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The 2006 Legislative Session and the "Trespass" Law

photo courtesy of Baton Rouge CVB
Louisiana Engineering Society
9643 Brookline Avenue, Suite 116, Baton Rouge, LA 70809
Telephone: (225) 924-2021, Fax: (225) 924-2049
E-mail: les@les-state.org
Website: http://www.les-state.org

American Council of Engineering Companies of Louisiana
9643 Brookline Avenue, Suite 112, Baton Rouge, LA 70809
Telephone: (225) 927-7704, Fax: (225) 927-7779
E-mail: cecl@bbipmail.com

Louisiana Professional Engineering and Land Surveying Board
9643 Brookline Avenue, Suite 121, Baton Rouge, LA 70809-1433
Telephone: (225) 925-6291, Fax: (225) 925-6292
Website: www.lapels.com

Louisiana Society of Professional Surveyors
9643 Brookline Avenue, Suite 108, Baton Rouge, LA 70809
Telephone: (225) 925-5800, Fax: (225) 925-5802
E-mail: lsps@bellsouth.net, Website: www.lspsnet.net
I would like to thank Rep. Bryant Hammett, P.E. and LES for their work in this past legislative session to pass HB 284 (Act. #473). The bill changes the termination of LAPELS board members terms from August 31 to March 31. By doing this, the appointment of a board member and the conformation by the Senate will be in the same year. This has been a problem over the past 10 years. This bill also clarifies the requirement for a Land Surveyor who applies for registration in Louisiana by comity. When a Land Surveyor is registered in the United States or District of Columbia, they must meet the standard in effect in Louisiana at the time such license was issued in the state they are currently registered. This has been the requirement for Engineers registering by comity. 

The Senate approved the appointment of Tim Allen, P.L.S., Dr. James Garber, P.E., Mark Segura, P.E. and Ali Mustapha, P.E. These gentlemen will be a great addition to the LAPELS Board.

My term as the Chair of the LAPELS Board has come to an end. As I look back over the last year, I will always have fond memories of having the opportunity to work with a great board that truly has the Engineering and Surveying profession at heart. We have selected an Executive Secretary, Donna Sentell, to replace retiring Glen Kent and she is doing a great job. We have a balanced budget and we are operating within that budget. We are continuing to implement our online renewals and registration as well as continuing to update our website to make it more user friendly. We have renewed our lease with the Engineering Foundation for LAPELS office space in the Engineering Center Building. Donna has rearranged the office space and has changed responsibilities for the office personnel. She has worked hard to make LAPELS more user friendly for all registrants. I think LAPELS is poised to continue to better serve its registrants and promote our profession under the leadership of Kerry Hawkins, P.E., our new Chair.

**Board Members**

Kerry M. Hawkins, P.E.  
Chairman  
C.L. Jack Stelly, P.L.S.  
Vice Chairman  
Joseph C. Wink Jr., P.E.  
Secretary  
Timothy J. Allen, P.E.  
Treasurer  
Richard I. Durrett, P.E., P.L.S.  
James D. Garber, Ph.D., P.E.  
Rhaoual A. Guillaume, P.E.  
Mark A. Jusselin, P.E.  
Kenneth L. McManis, PhD., P.E., P.L.S.  
Ali M. Mustapha, P.E.  
Mark H. Segura, P.E.

**Board Staff**

Donna D. Sentell  
Executive Secretary  
Robert Eddleman  
Director of Enforcement  
Heidi G. Watts  
Administrative Secretary/Editor  

www.lapels.com

**MARK YOUR CALENDAR**

LAPELS

Board Meeting Dates

September 25-26, 2006  
November 13-14, 2006
If you are reading this article, you have probably taken and passed the Fundamentals of Engineering/Surveying and possibly the Principals of Engineering/Surveying examinations. Do you shudder to think of retaking them? Would it surprise you to know that some have deliberately taken the tests more than a dozen times?

Recently, two methods of increasing exam security have been implemented by the National Council of Examiners for Engineering and Surveying (NCEES). One is the establishment of a national database for those taking the exams multiple times. The second is a software program used to track the commonality of incorrect responses on exam answer sheets.

The national database was developed out of concern that some multiple test takers are intentionally failing the exams to collect data for other candidates or provide information to those administering exam preparation classes.

By 2008, the national database will be made available to licensing boards in all jurisdictions across the United States. The database will help monitor those applicants who are shopping for a locale in which to be approved to sit for an exam.

Currently, each state deals with multiple test taking candidates in their own way. Louisiana has recently started tracking the history of candidates who have failed the exams multiple times. Depending on the number of times you have failed, applicants will have to meet with the exam committee of the board. They may also be ordered to sit out two test cycles, and take a refresher course, to enhance their chances of success.

The second method of promoting exam security is software developed by psychometricians in order to examine the commonality of incorrect responses on exam answer sheets. After each exam cycle and before scores are released, answer sheets are analyzed for irregularities. If answer sheets are flagged, member boards are notified and given information on where test takers sat and the number of incorrect responses answered the same way. They are also encouraged to investigate the possibility of collusion. The past two test cycles have detected candidates who may be guilty of wrongdoing in Louisiana. The LAPELS board is continuing to investigate and devise an appropriate response for those breaching the integrity of the exams. Some states have even permanently barred candidates from ever sitting for an exam again.

Most candidates study hard, want to take the exams one time and earn licensure. The majority of licensed engineers and surveyors go on to have rewarding jobs and maintain a license in good standing for their entire professional careers.

For those few who choose to break the rules, member boards and NCEES are working hard to detect and deal with them. After all, the mission of the profession of engineering and surveying is “to safeguard life, health and property and to promote the public welfare”. What better way to uphold the mission than to spotlight those who try to undermine it?

We want to keep in touch with you; with all of you! We maintain a database of 60,000 registrants – 20,000 of which are active. Database management is a full time job for our staff, but keeping your contact information current with our office is your responsibility. You can help us serve you better by calling or emailing our office with your updated contact information: i.e. a change of mailing address, email address, phone and/or cell number.

We begin another renewal cycle this August. If your license is set to expire in September 2006, be watching the mail for your renewal notice. In an effort to expedite service, you may renew on-line. Check out our website www.lapels.com for details.
# New Registrants for the Period of April 27, 2006 - July 17, 2006

**Professional Engineers**

- Sears, Melvin
- Layne, William Howel
- Munley, Charles Martin
- Adams, William Whitman
- Alfonrez, Vicente Narvaez
- Andrus, Kimberly Hayes
- Babin, Marshall Lance
- Baker, William P.
- Bolding, Robert Winston
- Ball, John Lamson
- Becker, Gregory Towlie
- Benjamin, Caryn Elizabeth
- Berkland, Eugene Olani
- Berucci, Anthony Joseph
- Boltz, Joshua Philip
- Bonadona, Lance James
- Bordelon, Mark Anthony
- Boucvalt, Allison Kathryn
- Boudreau, Jennifer Ann
- Bouman, Richard L.
- Bozenovici, Val
- Bredbenner, Todd B
- Brimer, Jeremy Pike
- Brown, Ralph Wayne
- Buell, Ethan A.
- Buskie, Stephen Walter
- Butler, Scott D.
- Camden, Heather Esmond
- Cardon, Jason David
- Carrick, Edward Kenneth
- Carter, Dennis Lyle
- Carville, Christopher Thomas
- Chachere, Nicholas L.
- Cheng-Guajardo, Cesar Miguel
- Chester, Rodney Neal
- Chilara, Naveen
- Chou, James C.
- Clough, Scott Thomas
- Cochran, Shawn Douglas
- Coleman, J Norman
- Conrad, Darren R
- Cook, William Roy
- Courville, Jacob Ryan
- Crochet, Micah Joseph
- Daly, John Francis
- Dilworth, Bert Gamboa
- Davis, Naomi Ruth
- Day, David V.
- Day, Robert L.
- Delaney, Elizabeth Dolores
- DeLanae, Robert Joseph
- Delva, Kevin Lynn
- Deuel, Charles Lloyd
- DiGenova, John G
- Doton, Gerald Richard
- Down, Scott Shelby
- Dunn, William Edmund
- Durbin, Katrina Olson
- Edelson, Eric L.
- Edmonds, Keith
- Elmore, Daniel Rea
- Evans, James Marvin
- Farrell, Walter W.
- Fettenly, Robert S
- Filer, Daniel Joseph
- Forbes, Natalie Janelle
- Foster, Edward Joseph
- Fournier, Julie Ann
- Fultz, Charles Edward
- Garig, David William
- Gearhart, Jerold Jerome
- Gordon, Richard Allen
- Gosselin, Mark S.
- Gottschalch, Clay Ervin
- Gradick, Craig Marvin
- Graves, Peter R.
- Griffith, Larry Joe
- Grosser, Leo Charles
- Hamilton, Timothy Charles
- Hammond, Cory Alan
- Heald, Jonathan William
- Heurtin, Michael Peter
- Hines, James Franklin
- Hinojosa, Robert Josef
- Hittlebaugh, David Aaron
- Hodges, Gregory Hale
- Hoffpauir, Jeremy Chris
- Holcombe, Perry Dean
- Hood, Elizabeth A.
- Hopkins, Stacy Pscenicka
- Hopper, Troy Edward
- Horne, Darryl Keith
- Irwin, Bill Riley
- Jaat, Ab dov M
- Janet, Adam S.
- Jia, Yunqiu
- Joffer, Mark W
- Johnson, Theodore A
- Johnson, Timothy Wayne
- Karki, Jiadep Satish
- Keller, Douglas James
- Kent, Edward Jacil
- Kessinger, Steven K
- Kim, Sung-Hee
- Kinsman, Scott E.
- Kite, Thomas Alan
- Kozlowski, Scott E
- Krech, David W.
- Kuplic, Neil Joseph
- Lasater, Darin Von
- LeCarpentier, Jeremy Scott
- Lindsey, Kevin Noel
- Louis, Michael
- Manson, Scott Michael
- Marlow, Shawn Joseph
- McCaul, Shannon Kelly
- McCoil, Matthew Joseph
- McGill, Keri Lynn
- Midkiff, Wade Elbert
- Miles, Jeffery Paul
- Nethitkumara, Indundul
- Nix, Keith M
- Normand, Christopher Wesley
- Nsar, Athanacous N
- Oakes, Hank Mitchell
- Oxenreider, Paul S.
- Pate, Tracy Ann
- Payne, Roy Henry
- Perrien, Scott Michael
- Peterson, Brian Dean
- Phillips, Robert John
- Phipps, Scott Douglas
- Poplin, Don L
- Prejean, John Wayne
- Raff, Michael D.
- Rabalais, Tacie Goetting
- Reid, Tryggve Einar
- Rickborn, Timothy William
- Rivera, Frank
- Roan, Eric Tate
- Robinson, Dale J
- Rolen, George Amos
- Rostedt, Brian Kurt
- Schade, Christian Stephen
- Schimizze, Richard Robert
- Schober, Gregory Gerard
- Scott, Chad William
- Shank, Thomas Alfred
- Shelandar, Terrence F
- Shukla, Shamin Jayesh
- Smith, Brian Searcy
- Smith, Mark A
- Smith, Travis George
- Soileau, Christopher Charles
- Spicer, Tamara Lyn
- Squerciat, John
- Stanaszek, Julie Russel
- Steiner, Mark Christopher
- Stern, Stephen Simon
- Stewart, Joseph E.
- Stinson, Kristen Nancy
- Stutz, Matthew Kent
- Sun, Lu
- Szollosy, Charles Joseph
- Takahashi, Alexander
- Tang, Fang-Fu
- Taravella, Brandon Michael
- Thibudeau, Christopher Ryan
- Thomas, Brian D.
- Thompson, Michael L.
- Thunes, James W
- Todd, Thomas Irvin
- Trudelle, Richard R
- Van, Manh Q.
- Velivasakis, Emmanuel E.
- Walker, Jennifer J
- Wallace, Scott Douglas
- Wang, Xuyong
- Wehling, Terence Eugene
- Wilcox, Russell Joseph
- Wilson, Gerald Paul
- Woehrle, Michael David
- Wood, Scott Mitchell
- Worsham, John A
- Yung, Andrew Carl
- Zelenka, Geraldo W.
- Zoeller, Jennifer Roe
- Zuniga, Edgardo Franklin
- Robertson, Donald Timothy
- Cribs, Ricky Alleson

