014, Board Meeting

DRAFT
**MINUTES OF THE MEETING OF THE BOARD FOR PROFESSIONAL
ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS**

April 24-25, 2014
Beginning at 9:30 a.m.

Thursday, April 24, 2014

Board Members Present:	Erik Zinn, President; Kathy Jones Irish, Vice President; Natalie Alavi; Asha Brooks; Diane Hamwi; Mohammad Qureshi; Hong Beom Rhee; Karen Roberts; Ray Satorre; Robert Stockton; and Patrick Tami
Board Members Absent:	Eric Johnson; Coby King; Philip Quartararo; Jerry Silva;
Board Staff Present:	Ric Moore (Executive Officer); Nancy Eissler (Enforcement Manager); Celina Calderone (Board Liaison); Jeff Alameida (Budget Analyst); Larry Kereszt (Examinations Manager); and Gary Duke (Legal Counsel).

- I. **Roll Call to Establish a Quorum**
The meeting was called to order by President Zinn at 9:31 a.m. Roll call was taken, and a quorum was established.

- II. **Public Comment**
Mr. Craig Copelan, representing PEEG, spoke briefly about a concern raised by a member pertaining to online renewals, citing difficulty with the series of questions that are asked. He suggested doing away with the questions entirely. He believes the method may be a bit dated and encourages the Board to look at it again.

A gentleman who wished to remain anonymous relayed general concerns about the Board's complaint investigation process.

Dave Woolley commented on AB1855 and provided a written statement that included his qualifications and concerns.

- III. **Hearing on the Petition for Reduction/Modification of Penalty of Dennis William McCreary**
The Board heard the Petition for Reduction/Modification of Penalty as presented by Mr. McCreary's attorney.

- IV. **Closed Session – Personnel Matters, Examination Procedures and Results, Administrative Adjudication, and Pending Litigation (As Needed) [Pursuant to Government Code sections 11126(a) and (b), 11126(c)(1), 11126(c)(3), 11126 (e)(1), and 11126(e)(2)(B)(i)]**

A. Civil Litigation

1. Dennis William McCreary vs. Board for Professional Engineers, Land Surveyors, and Geologists, Sierra County Superior Court Case No. 7361
2. Thomas Lutge v. Board for Professional Engineers, Land Surveyors, and Geologists, Department of Consumer Affairs, Sacramento Superior Court Case No. 34-2012-80001329-CU-WM-GDS
3. Ruvim Grutman v. Board for Professional Engineers, Land Surveyors, and Geologists, Los Angeles Superior Court Case No. BS145675
4. Ruvim Grutman v. Board for Professional Engineers, Land Surveyors, and Geologists, Los Angeles Superior Court Case No. BS145796
5. Sassan Salehipour v. Board for Professional Engineers, Land Surveyors, and Geologists, Los Angeles County Superior Court Case No. BS146185

12:30 p.m. Mr. Stockton left the meeting.

XIII. **Open Session to Announce the Results of Closed Session**

Ms. Eissler reported that during Closed Session the Board directed the Administrative Law Judge to prepare a decision on the Petition for Reduction or Modification of Penalty of Dennis McCreary and that the Board also discussed civil litigation as noticed and took action on six stipulations, two default decisions, and two proposed decisions.

V. **Executive Officer's Report**

A. Legislation

1. Discussion of Legislation for 2014

Mr. Alameida provided a handout that explained the definitions of legislative positions as used by DCA.

AB 186 This bill would authorize a board within DCA to issue a temporary license for 12 months to an applicant who meets certain requirements.

Ms. Arnold recommended the Board continue opposing the bill.

AB 1551 This bill would prohibit a person from using a licensed engineer's documents, without the written consent of the licensed engineer and prohibit a person from using a licensed land surveyor's maps, plats, reports, descriptions, or other documentary evidence without the written consent of the licensed land surveyor.

Mr. Alameida reported that ACEC is not going forward with this legislation at this time. Mr. DeWitt, representing ACEC,

reiterated that they will not pursue this legislation because they believe they can adequately address concerns directly with the Board under the current law.

AB 1702 This bill would provide that an individual who has satisfied the requirements needed to obtain a license while incarcerated, who upon release from incarceration, shall not be subject to a delay in processing the application or a denial of the license solely based on the prior incarceration, except when the incarceration was for a crime substantially related to the qualifications, functions, or duties of the business or profession.