**Professional Land Surveyors**

- D’Angelo, Michael Paul
- Ivey, Daniel R.
- Lobell, Scott Michael
- Moreau, Michael Henry
- Powell, James Edward
- Reilly, Jeffery Christopher

**Engineer Interns**

- Ackley, Benjamin Phillip
- Adams, Kasey Wayne
- Adams, Tracey Allison
- Aideyan, Prosper Innocent
- Alexander, Quincy Gomez
- Allain, Megan Louise
- Allbritton, Brandon Joseph
- Allison, David Roderick
- Ally, Ashley Ann
- Alter, Jacob Castagna
- Anabathula, Sathish
- Arbour, Ryan L.
- Ardon, Aaron Murphy
- Armstrong, Jennifer Michelle
- Babin, Jacqueline Ann
- Baker, Lucy Joan
- Bakke, Jonathan R.
- Banker, Craig Matthew
- Bartlett, George Robert
- Bayer, Justin Edwin
- Bays, Mark Allen
- Bearden, Steven Doyle
- Bechtel, Kevin Michael
- Bellelo, Steven M.
- Bernard, Lewis Jacson-Lyn
- Beyer, Bryan Joseph
- Bihm, John William
- Black, Steven W.
- Blalock, Mark Richard
- Blandin, Christopher Russell
- Blanton, Tracy D.
- Bonsall, Matthew Brian
- Boudreaux, Hunter James
- Bourgeois, Cory Michael
- Bourgeois, Jason Paul
- Bowen, Matthew Aaron
- Boyd, Daniel H.
- Bradley, Jonathan Allan
- Branch, Nathan Alan
- Brasher, Bob Howard
- Brown, Daniel Craig
- Brown, Sedrick
- Bruce, Thomas Carl
- Brune, Michael Forrest
- Brunet, Ashlee Ray
- Brunet, Christopher Michael
- Buckely, Robert Anderson
- Builliard, Gabriel Thomas
- Bumgarner, Kevin William
- Burbank, Thomas DeMoss
- Burger, Robert Ray
- Butler, Keith Scott
- Byrd, Stanley Warren
- Cabaniss, Christopher David
- Caldwell, Christine Marie
- Cannata, Devon Nicole
- Carey, Brandon Michael
- Carrier, Megan Nicole
- Carroll, Connor Larkin
- Carter, Zoe Nicole
- Caskey, Gregory Keith
- Castaneda, J. Yamane
- Castay, Mark David
- Chapman, Charles David
- Chervin, Fredy Louis
- Cheramic, Jacob Tyler
- Chesser, David Wayne
- Chiloca, Chase Nicholas
- Christian, Sarah K.
- Christopher, Christopher Patrick
- Christou, Prodromos
- Clappitt, Colleen Leah
- Clark, Daniel Thomas
- Clouate, David Anthony
- Coates, Tollie Martin
- Connelly, Brady Jonathan
- Cornwall, Paul A.
- Coulon, Dusty James
- Cox, Mark Daniel
- Cuadroz, Joseph Frank Boyd
- Dallimore, Eric Joseph
- Dallinger, Timothy Jude
- Daughdril, Magen Denise
- Dawson, Karan R.
- Debaillon, Rene Michael
- Desoner, James Olin
- DiLorenzo, Neil R.S.
- DiZinno, Jenny Marie
- Dolin, Robert Kaleta
- Domingue, Derek Lynn
- Donnell, Jarrod K.

**Engineer Interns** continue on next page
NEW REGISTRANTS

New Registrants for the Period of April 27, 2006 - July 17, 2006

Doolittle, Courtney Grace
Dowell, Meghan Michelle
Ducote, Phillip Anthony
Dufour, Michael Christian
Dufrene, Corey C.
Dunaway, Jeff Darrell
Duple, Amy Louise
Dupre, Stacey Ann
Ebene, Jeremy Anthony
Elee, Brad Richard
Esposito, Eric Ian
Farmer, Jonathan Nicholas
Faucheaux, David Robert
Faulk, Tait Jameson
Fink, Alex Michael
Fontenot, Eric Paul
Fontenot, Joshua Paul
Fontenot, Ryan David
Foret, Christopher Jared
Fuselier, Christopher David
Gaillour, Matthew Ernest
Gallegos, Ulises Ricardo
Garcia, Alicia Maria
Garcia, Edward T.
Garner, Jason Paul
Gaspard, Brian J.
Gaudet, Corey James
Gautreaux, Megan E.
Gerace, Christopher Jude
Gillen, Gavin Daniel
Ginn, Kristin Keli
Goetzmann, Benjamin Bon
Goodin, John Landon
Griffin, Ryan P.
Gudipati, Sripavani
Guidry, John Paul
Hamlinton, Katharine Ludella
Hardie, Calvin Keith
Hargrave, Joshua Scott
Harvey, David Ray
Hebert, Curtis Maurice
Hedlund, Ryan Christopher
Hemeter, Jesse F.
Hensgens, Matthew Joseph
Herrmann, Keith William
Hervey, Richard Anthony
Hewlett, Patrick Thomas
Hicks, Jack Hoang
Higgins, Marcus Jerome
Hoffman, Jacob S.
Hoffpaur, Erik James
Holloway, Elizabeth Alice
Horne, Jordan Paul
Hottengada, Babravahan
Hutchins, Jesse William
Ingold, Christopher James
Istre, Beau Hunter
Ittmann, Justin Thomas
Jantz, Matthew Eric
Jenkins, James Hugh
Jenkins, Robert Blake
Jernigan, Nathan Grant
Joerg, Joshua Curtis
Jones, Brenton Michael
Jordan, Jason Michael
Jordan, Vertie Louise
Judice, Nicholas J.
Kamp, Kathryn Rashelle
Kapesis, Tommy James
Keeton, Katherine Lynn
Kinner, Ryan Paul
Kinney, Powell McVay
Kirby, William Clay
Knight, Edward Michael
Kocke, Paul Joseph
Kovacs, Stephen Joseph
Kreutz, Amy Marie
Kwiatkowski, Steven Michael
LaGrone, Jonathan Wynn
Lantis, Michael Shane
Larson, Boome F.
Lasseigne, Joel Patrick
Lawler, Alexander Sturgis
Lawrence, Cory Douglas
Le, Ngoc Ngoc
Ledet, Christopher Paul
Lefever, Lindsay Kate
Leuck, Nicholas Edwin
Levy, Christopher P.
Li, Congna
Lirette, Nicole Piaulche
Lok, Mustafa S.
Longacre, Aaron Hugh
Lorio, Justin Michael
Lukach, Caroline Monique
Lumby, Crystal Renee
Lupulescu, Cristina Danu
Maggio, Matthew Jacob
Mailhot, Chantal Andree
Manint, April Stacey
Marby, Clayton M.
Marin, Michelle Marie
Marsh, William Jessie
Martinez, Alicia Kinchen
Matthews, Roger Glenn
Mautner, Travis John
May, Lewis Vancey
May, Raechelle Victoria
McDaniel, David Michael
McDonald, Johnny Wayne
McGough, Morgan Wesley
McKeeer, James Buffinton
McReynolds, James Bryan
Milazzo, Eric Thomas
Miller, Jonathan Paul
Miller, Justin Aaron
Miller, Robert Lloyd
Mills, Robert James
Mitchell, Milton Lee
Mitchell, Steven Alan
Modi, Avinosh
Montalvo, Joseph P.
Montz, Jennifer Lynn
Morgan, Joshua David
Morrison, Emily Katherine
Myers, David Joseph
Namy, Matthew Xavier Marie
Naquin, Kevin Joseph
Needham, Jonathan Dautlon
Neilson, Andrew Benjamin
Nelson, Jacqueline Gallagher
Nester, Kyle Patrick
Nguyen, Thuy Khanh
Nicholls, James Gerhard
Nimmagadda, Sudheer
Noel, Amanda Marie
Nunnery, Stephen Scott
O’Quinn, Kiyuyo Kim
Obulareddy, Sandeep
Ohar, Megan May
Oliver, Sean Michael
Ordoynie, Melinda Lea
Palermo, Joseph John
Patterson, Brian Joseph
Patz, Daniel David
Perrotti, Joel T
Phillips, William James
Pielcha, Michael Victor
Pipes, James Windsor
Ponville, Robert Paul
Post, James W.
Prudhomme, Nicholas Dale
Purvis, Brad H.
Putsch, Kathleen Autumn
Radler, Anthony John
Ray, Jared Ashley
Reed, Kelly E.
Renard, Joshua Keith
Richards, Preston James
Riggin, Ronald Joel
Robinson, Johnny Neville
Rodigue, Jake Paul
Rogers, Michael James
Romanach, Marta Elena
Rowe, Matthew Dennis
Rowley, Scott A.
Ryan, Robert Nevin
Saladino, Anthony John
Sangerman, Jordan T.
Sawyer, Jeffrey Thomas
Sclafano, Samuel Phillip
Schuenfelder, Michael Andrew
Schoeder, Danielle Vanessa
Seale, William Charles
Seedah, Dan Paapanyn Kofi
Selier, Brian Edward
Shaeffer, April Cher’ree
Shapiro, Daniel Jordan
Sharma, Aditi John
Sherar, Justin Ladd
Sheaffer, Mark Edward
Shepard, Kimberly Michelle
Sideris, Alexander Edward
Slattery, Patrick Michael
Smith, Wesley Paul
St. Romain, Jonathan Matthew
Stein, Amelia Frieda
Stein, Daniel Joseph
Stephens, Kyle A.
Stitch, Rachel L.
Suren, Chen
Sutley, Garvan Hannon
Taylor, Jeffrey Blaine
Taylor, William Trent
Theall, Ashley M.
Thevenot, Toby Michael
Thomas, William Brandon
Thompson, Jerry Daniel
Toups, Adam Michael
Trahan, Daniel Patrick
Trahan, Gregory Dale
Trasvás, Aaron Joseph
Tu, Annie
Tyson, Lancy Garth
Ulicsni, Mark Bradley
Vadlamani, Srividya
Valadie, Casey Nicholas
Vanier, Clifton Joseph
Varahramyan, Kamran Matthew
Vise, Zachary J.
Volpe, Paul S.
Watkins, Samuel Larry
Watson, Jay Bradley
Weening, Stuart M.
Wells, Lemuel Addison
Wheeler, Anna Elizabeth
White, Amy Colleen
White, Gregory Coyce

Willbanks, Jeffrey David
Williams, Eric Shawn
Williams, Reid Michael
Willmore, Nichelle Denae
Wooster, Matthew Kyle
Wyrick, Jason Robert
Yost, Evan Victor
Young, Angela Marie
Yuan, Fang
Zachry, Daniel Parker
Hawkes, Jerry L.

Engineering Firms
AccuTech Houston, LLC
Alternatives in Engineering, Inc.
Ampllcal Solutions, L.L.C.
Anderson & Hasstings, Consulting Engineers, Inc.
Applied Foundation Testing
Baran Telecom, Inc.
BEC Engineering
Becht Engineering Co., Inc.
C B Engineering
CLC Engineers, Inc.
CLE Engineering, Inc.
Crouch Engineering, P. C.
Daisysprings Group, LLC
Deareborn Mid-West Converyor Co.
Design & Development Constructuion, L.L.C.
Design Engineering of St. Tammany, LLC
DesignTech Engineering, LLC
E.J. Global, Inc.
Engensus, L.L.C.
Engineering Solutions, LLC
ESI Design Services, Inc.
Fall Company, LLC
Gahagan & Bryant Associates, Inc.
H. Davis Cole & Associates, LLC
Handlin Engineering, L.L.C.
Harris Consulting Engineers, LLC
HGE Consulting, Inc.
Integrity Structural Corp.
J.T. Watson Engineering, LLC
Jack B. Harper Contractor, Inc.
Kendall Engineering, LLC
Leonhardt, Andra and Partner Consulting Engineers and GmbH
Little Susitna Construction Co., Inc.
M A Cheek Engineering, LLC
Maxwell Johanson Maher Architects, LLC
McGeachie Engineering & Accident Reconstruction Services, LLC
Nesbit Engineering, L. C. L.
Ocean Engineering Associates, Inc.
Page Southerland Page, LLP
Patrick Engineering, Inc.
Poole Fire Protection, Inc.
PowerCon Engineering P.C.
Prentice Training Company, Inc.
PT&Forphic Consulting Services, P. A. (Corp.)
RTM & Associates, Inc.
Rung & Associates, LLC
Skidmore, Owings & Merrill LLP
Stanut Consulting Services Inc.
Structural Engineering Services, LLC
TAE, Inc.
Teledys
The Structures Group, Inc. of VA
Westbrook Engineering
The Board continues to investigate alleged violations of statutes and rules which regulate the professional practice of engineering and land surveying in Louisiana. Substantiated violations result in disciplinary action being taken either through Consent Orders or by Board Orders following a formal hearing at which the respondent is adjudged guilty of one or more violations. Below are summaries of some of the disciplinary actions from May to August 2006.

**PRACTICE OF ENGINEERING AND/OR LAND SURVEYING ON AN EXPIRED LICENSE**

Mr. Darren M. Hopkins, P.E., a Louisiana licensee, was disciplined by the Board for the offering and/or providing of engineering services in Louisiana during the period his license was in an expired status from October 1, 2002 until July 28, 2005. Mr. Hopkins's license has been renewed and he has entered into a Consent Order with the Board wherein he agreed to pay a fine of five hundred ($500.00), to pay administrative costs of one hundred thirty-three and 22/100 ($133.22), and to the printing of a summary of this matter by name in this publication.

**UNLICENSED OFFER AND/OR PRACTICE OF ENGINEERING AND/OR LAND SURVEYING**

Mr. William Wilson was disciplined by the Board for the unlicensed practice of engineering in Louisiana. Mr. Wilson referred to his job title as “sales engineer” in his business card and in e-mail correspondence. Mr. Wilson has entered into a Consent Order with the Board wherein he agreed to pay a fine of two hundred and fifty ($250.00) dollars, to pay administrative costs of one hundred thirty-three and 22/100 ($133.22) dollars and twenty two cents to immediately cease and desist the use of the words “sales engineer” or similar words in his business card, his correspondence or otherwise in connection with himself or his work, and to the printing of a summary of this matter by name in this publication.

**SEALING VIOLATIONS**

Mr. C. Keith Capdepon, Jr., P.E. a Louisiana licensee was disciplined by the Board for signing and sealing plans that were not prepared under his responsible charge. Mr. Capdepon signed and sealed plans that were prepared by another that was not under his responsible charge. Mr. Capdepon entered into a Consent Order with the Board wherein he agreed to pay a fine of one thousand ($1,000.00) dollars, to pay administrative costs of eighty-two and 72/100 ($82.72) dollars, to successfully complete the Board’s online Ethics Presentation, and the Board’s online Ethics Presentation, within sixty days of the effective date of the Consent Order, to in the future not sign and seal plans not prepared under his responsible charge, and to the printing of a summary of this matter by name in this publication.

Mr. Dale A. Phillips, P.E., a Louisiana licensee was disciplined by the Board for the signing and sealing of plans that were not prepared under his responsible charge and control. Mr. Phillips signed and sealed plans that were not prepared under his responsible charge. Mr. Phillips entered into a Consent Order with the Board wherein he agreed to pay a fine of one thousand ($1,000.00) dollars, to pay administrative costs of eighty-two and 72/100 ($82.72) dollars, to successfully complete the Board’s online Laws and Rules Examination, to in the future not sign and seal plans not prepared under his responsible charge, and to the printing of a summary of this matter by name in this publication.

**AIDING OR ASSISTING OF ANOTHER PERSON IN VIOLATING ANY PROVISION OF THE BOARD’S LICENSURE LAWS AND RULES**

Mr. C. Keith Capdepon, Sr., P.E. a Louisiana licensee was disciplined by the Board for aiding and assisting another person in violating the Board’s licensure laws and rules. Mr. Capdepon aided and/or assisted his son C. Keith Capdepon, Jr., P.E. in signing and sealing plans that were not prepared under his son’s responsible charge.

Mr. Capdepon has entered into a Consent Order with the Board wherein he agreed to pay a fine of one thousand ($1000.00) dollars, to pay administrative costs of eighty-two and 72/100 ($82.72) dollars, to successfully complete the Board’s online Laws and Rules Examination, and the Board’s online Ethics Presentation within sixty days of the effective date of the Consent Order, and to the printing a summary of this matter by name in this publication.

The Obligation of an Engineer

I am an Engineer, in my profession I take deep pride. To it I owe solemn obligations.

Since the Stone Age, human progress has been spurred by the engineering genius. Engineers have made usable Nature’s vast resources of material and energy for Man-kind’s benefit. Engineers have vitalized and turned to practical use the principles of science and the means of technology. Were it not for this heritage of accumulated experience, my efforts would be feeble.

As an Engineer, I pledge to practice integrity and fair dealing, tolerance and respect, and to uphold devotion to the standards and the dignity of my profession, conscious always that my skill carries with it the obligation to serve humanity by making the best use of Earth’s precious wealth.

As an Engineer, in humility and with the need for Divine guidance, I shall participate in none but honest enterprises. When needed, my skill and knowledge shall be given without reservation for the public good. In the performance of duty and in fidelity to my profession, I shall give the utmost.

For more information: www.order-of-the-engineer.org
PRESIDENTIAL PRIVILEGE
By Kevin E. Crosby, P.E., P.L.S.

It is an honor to assume the position of State President for the Louisiana Engineering Society (LES). I would like to express my appreciation to the membership for electing me and giving me the opportunity to serve in this capacity. I am looking forward to serving with the current board that consists of the executive board, chapter presidents, practice division chairs, and committee chairpersons. This group has given numerous volunteer hours with no thought of personal gain. I would like to thank our immediate past president, Chris Richard, P.E., for his hard work, dedication and leadership over the past several years. When this process begins, you really make a commitment for at least five (5) years to give back to your profession. Chris was active and played an important role for all of the years he served. Thanks for a job well done.