MOTION: Mr. Tami and Dr. Qureshi moved to take a watch position.

VOTE: 10-0, Motion passed.

AB 1855 This bill would include in the definition of the practice of land surveying the determination and position of an easement and would require that a Record of Survey be filed when an easement is monumented or established. This bill contains other related provisions and other existing laws.

During public comment, Mr. Woolley expressed his concerns with the delay in the Board Members and public receiving the staff analysis and position recommendation on the bill and the overall manner in how the staff report was publicized. Mr. Woolley also reiterated the information from the written statement he had previously provided.

Mr. Copelan, representing PECG, indicated that queried members believed that the proposed language and requirement was not necessary and that the creation of this additional requirement would require additional time and money.

Mr. DeWitt, representing ACEC, indicated they are in support of the bill but are not taking an active position. Mr. DeWitt added that the scheduled committee hearing for this bill was canceled two days prior to this discussion at the request of the bill's author.

MOTION: Dr. Qureshi and Ms. Brooks moved to take a watch position.

VOTE: 4-6, Motion failed; President Zinn, Ms. Jones Irish, Ms. Alavi, Ms. Hamwi, Dr. Rhee, and Mr. Tami opposed.

MOTION: Mr. Tami and Ms. Hamwi moved to oppose.

VOTE: 5-4-1, Motion passed; Ms. Jones Irish, Ms. Brooks, Ms. Roberts, and Mr. Satorre opposed, and Dr. Qureshi abstained.

3:27 p.m. Mr. Satorre left the meeting.

AB 2165 This bill would add section to the Business & Professions Code that would require each board within DCA to complete the application review process and to issue, within 45 days, a license to an applicant who successfully satisfied all licensure requirements. It would also require each board to offer each examination the board provides for licensure a minimum of 6 times per year.

MOTION: Mr. Tami and Dr. Qureshi moved to take a watch position.

VOTE: 9-0, motion passed.

AB 2598 This bill would require DCA to make a claim to the Controller each month against any of the funds of a board for that board's pro rata share of the department's estimated monthly administrative expenses. This bill would prohibit the Controller from paying the department for a board's pro rata share of total administrative expenses in an aggregate amount over 20% of a board's budget.

MOTION: Dr. Qureshi and Mr. Tami moved to take a watch position.

VOTE: 9-0, Motion passed.

SB 1467 This bill is one of the Senate Business, Professions and Economic Development Committee's omnibus bills. Among other things, it removes the "eight-hour" term from Section 6759 regarding written examinations for comity applicants, as it is no longer a valid term due to changes in the methods of administering examinations. The bill also removes petroleum geology qualifications from the Geologist and Geophysicist Act as the Board does not have regulations to certify petroleum geologists.

MOTION: Dr. Rhee and Dr. Qureshi moved to support.

VOTE: 9-0, Motion passed.

VIII. Approval of Delinquent Reinstatements

MOTION: Ms. Jones Irish and Ms. Brooks moved to approve the applications for reinstatement.

VOTE: 9-0, Motion passed.

XI. Technical Advisory Committees (TACs)

A. Board Assignments to TACs
No Report Given.

B. Appointment of TAC Members

MOTION: Mr. Tami and Ms. Jones Irish moved to appoint Landon Blake, Greg Hopkins, and Edward Reading to serve as members on the Land Surveying TAC.

VOTE: 9-0, motion passed.

XV. Approval of Consent Items

A. Approval of the Minutes of the February 12-13, 2013, Board Meeting

MOTION: Ms. Hamwi and Ms. Brooks moved to approve with amendments.

VOTE: 7-0-2, Motion Passed, Ms. Roberts and Dr. Qureshi abstained.

V. Executive Officer's Report (Continued)

B. Strategic Plan

Mr. Phayer reported that planning efforts for the new Strategic Plan are moving along as scheduled. SOLID is assured that with the questions utilized and the amount of responses received, they will have a statistically valid response to the survey from the public. Mr. Moore was pleased with the input.

C. Sunset Report

Mr. Moore reported that the questions have been received from the Sunset Committee and the managers have met and will meet on a regular basis. He would like the Board to nominate two Board Members with whom the staff can communicate on a regular basis throughout the summer as staff prepares the report.

Mr. Duke briefly explained the purpose and the process of the Sunset Report and Review for the new Board Members.

It was determined that the selection of the two Board Members would take place at the June Board meeting.

VI. Enforcement

A. Enforcement Statistical Reports

Ms. Eissler reviewed the two new charts that were added based on requests from Board Members at the previous board meeting.

Mr. Moore reviewed the aging cases charts and reported that there has been a reduction of the aging while still maintaining the quality of review and not allowing incoming cases to age.

VII. Exams/Licensing

A. Update on Spring 2014 Exams

Mr. Kereszt reported that the April 2014 exam cycle was just completed with a few minor CBT issues that were resolved quickly. He noted that there are no statistics available yet, but he will be able to provide them at the next Board meeting for the geology, engineering, and land surveying examinations.

B. Professional Geophysicist October 2013 Examination Results

Mr. Kereszt explained that due to difficulty in recruiting geophysicists to review and score the geophysicist examination that was administered in October 2013, there was a delay in releasing the results. He advised that a sufficient number of geophysicists finally volunteered and attended an exam scoring meeting, so the score was able to be established and the results released. He reported that five out of eight candidates passed. He is hoping for better participation of experts for the next exam administration in October 2014.

Mr. Moore detailed the examination development process.

The Board recessed at 5:03 p.m.

Friday, April 25, 2014

Board Members Present:	Erik Zinn, President; Kathy Jones Irish, Vice President; Natalie Alavi; Asha Brooks; Mohammad Qureshi; Hong Beom Rhee; Karen Roberts; and Patrick Tami
Board Members Absent:	Diane Hamwi; Eric Johnson; Coby King; Philip Quartararo; Ray Satorre; Jerry Silva; Robert Stockton
Board Staff Present:	Ric Moore (Executive Officer); Nancy Eissler (Enforcement Manager); Celina Calderone (Board Liaison); Jeff Alameida (Budget Analyst); Larry Kereszt (Examinations Manager); Erin LaPerle (Geology & Geophysics Program Analyst); and Gary Duke (Legal Counsel).

I. Roll Call to Establish a Quorum

The meeting was called to order by President Zinn at 9:34 a.m. Roll call was taken, and a quorum was not established.

Ms. Brooks arrived at 9:35 a.m., and a quorum established.

V. Executive Officer's Report (Continued)

D. Personnel

1. Staff Presentations

Presentations were made by the managers of the Administrative, Enforcement, and Licensing Units of the Board, explaining the roles and responsibilities of the staff of each unit.

Mr. Moore announced that Ms. Joanne Arnold, Assistant Executive Officer, will retire June 30, 2014. He expressed his gratitude and commended her on her resourcefulness.

Mr. Moore noted that the staff registrars will provide their presentations at the next Board meeting.

E. Administrative Task Force

No report given.

IX. Consideration of Rulemaking Proposals

A. Update on Proposals to Amend 16 CCR 416 and 3060 (Substantial Relationship Criteria); 16 CCR 426.10, 426.14, and 426.50 (Qualifying Experience); 16 CCR 3003(b) and (e) (Definitions of Engineering Geology and Professional Geophysical Work); and 16 CCR 3005 (Retired Status Fee for Professional Geologists and Geophysicists)

Ms. LaPerle advised that the Board approved the proposals for Title 16, California Code of Regulations section 416 and 3060, (Substantial Relationship Criteria) and Sections 426.10, 426.14, and 426.50 (Qualifying

Experience) at a previous meeting, and staff is working on the preparing the proposals for public notice.

Ms. LaPerle advised that the rulemaking packages for the amendments to Title 16, California Code of Regulations sections 3003 (b) and (e), (Definitions of Engineering Geology and Professional Geophysical Work) and Section 3005 (Retired Status Fee for Professional Geologists and Geophysicists), which were adopted by the Board at a previous meeting, are being reviewed by DCA. Once DCA approves them, they will be submitted to the Office of Administrative Law for final review and approval.

X. Administration

A. FY 2013/14 Budget Overview

Mr. Alameida reviewed the Budget and compared last Fiscal Year's funds to the current Fiscal Year. The PELS fund provided was as of February 28, 2014. Expenditures have increased versus the last Fiscal Year from increased contract costs with Prometric. He added the Board is generating more revenue than allocated expenses and is projected to have a surplus at the end of the year.