The Tri-State Engineering Conference was held on June 18-20, 2006 at the Pearl River Resort in Choctaw, Mississippi. A special thanks to the State Society of Mississippi for hosting this conference. Our scheduled meeting was to be held in Point Clear, Alabama until Hurricane Katrina decided to make landfall and disrupt the entire resort. Mississippi was kind enough to welcome our Society to meet with them and the Arkansas Society. The meeting was well planned and I would like to thank Ali Mustapha, conference chairman, and Brenda Gajan, LES Executive Director, for their hard work. The conference provided a good mix of seminars for all disciplines. One of the groups that are sometimes taken for granted is the exhibitors and sponsors. I would like to thank each one who supported the conference and helped make the meeting a success.

By the time this article is published, LES will have joined with LAPELS, LSPS, and ACEC/L on July 18, 2006, at the State Capitol Building to honor new registrants in the fields of engineering and surveying. I would like to congratulate each new professional for reaching this milestone in their career. I urge each registrant to become active in your professional societies.

Each year, the point is stressed of how important the membership is to LES. LES represents all engineers registered in the State of Louisiana, although not all registered engineers are members of LES. LES is improving your profession by offering continuing education opportunities, supporting legislative issues, helping defeat some legislative issues, advocating registration of all engineers, providing educational activities for middle school students, and recognizing engineering achievements. Each one of these items is important enough to your profession to become a member of LES. For example, this year has just begun and an instance has arisen of a city council member wanting to change how a professional service selection board is formed. LES (state and local) voiced their concerns with allowing politics to possibly enter into the selection process. LES vocally supports the Quality Based Selection (QBS) system. Ron Rodi, P.E., does an excellent job chairing the Legislative Committee. This past year LES was very active in legislative issues that could change our profession, in both positive and negative ways.

Another important function that LES performs is submitting nominees to the Governor for an appointment to the Louisiana Professional Engineering and Land Surveying Board. The members of our society have input into who is nominated to the LAPELS Board. LAPELS serves an important role in our profession by safeguarding the public health, welfare and safety by ensuring there are competent and ethical licensed engineers and land surveyors practicing in the State of Louisiana.

Membership is the life blood for any organization. LES will continue to promote and protect your profession. In order for LES to continue to excel, we need all non-members to become members and get involved. After all, this is your profession. Again, I look forward to serving you this year. You can contact Brenda Gajan to obtain more information about joining LES or visit our website at www.les-state.org.
Visit Us On The Web

- Order LES products; coffee mugs, lapel pins, license plate, Centennial book.
- Membership forms and benefits.
- And much more!

http://www.les-state.org
LEXANDRIA CHAPTER
By: Glenn Turner, P.E.

Board members for the Alexandria Chapter are:
President - Glenn Turner, P.E.
1st Vice President – Rajesh Kirthivasan, E.I.
2nd Vice President – Norman Nassif, P.E.
Secretary/Treasurer – Joshua Barrett, E.I.
Professional Engineers in Construction – Richard Primeaux, P.E.
Professional Engineers in Government – Brad Sticker, P.E.
Professional Engineers in Industry – Larry Smart, P.E.
Professional Engineers in Private Practice – Kerry LaBauve, P.E.

BATON ROUGE CHAPTER
By: Robert Degeyter, P.E.

Board members for the Baton Rouge Chapter are:
President – Robert Degeyter, P.E.
President Elect – Robbie Lear, P.E.
Vice President – Dan Rosenquist, P.E.
Secretary/Treasurer – Ken Robichaux, P.E.
First Director – Geoff Wilson, E.I.
Second Director – Gerald Doyle, P.E.
Past President - Gavin Gautreau, P.E.

BAYOU CHAPTER
By: Floyd E. “Gene” Milford, III, P.E.

Board members for the Bayou Chapter are:
President - Floyd E. “Gene” Milford, III, P.E.
1st Vice President – Dennis Kelley, P.E.
Secretary/Treasurer – Melanie Bou-dreaux, E.I.

LAFFAYETTE CHAPTER
By: Todd Boudreaux, P.E.

Board members for the Lafayette Chapter are:
President – Todd Boudreaux, P.E.
1st Vice President – Ben Hawn, P.E.
2nd Vice President – Nina Ludington, E.I.
Secretary/Treasurer – Beau Desormeaux, P.E.

LAKE CHARLES CHAPTER
By: Don J. Dugas, III, P.E.

Board members for the Lake Charles Chapter are:
President - Don J. Dugas, III, P.E.
1st Vice President – Michael P. Hollier, E.I.
Secretary/Treasurer – Curtis Dyle, P.E.
Professional Engineers in Construction – Bill Miller, P.E.
Professional Engineers in Government – Tim Conner, P.E.
Professional Engineers in Industry – Steve Derouen, P.E.
Professional Engineers in Private Practice – John Bruce, P.E.

MONROE CHAPTER
By: Jason Thornhill, P.E.

Board members for the Monroe Chapter are:
Jason T. Thornhill, P.E. – President
Brian Harrell, P.E. – 1st Vice President
Randy Hammons, P.E. – 2nd Vice President
Clay James, E.I. – Secretary/Treasurer
Don Arrington, P.E. – Immediate Past President
Dr. Paul N. Hale, Jr., P.E. – Professional Engineers in Education
Bill Holdman, P.E. – Professional Engineers in Construction
James H. Henry, P.E. – Professional Engineers in Private Practice
Don Arrington, P.E. – Ethics and Professional Conduct
Randy Denmon, P.E. – Legislative
Chris Patrick, P.E. – Continuing Professional Development
Randy Hammons, P.E. – Newsletter Editor
Josh Hays, E.I. – Mathcounts Coordinator

NEW ORLEANS CHAPTER
By: Craig D. Dooley, P.E.

Board members for the New Orleans Chapter are:
President – Craig D. Dooley, P.E.
1st Vice President – John Lawrence, P.E.
2nd Vice President – Brian Davis, P.E.
Secretary/Treasurer – Bodin Hugger, P.E.
Director – Keith Gonzales, P.E.
Director – Kevin LeBlanc, P.E.

continued on next page
**SHREVEPORT CHAPTER**

By: Dennis J. Dean, P.E.

The Shreveport Chapter is looking forward to another successful year of service with our LES members and the local community. The new board will be meeting in a couple of weeks to schedule and plan events for the upcoming year.

Board members for the Shreveport Chapter are:

President - Dennis J. Dean, P.E.
1st Vice President - Dave Rambarin, P.E.
2nd Vice President - Joey Krefft, E.I.
Secretary - Beth Schatz, E.I.
Treasurer - Matthew J. Wallace, P.E.
Past President - Andrew Zagars, P.E.

Our goal is to provide quality programs and events that will provide continuing education, professional development and community involvement opportunities for our members. We are proud to sponsor events and programs such as MATHCOUNTS and the Louisiana Tech Engineering Scholarship to confirm our continued commitment to education and the engineering profession.
LES 2007 HONORS & AWARDS
By: Brenda Gajan

LES will honor eight engineers who have achieved high levels of professionalism, technical ability or civic support. The desire of the Society is not only to recognize the distinguished service of these individuals, but to also encourage and inspire other engineers to take a greater interest in their specific field. Please give serious thought to nominating someone in your professional area of expertise for one of the awards listed below. Nominations should be made through your local chapter and are due to the State Office by November 10, 2006. The eight categories are:

1. A. B. Paterson Medal for an Engineer in Management
2. Andrew M. Lockett Medal for Civic Activities
3. James L. Todd Technical Accomplishment Medal
4. Leo M. Odom Award for Service to the Profession
5. Charles M. Kerr Public Relations Award
6. F. Hugh Coughlin Young Engineer Award
7. Waldemar S. Nelson President’s Award
8. Dudley Hixson-Bobby Price National Professional Achievement Award.

CAPOZZOLI SCHOLARSHIPS AWARDED

Two graduate level scholarships have been awarded through the generosity of Dr. Louis J. Capozzoli, P.E., and his wife Laura. The Capozzoli’s sponsor, through a joint agreement between LES and the Rotary Club of Baton Rouge, the two $5,000.00 scholarships annually. One female Louisiana engineering college graduate pursuing graduate level studies in engineering was selected from four applications received for the Laura B. Capozzoli Engineering Graduate School Scholarship. One male meeting the same criteria was selected from two applications received for the Louis J. Capozzoli Engineering Graduate School Scholarship. This year’s recipients are Jasmine Galjour of University of Louisiana at Lafayette and John Sweeney of Louisiana Tech University. Our sincere thanks to Dr. Capozzoli and his wife Laura for this meaningful contribution to engineering scholarship funding in Louisiana!

NEW MEMBERS

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8 HOUR HOMELAND SECURITY SEMINAR

By: Dan Wittliff, P.E., F.NSPE

Sponsored by: LOUISIANA ENGINEERING SOCIETY
Co-Sponsored by: AMERICAN COUNCIL OF ENGINEERING COMPANIES OF LA
LA AIRPORT MANAGERS ASSOCIATION
PORT ASSOCIATION OF LOUISIANA

Seminar will be held at the
Baton Rouge Marriott
5500 Hilton Avenue
Baton Rouge, LA 70808
(225) 924-5000

September 15, 2006 - 8:00am – 4:30pm

This one-day seminar serves to acquaint seminar participants with an “all hazards” approach to homeland security planning and preparedness. Specifically, attendees will receive instruction in terrorist tools, homeland security risk assessments, statewide homeland security evaluations, and organizing volunteer engineers.

In addition, the seminar will introduce attendees to available resources for their use in recognizing and taking effective action on potential threat elements of terrorism. Attendees will receive instruction on how to accomplish risk and vulnerability assessments according to Department of Homeland Security procedures.

Finally, seminar leaders will help attendees develop a strawman of a homeland security implementation plan to guide the efforts of volunteer engineers in (1) organizing volunteers to evaluate the preparedness and potential targets in the state and (2) matching their volunteer members to the needs of governmental organizations.

REGISTRATION FORM

Name: _______________________________________________________________________________________________________________

Address: ______________________________________________________________________________________________________________

City: ___________________________________________________________________________ State: __________ Zip: __________________

PhoneNumber: ____________________________________________ FaxNumber: ____________________________________________

Email: ______________________________________________________________________________________________________________

REGISTRATION: Fee = $125 (Lunch is included in registration cost.) □ Visa □ M/C (We do not accept American Express)

Card No. _______________________________________________________________________________ Exp.Date _____________________

Signature: ____________________________________________________________________________________________________________

Please circle organization you are affiliated with: LES ACEx/L PORT ASSN. AIRPORT ASSN.

Mail checks and registration to: Louisiana Engineering Society, 9643 Brookline Ave., Ste. 116 Baton Rouge, LA 70809
You may fax your registration to: (225) 924-2049 or email to les@les-state.org
For more information please visit our website: www.les-state.org
If you have any questions, please call the LES office at (225) 924-2021
Sorry, no refunds will be given after August 31, 2006
Seating is limited to the first 100 so register now!!
A block of hotel rooms has been reserved under “Louisiana Engineering Society” at an event rate of $119. Room cutoff is August 31, 2006.
Louisiana’s 2006 Special and Regular Legislative Sessions have been particularly active on issues related to the practice of engineering, and how our profession is perceived in the public arena. Hurricanes Katrina and Rita have and are continuing to reshape how Louisiana does business and the role engineers will have in the aftermath of these disasters.

Over the past several years, LES has formed stronger legislative alliances with our partners in the engineering/construction industry, and in 2006 has continued to seek and offer support on a number of key issues. Once again, our membership got involved in contacting legislators during the committee meetings and on the floor of the House and Senate at the right times and our voice was heard. Warren Wilder, ACEC Executive Director is a tremendous advocate for the profession and assists LES throughout the legislative sessions.

Gerald Simmons, our legislative consultant, is invaluable for counsel and assistance before and during the Session. Brenda Gajan and the rest of the State Office staff have continued in grand fashion in tracking bills, committee assignments and schedules, and communicating the issue to our membership. LES owes a great deal of our success to State Representative Bryant Hammett, P.E. as he works closely with Gerald Simmons and Brenda to shape and sponsor our legislative proposals.

Following is a list of key bills we tracked and the outcome:

**House Bill 238/Senate Bill 550:** Provides for an exemption relative to criminal trespass for professional land surveyors. Proposed law removes professional land surveyors from provisions of present law regarding entry onto immovable property of another with oral or written permission. (DEFERRED IN HOUSE COMMITTEE. PASSED SENATE COMMITTEE BUT NEVER VOTED ON. However HCR 281 by Rep. Hammett and Sen. Michot directs the Louisiana Law Institute to study trespassing laws as they relate to professional land surveyors was approved.)

**House Bill 398:** Requires that an affidavit of a third-party architect, engineer or land surveyor be attached to a petition alleging negligence against an architect, engineer or land surveyor. Proposed law provides that notwithstanding any other law to the contrary, in any action for damages alleging professional negligence by an architect, professional land surveyor, or licensed professional engineer, the plaintiff shall be required to file with the petition an affidavit of a third-party registered architect, professional land surveyor, or licensed professional engineer an affidavit setting forth specifically at least one negligent act, error, or omission claimed to exist and the factual basis for each such claim. (FAILED)

**House Bill 960:** Prohibits price or price related information to be considered a factor in the selection of design professional services. The proposed law states that it is the policy of the state and its agencies and political subdivisions to select the providers of design professional services on the basis of competence and qualifications for a fair and reasonable price negotiated after selection. Further prohibits the states and any of its agencies or political subdivisions from selecting providers of design professional services where price or price related information is a factor in the selection. (PASSED)

**House Bill 826:** Establishes a qualification based selection process for all professional services including engineers, architects, land surveyors, doctors, lawyers, certified public accountants, etc. The qualification based (QBS) process would only be used to select the top three individuals or firms at which time the top three “short-listed” firms or individuals will competitively bid the project. The project will be awarded to the lowest responsible bidder. (FAILED, NEVER HEARD IN COMMITTEE)

**House Bill 741:** A bill to mandate an Orleans Parish hiring preference on locally-funded projects. (FAILED)

**Senate Bill 623:** Provides for a range of engineering, surveying and inspection fees for rural water system projects and establishes a time frame for the review process. (PASSED BUT AMENDED TO SET FEES IN ACCORDANCE WITH PUBLISHED RUS GUIDELINES.)

**House Bill 284:** LES bill to change the terms of members on the LAPELS board. (PASSED)

**House Bills 998 and 1398:** Bills to prohibit the packaging of components by vendors, suppliers or manufacturer reps for equipment in bid specifications for projects to construct water and sewerage facilities let by a public entity. (BOTH BILLS FAILED, HOWEVER HSR 14 WAS PASSED TO ESTABLISH STUDY COMMITTEE ON THIS ISSUE.)

**House Bill 1087:** A bill to authorize a Shreveport city inspector to review plans and specifications for code compliance in lieu of the State Fire Marshal. (FAILED)
The Louisiana Society of Professional Engineers, along with the Professional Engineering Societies of Arkansas and Mississippi, held their 2006 Annual Conference (Tri-State Engineering Societies Meeting) at the Pearl River Resort in Choctaw, Mississippi on June 18-20.

The conference was well attended, and we appreciate the participation of all registrants, sponsors, exhibitors, and speakers who contributed to the success of this meeting and made it possible for the societies to offer professional development hours to all engineers. Special thanks to Mrs. Mary Ellen Odom, Executive Director, and the Mississippi Engineering Society for their hospitality and hard work planning and hosting a very successful conference.

The presidents and officers of the three societies (LES, MSE, ASPE) were installed at the luncheon on Tuesday, June 20, by Mrs. Kathryn Gray, P.E., F NSPE, President of the National Society of Professional Engineers (NSPE). A meeting highlight was recognizing Mr. John J. Plaisance, II, P.E., PLS, Past President of LES and NSPE Representative, as an NSPE Fellow member by Mrs. Gray. Congratulations to John for his accomplishments and for receiving this honorable status. Another meeting highlight was awarding Mr. Glen Kent, PLS, past Executive Secretary of the Louisiana Professional Engineering and Land Surveying Board (LAPELS) an honorary membership in the Louisiana Engineering Society. Mrs. Donna D. Sentell, Executive Secretary, and Mr. Robert Eddleman, Deputy Secretary and Director of Enforcement for the Louisiana Professional Engineering and Land Surveying Board (LAPELS), attended the meeting and met the newly elected LES Board.
On June 19th, 2006, at the Mississippi Tri-State Engineering Conference, I was honored with a recognition award from the Louisiana Engineering Society. After receiving the award, I was given the opportunity to make a few comments. I was later asked to share those comments with other LES members who were not able to attend the conference.

My comments were directed toward recognizing and commending LES for the continued commitment and dedication it has shown to the profession of engineering in Louisiana. Most members do not realize the many responsibilities that LES often shoulders, so I felt it only appropriate that some of these responsibilities should be reviewed and expounded.

First and foremost, is the fact that LES is responsible for providing a list of names to the Governor in order to fill any vacant seats on the LAPELS Board. In effect, this should be considered an initial screening of all applicants and a selection of the six individuals who are best qualified, ethically and professionally, for the position. This is certainly a most worthy responsibility and one that should never be taken lightly.

Secondly, it was through the efforts of LES and LEF that the engineers of Louisiana were provided a joint engineering center. This is an ongoing project that continues to warrant our attention and dedication.

LES is also responsible for providing the engineering community with a successful legislative process. This effort has proven time and again to be beneficial and supportive of both the LAPELS Board and the engineering licensees of Louisiana.

Another important responsibility of LES is to coordinate and publish the Louisiana Engineer & Surveyor Journal. This publication provides critical information and updates to the engineering and surveying licensees of Louisiana. It has helped to reduce publication and mailing costs for all participants and has consolidated this information into one professional resource.

LES was an essential element in initiating a successful Continuing Professional Development program in Louisiana and continues to be an important part of this program today. The Louisiana CPD program was the first engineering continuing education program in the United States that included a mandatory ethics requirement. Since that time numerous other states have resolved to include ethics requirements in their continuing education programs.

Finally, I would like to recognize the contributions of LES to the LAPELS Board during the last decade. Time and again, LES provided critical assistance to LAPELS when considering issues of great importance to the engineering profession of Louisiana. These issues have included the industrial exemption; engineering faculty licensure; and the declining numbers of licensees in Louisiana, to name only a few.

Members of LES never seem to ask, “What can the engineering profession do for me?” In sharp contrast, their question always reverberates, “What can I do for the engineering profession of Louisiana?” This exemplifies one of the highest standards of professionalism in the engineering community of Louisiana. LES has always provided, and I pray, always will continue to provide, this example of professionalism to all of the engineers of Louisiana.

I would like to offer a special thanks to Mrs. Brenda Gajan for the dedicated effort and support that she always provided to me during my ten year tenure as the Executive Secretary for LAPELS. In addition, I would like to thank the past officers and members of LES that provided support and assistance to the LAPELS Board and me throughout the past years.

In closing, I would like to say that even though I am humbled to receive this recognition award, I am truly honored to have been allowed the privilege to be a member of the Louisiana Engineering Society.
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LES would like to thank the following companies for their support at the 2006 Tri-State Annual Meeting held in Choctaw, Mississippi.

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LICENSING CEREMONY

The third Professional License Ceremony was held on July 18, 2006, at the State Capitol Building in Baton Rouge. This collaborative event is sponsored by the Louisiana Engineering Society, Louisiana Society of Professional Land Surveyors, and the American Council of Engineering Companies of Louisiana.

Many family members and guests were in attendance as the newly licensed engineers and surveyors received their license from the Louisiana Professional Engineering and Land Surveying Board. LES, LSPS, and ACEC/L representatives encouraged participants to be active in their professional organizations. Refreshments were enjoyed by all after the ceremony, with special thanks to Representative William Daniel for serving as host of the event.