For the Geologists & Geophysicists account, expenditures will increase versus last Fiscal Year as a result of increased pro-rata costs and Prometric exam administration contracts costs. Applications are up and renewals are down which is cyclical. Overall, revenue at year-end should remain consistent with historical averages.

B. Out-of-state Travel Update

President Zinn reported that the Board received approval to attend the Task Analysis Survey meeting for ASBOG.

Mr. Duke addressed the out-of-state travel prohibition, which has greatly impacted the Board's vulnerability with regards to participation given the fact that the Board is more dependent on National examinations. California has had no representation with NCEES and ASBOG.

Mr. Alameida reported that a travel blanket request was submitted for the coming fiscal year. It is a one page document that identifies who is attending, location, funding needed, if any, and a brief description of the need.

11:29 a.m. Karen Roberts left the meeting

XI. Technical Advisory Committees (TACs) (Cont.)

- C. President Zinn reported on the Joint TAC meeting. The Building Standards Commission was in attendance and provided an overview relating to their role with the California Building Code and how it may integrate with some

of the Board's activities. Mr. Moore indicated there may be more collaboration in the future.

Mr. Mathe reported on the Land Surveying TAC meeting that took place on March 20. They discussed proposed bills and inquiries pertaining to contractors brokering surveying services.

XII. Liaison Reports

A. ASBOG

President Zinn attended and represented the State of California at an out-of-state ASBOG exam development meeting. He indicated that we need to make a point to attend. He would like to address a letter to DCA and the Governor's Office to express his gratitude and the positive impact it has on the profession.

B. ABET

No report given.

C. NCEES

Mr. Moore reported the joint Western/Central Zone meeting will be held May 15-17, 2014, in Lincoln, NE. The Annual meeting will take place August 20-23, 2014 in Seattle, WA.

Mr. Tami reminded everyone the NCEES Fundamentals Examinations are being offered year-round.

Mr. Tami added if the Board receives approval for out-of-state travel, NCEES allows for two members from each state to attend within 24 months of initial appointment who have never attended a national meeting. He pointed out that any member may attend if they pay the fees, however NCEES will fund two members. Mr. Moore encouraged Board members to communicate with both President Zinn and Ms. Jones Irish their interest in attending.

Mr. Moore shared a report provided by past Board Member, Mike Modugno, Emeritus Member of NCEES. They discussed prerequisites and pathways to licensure.

D. Technical and Professional Societies

Mr. Mathe and Mr. Moore made a presentation in San Diego to hundreds of land surveyors from California and Nevada regarding the Professional Land Surveyors' Act. Ms. Criswell and Ms. Eissler provided outreach information regarding enforcement and licensing to those in attendance.

Mr. Mathe presented the Board with a copy of the application for the very first Land Surveyor license issued, not only in California, but in the country.

Mr. Mathe also indicated that he and Mr. Moore attended an outreach meeting with the Napa Engineer's Society and discussed computer based testing and licensure issues.

President Zinn reported the Board is attempting to coordinate a booth with ASBOG at the American Geophysical Union in December which is a collection of earth science researchers in the nation. He added he has seen an increase in outreach and believes it is one of the most important duties as a Board.

Mr. Moore explained there are in-state travel restrictions as well. DCA works with the boards to determine if it is appropriate to attend certain functions. He added that the Board is using the privilege to attend such functions effectively and efficiently.

Ms. Jones Irish suggested staff assemble a calendar that outlines Board outreach participation. She indicated that she is available for outreach in Southern California.

12:28 Natalie Alavi left the meeting.

XIV. President's Report/Board Member Activities

President Zinn indicated his term as President is almost up and appointed Mr. Tami and Mr. Silva to serve as the Nomination Committee to nominate the President and Vice President to serve beginning July 1.

XV. Other Items Not Requiring Board Action

No report given

XVII. Adjourn

The meeting adjourned at 1:45 p.m.

PUBLIC PRESENT (On one or both days)

Phillip Arthur
Craig Copelan
Bob DeWitt
Steve Hao

XIV. NOMINATION AND ELECTION OF PRESIDENT AND VICE PRESIDENT FOR FISCAL YEAR 2014-2015

XV. OTHER ITEMS NOT REQUIRING BOARD ACTION

XVI. ADJOURN