The Licensing Ceremony will be held semi-annually for all newly licensed engineers and surveyors. For more information call the LES office at (225) 924-2021.
May 10, 2006

Chris K. Richard, P.E.
P.O. Box 52115
Lafayette, LA 70505

Dear Chris:

We, the Telfers Committee, duly appointed, met at the LES State Office, 5645 Brookline Ave., Ste. 116, Baton Rouge, LA, at 2:00 p.m., May 10, 2006, and counted the ballots for the election of the 2006-07 LES State Officers. The following are the results:

President-Elect
Scotty J. Baudoin, P.E. - 312
Angela DeRouen Ducan, P.E. - 9
Wilton Barry, P.E. - 1

2nd Vice-President
Alan D. Kreutz, P.E. - 311
John Lawrence, P.E. - 8
Susan Richard, P.E. - 1

Secretary-Treasurer
Michael L. Barra, P.E. - 339
Keith Gonnates, P.E. - 10
Angela DeRouen Ducan, P.E. - 1

State Directors
Gregory G. Daniel, Jr., P.E. - 279
John L. Lowery, P.E. - 280
James Walsh, P.E. - 1
Bodie Huggler, P.E. - 1
William Melinotes, P.E. - 1
Craig Doddy, P.E. - 1

Total Ballots Mailed: 1,253
Total Ballots Counted: 332
Total Ballots Received Late: 1

SIGNED:

Robert Bray
Matthew K. Newchurch, P.E.

ACCURACY
Jerry Annest
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Pittman
Gary Richard
225-413-2184

St. Tammany/Tangipahoa
Joseph Brandon
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Why do Project Managers fail?

P-7002, Be a Successful Project Manager, Page 37  

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Are shallow, isolated cracks in concrete caused by settlement or some other mechanism?

C-2006, Concrete Distress and Deterioration, Page 12  

______________________________

Should I use a ball, composition or plug disk globe valve in high pressure, throttling service?

M-4001, Valve Fundamentals, Page 19  

______________________________

What’s the primary cause of short circuits in electrical conductors?

E-1003, Overcurrent Protection, Page 1  

______________________________

How can a 100-year event have only a 63% chance of occurring in 100 consecutive years?

C-1009, Truly Understand What 'Year Event' Really Means, Page 1  

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Should a bridge exposed to the weather be topcoated with an acrylic urethane or an epoxy urethane?

MA-4001, Coating Types and Characteristics, Page 10

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At the 2006 ACEC/L Annual Meeting, members of the 2006-2007 Board of Governors were introduced by incoming president, Jimmy Ledet. Members of the board include:

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President-Elect - O. Lee Underwood, Jr., P.E., BALAR Associates, Inc. Shreveport
Vice President - Lawrence W. Blanchette, P.E., Associated Design Group, Inc., Lafayette
Treasurer - Michael N. McGaugh, P.E., ABMB Engineers, Inc., Baton Rouge
Secretary - Constantine F. Nicoladis, P.E., N-Y Associates, Inc., Metairie
National Director - John W. Holtgreve, P.E., Design Engineering, Inc., Metairie
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Member-at-Large - Anthony J. Mumphrey, Jr., P.E., TMG Consulting, New Orleans
Member-at-Large - Sergio J. Girau, P.E., Linfield, Hunter & Junius, Inc., Metairie
Member-at-Large - Bruce H. Adams, P.E., URS Corporation, Metairie
Member-at-Large - E. Hunter Lancaster, III, P.E., S.E. Huey Co., Monroe
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New Orleans - Jeffrey H. Huseman, P.E., Huseman & Associates, LLC., Metairie
Shreveport - Mark W. Snow, P.E., Aillet, Fenner, Jolly & McClelland, Inc., Shreveport
Lafayette - (President has not been elected)

“NO BID BILL” HIGHLIGHTS ACEC/L LEGISLATIVE EFFORT

The 2006 Regular Session of the Louisiana Legislature was adjourned sine die at 6:00 p.m., June 19th. By the time the gavel fell at 6:00 P.M., ACEC/L had successfully lobbied for the passage of a bill that prohibits bidding for design professional services. For ACEC/L it was a very busy session. We had two bills introduced, a Certificate of Merit bill and the no bidding of design professional services bill. ACEC/L also took positions on a number of other bills and lobbied and testified accordingly. The following are the bills that were of interest to the Council:

HB 960 by Rep. Hammett – This is the bill ACEC/L drafted. It stipulates that there will be no bidding for design professional services. It states that “Neither the state nor any of its political subdivisions or agencies may select providers of design services wherein price or price-related information is a factor in the selection.” The military, LDOTD, and Jefferson Parish were exempted from this bill for certain design/build projects which were authorized by enabling legislation in the recent Special Session. The bill was signed by the governor as ACT 407. This is a major win for the ACEC/L membership and the entire private sector engineering community in Louisiana. ACT 407 is probably the most important piece of legislation that has ever been attempted and passed in the design professional community! According to ACEC, our national organization, this makes Louisiana a “mini-Brooks Act” state!

HB 998 and Substitute HB 1398 by Rep. Beard – These bills would prohibit the packaging of components by vendors, suppliers or manufacturer reps for equipment in bid specifications for projects to construct water and sewerage facilities let by a public entity. ACEC/L opposed both of these bills on the grounds that it would be costly to the client to have separate bid documents drawn up for each and every component that make up a piece of equipment. Also in the case of equipment failure, the engineer would have to investigate to determine which component failed and which vendor would be responsible. This also equates to more costs. Both bills failed. Rep. Beard finally attached his prohibition language to a bill by Reps. Daniel and Barrow which had cleared the House. See the next bill for explanation.

HB 935 by Reps. Daniel and Barrow – This bill would authorize East Baton Rouge Parish to enter into agreements for maintenance and operation of public facilities related to sewerage and non-potable water treatment systems. After the bill cleared the House, Rep. Gary Beard attached his prohibition language (see HB 998 above) to this bill as an amendment. A Senate Committee gave the amended bill a favorable nod and sent it on to the Senate floor. ACEC/L lobbied the Senate heavily to oppose the bill AS AMENDED. Sen. Rob Marrionneau amended HB 935 on the floor to strip the Beard amendment from the bill. The Senate passed the amended bill and sent it to the House to concur with Sen. Marrionneau's amendment, which it did unanimously. Once the bill was stripped of the Beard amendment, ACEC/L lobbied the House heavily to concur in the Senate amendment. Efforts were successful, the bill was enacted into law on June 30 as ACT 781. At the close of the Session, Rep. Beard introduced a House Study Resolution (HSR 25) which requests that a sub-committee of the House Transportation Committee study the advantages and disadvantages of packaging of products. The resolution was adopted, and I have already notified the committee secretary that ACEC/L is very interested in participating in the meetings.

HB 398 by Rep. Johns – This was the other ACEC/L bill which would have mandated that a plaintiff in litigation involving a professional engineer would have to have an affidavit from a third party design professional describing the specific complaint. This was ACEC/L’s frivolous lawsuit legislation. It was hoped that the passage of this bill would go a long way to stem the rising tide of non-meritorious suits. The bill failed in the House committee. The trial attorneys’ group contended that this validation procedure was moot since Louisiana was under a comparative negligence law.
HB 741 by Rep. Richmond – This bill would have mandated a hiring preference on projects in Orleans Parish which are funded entirely with parish money. The bill stipulated that 51% of the employees hired for any project described above would have to be residents of Orleans Parish. ACEC/L opposed this bill and I testified that this bill would establish artificial barriers that would restrict fair trade. The bill received a favorable nod from the House committee but failed to pass the House by a vote of 35-58.

HB 1087 by Rep. Glover – This bill would have authorized a Shreveport city inspector to review plans and specifications for code compliance, a job that was being adequately handled by the State Fire Marshal’s Office. ACEC opposed the bill on the grounds that there could be an inconsistency in the review process, and the process could be less transparent. ACEC/L lobbied that the State Fire Marshal’s Office was doing an efficient job of reviewing. The bill cleared the House committee, but remained on the House calendar subject to call until the end of the session.

SB 389 by Sen. Ellington – This bill states that present law requires that LDOTD charge a non-refundable $25 fee for each set of bid proposal documents provided to prospective bidders, suppliers and subcontractors. The fee, however, would not apply to bid proposal documents or plans provided electronically through an electronic bidding service. While ACEC/L did not take an official position, we monitored the bill’s progress. The bill was signed and became ACT 10 on May 10th.

HB 433 by Rep. Alario – This bill would authorize Facility Planning & Control to issue necessary contracts for projects and disburse funds to pay the costs of projects involving university or higher education facilities. Funds from the universities would be remitted to FP&C for deposit into the state treasury. ACEC/L supported this bill on the grounds that FP&C would be able to provide consistency in the payment of costs and oversight of the projects. The bill passed the House and Senate, was enrolled and signed by the governor as ACT 78 on May 25th.

SB 358 by Sen. Ellington – This bill would exempt certain consulting service contracts relating to right-of-way acquisition from certain contract procurement requirements. Exempted would be the right-of-way agents, title abstractors, negotiators, asbestos abatement inspectors and accountants. ACEC/L took no official position on this bill, but we leaned toward support. The bill passed the Senate and the House, and it was enrolled and subsequently became ACT 530.

HB 159 by Rep. Montgomery – This bill would raise the threshold from $125K to $250K under which persons designing nonstructural renovations or alterations were exempted from architect licensure requirements. ACEC/L opposed this bill on the grounds that it could also become an engineering licensure exemption bill. We also supported AIA/L’s opposition to the original threshold increase to $350K, which was ultimately amended to $250K. The bill finally passed the House but was never heard on the Senate side.

SB 550 by Sen. Michot and HB 238 by Rep. Hammett – These bills, identical in nature, would have provided an exception relative to criminal trespass for professional land surveyors. ACEC/L supported the bill’s position which was to support the passage of these bills. After SB 550 met with opposition, Hammett and Michot introduced a study resolution (see next entry).

HCR 281 by Rep. Hammett and Sen. Michot – directs the Louisiana Law Institute to study trespassing laws as they relate to professional land surveyors. ACEC/L supported the resolution. It passed the Senate and was enrolled.

SB 589 by Sen. Ellington – Provides that “just cause” for rejecting a bid by LDOTD includes the failure of any bidder to submit a bid within an established threshold of the preconstruction estimate for the projects by LDOTD engineers. ACEC/L took no position on this bill. It passed the House and Senate, was enrolled and signed on June 13th by the governor as ACT 324.

SB 357 by Sen. Hollis – provides that local governments will have the authority to enforce only the construction codes. ACEC/L took no position but monitored the progress of the bill. It was signed by the governor as ACT 458.

HB 284 by Rep. Hammett – This was a “housekeeping” bill for LAPELS which changes the terms of members on the LAPELS board. Terms will expire on March 31st of the members’ concluding year of service. ACEC/L supported this bill along with LES to help prevent an embarrassing situation from recurring. Two new board members served a year on the board and were never confirmed by the governor. This bill passed both chambers, was enrolled and subsequently was enacted as ACT 473.

HB 826 by Rep. Baldone – This bill attempted to combine QBS with competitive bidding by authorizing the short listed firms to submit bids, with the lowest bid getting the contract. ACEC/L opposed this bill as it called for bidding of professional services even though it was the last stage of the process. The bill was never heard by a House committee.

SB 623 by Sen. Mike Smith – This bill would have set very low engineering fee parameters for simple rural water systems. After I spoke with Smith and suggested that he use the RUS/USDA fee schedule, he rewrote the bill to reflect the use of that schedule. ACEC/L supported the rewritten bill. It was enrolled and was signed into law as ACT 546.

HB 1094 by Rep. Mike Powell – This bill would have given the LDOTD Secretary the authority to approve proceeding with the design/build process if fewer than three letters of interest from responding entities are received. ACEC/L opposed this bill on the grounds that it gave the LDOTD Secretary arbitrary power to proceed with design/build process under certain conditions. The bill went to conference committee to discuss Senate amendments. The Senate refused the conference committee report on June 19th and the bill died.

We watched a number of other bills just to make sure that they did not get amended to include engineers. All in all, ACEC/L had a very successful session. Here are the results of your organization’s lobbying efforts.

Of the 19 bills we lobbied, on which we took positions and monitored, ACEC/L was successful as follows:

15 bills were successfully lobbied by ACEC/L.
01 bill (Certificate of Merit) was unsuccessful.
03 bills were monitored closely although ACEC/L took no official position.

Finally, I once again want to sincerely thank all ACEC/L, LES, and other organizations’ members who contacted their legislators throughout the session to express the ACEC/L position on the various bills. The effort worked! I want to especially thank Anthony J. Mumprehy, our ACEC/L Legislative Committee chair, who guided the organization throughout this arduous session. I most especially want to thank our own Rep. Bryant Hammett who did a magnificent job of successfully handling the bills in the House, and Senator Noble Ellington, whom Bryant called on to handle the bills in the Senate. Both men were excellent. A final thanks goes to Rep. Ronnie Johns who believed in our Certificate of Merit bill and handled its introduction. As Ronnie told me after the bill received the fatal shot, “Maybe next time!”

It was a wild ride but a satisfying one. We’ll do it again next year...or sooner if the governor calls Special Sessions.
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What do you think?...

With the 2006 legislative session now over surveyors can hold their heads high, proud of the progress that has been made. Each year we grow stronger in our legislative efforts. With the direction of Jane Burgin our legislative monitor we have confronted the opposition and made tremendous strides toward a positive resolution to “Criminal Trespass”.

I want to thank all members who contributed to our efforts this session. Every member plays a vital role in our success utilizing the ability to contact your legislators and express your concerns. We must continue to educate senators and representatives on important issues to surveyors.

Criminal Trespass Recap...

Current law does not provide for “Affirmative Defense” for surveyors. What it does is offer a one time “Free Pass” from being arrested for trespassing if asked to leave. If the surveyor returns then he can be arrested for trespassing with no affirmative defense.

Prior to 2003 surveyors in the state of Louisiana had “Affirmative Defense” and were promised by a panel of Law makers that upon revision to the current law we would retain that right. From that day forward we lost our “Affirmative Defense”.

Battling back, LSPS secured the gracious help of Representative Hammett and Senator Michot to reintroduce “Affirmative Defense” back into the current Trespass Law. Our efforts were successful in the Senate but the opposition (Railroad, Forestry, Farm Bureau, etc.) in the House was overwhelming. It was clear from this process that a study resolution (HCR281) hosted by the Louisiana Law Institute would be necessary to resolve differences.

LSPS is currently awaiting a meeting date for this resolution and optimistic that a favorable agreement can be reached.

NGS Height Modernization...

South Louisiana surveyors are saying - where are our monuments? Where are our new CORS stations? Don’t be hasty, NGS along with C4G (Center for Geoinformatics) has a tentative deadline of mid September or first part of October to start GPS observations of ground monuments. The duration of this process should take 1 to 2 months. The plan is to reobserve 99 valid monuments currently in the system along with an additional 225 monuments south of Interstate 10. C4G will install and maintain the CORS (continuously operating reference stations) stations. Included in this modernization package will be additional gravity measurements at key locations and CORS stations throughout South Louisiana. Additional gravity measurements will help to improve upon geoid models for the state.

Consultants keep your eye on the NGS website for a detailed timeline of activities by NGS. During the GPS observation phase of the project NGS is proposing to make available static data files that consultants can use along with their data files in network adjustment calculations. This may present an opportunity for local government to expand their ground based monuments while limiting some of the mobilization cost associated with an extensive GPS static survey.

Provided are several links that may be useful relative to NGS valid monuments, stale dates, CORS stations, etc.

C4G Benchmark Stale Date Estimator: http://www.c4g.lsu.edu/static/BMV/BMV.html

National Geodetic Survey: http://www.ngs.noaa.gov/

C4G Published CORS Stations http://www.c4g.lsu.edu/modules.php?name=CORS
Regarding FEMA Flood Certificates...

Best described in one word “Confusion”. LSPS is aware of the problem and has recently formed an Elevation Committee tasked with the responsibility of developing a set of recommended guidelines for surveyors to follow. Surveyors throughout all South Louisiana seem to have the same questions.

- Can I use a monument that is not included in the NGS list of “85” validated monuments?
- Do I have to provide a legal description?
- Do I have to show a latitude and longitude?
- If I use GPS what method should I follow?
- What is the accuracy requirement by FEMA?
- Should I use Geoid99 or Revised Geoid03

The answers to these questions are out there and LSPS is determined to gain clarity.

Regarding proper elevation determination I can only share my thoughts. As a professional practicing in South Louisiana we should be aware of how subsidence affects monuments, benchmarks, and vertical control. NGS has made it clear that today they currently validate approximately 85 ground monuments South of Interstate 10. All others within this corridor or considered stale, not usable for determining valid NAVD88 elevations. Until Height Modernization is complete that leaves us only one other alternative – GPS. Proper techniques in GPS can produce a valid NAVD88 elevation and should be used as an alternative to ground based monuments. Because of the lack of enforcement and clarity in local governments, some surveyors will continue to use stale monuments. Just remember, when that first house is inundated by 6 inches of water the courts will not give you a free pass when the NGS data sheet from the monument you used reads “The orthometric height has not been validated since last determined by differential leveling and should not be used for control purposes.”

Nicholls Geomatic Program...

On June 8th the Geomatics Advisory Board met to discuss current enrollment and progress of the program. Members of the committee had the opportunity to tour the Nicholls campus and Geomatics department.

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<td><strong>Semester-Year</strong></td>
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Taken from the minutes of the meeting, Dr. Dantin presented the enrollment statistics (Table 1) trends since the programs’ inception in summer of 2003. He mentioned that hurricanes Katrina and Rita had an impact on the retention of existing and enrollment of new students in the 2005-06 academic year. He brought to committee’s attention that the numbers are still within the first five-year projections made in the Board of Regents (BoR) preliminary reports. Dr. Balaji added that unfortunately he had targeted his recruiting efforts in the New Orleans area in the summer of 2005 through high school counselors. Based on his recent experience, instead of targeting one region at a time he will be trying to reach out to the entire state. Drs. Dantin and Balaji have set aside two days a week in their fall semester schedule entirely dedicated for recruitment efforts. Dr. Dantin stressed that the recruiting efforts would improve with the hiring of third faculty in fall 2006. He also mentioned that our program graduates are getting requests from Boca Raton, Orlando & Panhandle region, FL; Denver, CO; Houston & Austin TX; and Alberta, Canada.

Regarding promotion of the program around the state, a high school principal in Alexandria region sought information for his son to pursue higher education in Surveying and Mapping. Mr. Hebert (Wayne) suggested that LSPS should look into hiring a full time promoter for recruiting and promoting the program across the state, as it will be difficult for the faculty alone to recruit for the program. Florida was given as an example in this regard wherein the society is playing an active role in promoting their Geomatics program. He also suggested that LSPS local chapter should take occasions such as TrigStar competition to promote the program in their respective region high schools. As a direct result of these types of needs please participate in the LSPS Geomatics fund raising campaign slated to be released in the near future.

Dr. Dantin gave an update on ABET. He mentioned that the program would be ready for accreditation by spring of 2008. He anticipates that at least two students will be graduating in fall of 2006. With the third faculty joining the group, there should be the right faculty to student ratio to apply for accreditation.

Grateful for the opportunity to serve as your LSPS President lets all work together to promote the profession and set an example for other states to follow.
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LSPS is pleased to announce the recipient of the 2006 Education Scholarship is Jordan A. Jarreau, of New Roads, LA. Jordan has been accepted at Nicholls State University in the Geomatics program beginning the fall 2006 semester. Jordan graduated from Catholic High of Point Coupee, and is truly suited for the surveying profession. He loves the outdoors - to hunt (deer, rabbit and squirrels), fishing and 4 wheeling. He has been active in school, and is described as a “very hard worker”. He is always willing to lend a helping had to neighbors and people just enjoy being around him.

We congratulate Jordan on this award, and are looking forward to helping him pursue his education!

---

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**DISTRICT 3**
BRETT BAYARD
RUSSELL WALTERS

**DISTRICT 6**
DONNA SENTELL
ROBERT EDDLEMAN
WILLIAM TAYLOR

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If a statue in the park of a person on a horse has both front legs in the air, the person died in battle. If the horse has one front leg in the air the person died as a result of wounds received in battle. If the horse has all four legs on the ground, the person died of natural causes.


At least 75% of people who read this will try to lick their elbow!
From Philosophy And Purposes Of The Louisiana State Law Institute as stated by president John H. Tucker, Jr. at the first annual meeting held at Louisiana State University March 16, 1940, “The great jurists who drafted our Civil Code of 1825 appreciated the imperfections of their own work, and realized that time would demonstrate its errors and inadequacies. Accordingly they recommended in, a preliminary report to the general assembly that where the Code was silent, the judge should decide as an amicable compounder, the decision to be reported to the Legislature, and then to stand as a precedent only if adopted by the Legislature. They also proposed that reports of ordinary cases of construction be reported to the Legislature by a commissioned officer, to enable it to explain the ambiguities, supply deficiencies and correct errors discovered by the test of experience in operation. By these means they believed that: “The whole body of our jurisprudence being brought under the inspection of the general assembly, they will be enabled by a comprehensive view of the whole ground of legislation, to avoid the inroads on the unity of its design which have been made by statutes hastily passed for local or temporary purposes.”

The Institute is designed as an adjunct to the Legislature to recommend from time to time such changes in the law as it deems necessary to modify or eliminate antiquated and inequitable rules of law, and to bring the law of the State of Louisiana, both civil and criminal, into harmony with modern conditions.

Act 802 of 2003 is an example of such hastily passed legislation that creates inequitable rule of law and indeed if held to reflect currently reasonable principles, requires the adjustment of a myriad of other laws of the state following accepted principles.

Article 1, Section 1, on Origin and Purpose of Government, declares, “All government, of right, originates with the people, is founded on their will alone, and is instituted to protect the rights of the individual and for the good of the whole. Its only legitimate ends are to secure justice for all, preserve peace, protect the rights, and promote the happiness and general welfare of the people.” To this end, the State of Louisiana has enumerated laws that define persons, property, and ownership of property, its rights, obligations, liabilities and responsibilities.

Historically, these include in principle the notions of possession as evidence of ownership and what things indicate active possession and interest in the enjoyment of same. Real Estate, often referred to as immovable property gets its name, not from the fact of its reality or not, but rather from the Spanish word for Royal. It was part of the realm’s estate. Tradition informs that all property within the realm belongs to the sovereign and is at his disposal and is so called real estate.

States, after the original 13, under the principle of equal footing, were granted the ownership of things such as the water bottoms of navigable streams. Similarly the rights to property of those who could demonstrate that they were in possession of real estate granted by a previous sovereign were honored. Such recognition is of huge significance.

That understanding is extended rather uniquely within the United States by recognizing the right of disposition enjoyed by private citizens of real estate. A primary obligation of a sovereign who claims a piece of ground is to defend it against other claimants. If he successfully repels invaders and evicts trespassers the land remains his. These obligations also rather uniquely apply to owners of real estate in the United States. In order to maintain ownership, possession must be maintained and not surrendered to another. Statutes define how one may, by ignoring the required care and maintenance of property to reasonably demonstrate his interest in the property he may lose it to another demonstrating superior interest in enjoyment of the property.

There are many statutes that obligate owners of property to serve the public interest. For example, property along waterborne highways must allow for the normal use of banks of such streams. That if a property is landlocked; an easement is obliged to the landlocked owner, is another. If an owner permits the public to use a path across his property for some prescribed time, the use matures to a right-of-way for the public, is another example.

One has a right to use and a right to exclusive use of his property. To exercise exclusivity, he must, in principle, express to others his desire to exclude use from them. This expression traditionally takes any of several forms. Direct communication by voice or letter is one. Enclosing the property by fencing is another. A statutorily informed method of fencing is traditionally effected by posting signs. Someone who is upon another’s property after such notice is guilty of trespassing.

In principle, maintaining private real estate and preventing another’s claim to it is not unlike other things. If one keeps his hand (figuratively) around the thing, his possession if a prima fascia case of ownership. Likewise the owner of real estate may claim (and keep) his property if he can keep his and (prevent others’) hands wrapped around it. This is a right AND an obligation of ownership. It is NOT properly a function of the state to exercise someone’s rights and obligations for them (with the possible exception of an incompetent).

Act 802 of 2003 reverses these principles, with many far reaching ramifications.
Principle says a person may traverse public property and private property unless notified that he is prohibited to do so. Act 802 simply makes it criminally unlawful to be in a wrong place. There is exception for first responders and politicians, and a limited exception for meter readers and surveyors.

The ramifications are many. They range from making onerous for a neighbor to determine the location of a boundary (A boundary is a public record. A record merely pointed to by the paper records of real estate grants and transactions) to stopping acquisitive prescription and curing of title by those in such quandaries. If one cannot legally occupy because simple entry is forbidden, not by owner action but by state action, then the curative process of 10 and 30 years occupation must cease. Therefore, all titles to property cured by such process after the action of the 2003 legislature are in jeopardy.

A land owner who believes his neighbor is encroaching on his property and who wants to maintain his boundary by survey to discover its boundaries may be burdened with possibly unaffordable expenses if his encroaching neighbor objects to the survey and demands the surveyor not enter his property. Since even the simple act of looking down the line itself requires that the surveyor's eye cross over the line, the owner is stopped unless the survey is worth to him the expense of securing a courts’ order to permit the survey.

State law and rules properly require a surveyor to apply the techniques of the public land surveys of the United States in some cases. It is frequently necessary to determine the position of section and township corners to do so. This may require surveying corners several miles distant from the property in question. Act 802 of 2003 can make such a proper survey practically impossible to execute. If proper surveys are not executed, errors of record and in fact will be perpetuated. Some of these errors may be fraudulent. It is NOT the principle of good government to perpetuate fraud.

Act 802 further depends on the assumption that the state is the better steward of the real estate than those who are supposed to own it. The sheriff is assumed to know where everyone's property starts and stops. No longer is anyone welcome unless explicitly invited. If the proponents hold sway, even rights-of-way gained over time by the public are lost. Aggressive, well funded property owners now have incentive to bully their ways by encroachment to dare their neighbors to match their wealth in court arguments about the right to have a proper survey performed. If the act is read literally, one is forbidden from walking to the next-door neighbor to borrow a cup of sugar without acquiring permission in advance.

Of far reaching significance is the principle of public rights-of-way. Proponents of Act 802 argue that the act permits the closing of routes of passage in long use by the public to access public property. This is foreign to the usual principles of government in Louisiana and the United States. Aspects of Louisiana’s Constitution, the Civil Code and Revised Statutes are inconsistent with Act 802. Not only trespass, but rights-of-way, rights to discover boundaries by survey, rights to clear title by prescription, rights of cities to act in the public interest at times other than as a first responder (abandoned property after hurricanes), riparian rights and others are in conflict with the new act 802. The public and dignity of the law in Louisiana deserve better.

Owners of real estate should possess and enjoy their property. They should not assume the government is obligated to exercise that claim on their behalf … unless Louisiana is intentionally adopting a Torrens type system. This would seem inadvisable given that those states that have are in various stages of ignoring or abandoning such systems that ignore the owner’s fundamental right of disposition. Most citizens are unaware of these implications and unlikely to become aware of them except by unfortunate experience.

Surveyors of the state and members of their association, Louisiana Society of Professional Surveyors, have been on record about the aforementioned issues since the legislation was being considered. Proponents of Act 802 have succeeded in characterizing the surveyors’ opposition as one of trying to gain rights for surveyors over owners of real estate. This simply isn’t the case. The surveyors, few in number, as is the rule, actually have much to gain materially by accepting the status quo. Their fees are likely to increase from supporting appeals to the court for their services during appeals to the court for relief. Act 802 is in their financial favor. Surveyors are obligated by their tradition as well as legal requirements to serve the welfare of the public. Act 802 requires fundamental changes to the principles under which we govern ourselves and our rights to property.

Some argue that the affirmative defense against trespass that protected surveyors before Act 802 continues. A reading of the act clearly shows that isn’t the case. What the act does is give the surveyor a limited right of access but only until asked to leave; the same as a meter reader. If the surveyor refuses or returns he is committing Criminal Trespass.

At the very least, help preserve citizens’ right to determine the limits of their properties by a licensed Professional Land Surveyor. Even if the other, ostensibly more onerous aspects of Act 802 are left for unhappy discovery by others, please recommend remedies that will allow the surveyor, duly licensed by the state, to perform his duties lawfully without inviting such interference as is made attractive by this act. L.S.P.S. has the interests of all the owners of property in Louisiana by making their request.

Please “recommend ... such changes in the law as ... necessary to modify or eliminate inequitable ... rules of law, and to bring the law of the State of Louisiana, both civil and criminal, into harmony.”

Thank you for this consideration.

J. Anthony Cavell, PLS
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LSPS COMMITTEE LIST

The **State Land Surveyor Exam Committee** is charged with the administration and preparation of item and exam preparation through completion of the testing. **URGENT NEED!** Contact Wayne Hebert - wabear@charter.net

1. **Item Writing Committee** - needs 2 members from each District
   - Chair - Steve Flynn - sflynn@riverlandssurveying.com
   - Stanley Turner - stturner@turnerssurveys.net
   - Charlie Coyle - cgcthree@coyleengineering-bossier.com
   - Michael Stelly - mjstell@yahoo.com
   - Steven Langlinais - sjlcompany@aol.com
   - James Pellegrin - jamesp@tbsmith.com
   - Dalton Honore - dthonore@krestworth.com

2. **Exams Prep/Review/Grading Committee** - as needed

3. **Subject Matter Expert Committee** - 1 member from each District
   - Chair - Ryan Fuselier - ryan@fenstermaker.com
   - Ed Clinton - elclint@bellsouth.net
   - Gerald Fussell - gerald@polarisservices.net
   - Stanley Turner - stturner@turnerssurveys.net
   - John Fenstermaker - jwf@fenstermaker.com
   - Jerry Lazenby - jlazenby@lazenbyengr.co
   - Larry Prewitt - lprewitt@fugrochance.com
   - Glen Kent - gklaw@bellsouth.net

The **Elevations in Louisiana Committee** is charged with the task as watch dog for all activities relative to FEMA, CORS, GEOID UPDATES and how they affect surveyors. Duties to include but not limited to developing a packet of information to educate cities, parishes and political bodies as to the current issues regarding subsidence, how they affect published monuments, methods to establish valid NAVD88 elevations and what will be acceptable with FEMA and the Elevation Certificate.

   - Chair - Ricardo M. Johnson - rjohnson@jchance.co
   - Paul Kocke - pkocke@gandolfokuhn.com
   - Chris Ewing - chris@ferrisinc.com
   - FR Stagg - fstagg@shreadkuyrkendall.com
   - Cliff Mugnier - cjmce@lsu.edu
   - Patrick Landry - plandry@bellsouth.net
   - Keith Roberts - kjr@fenstermaker.com
   - Brett Bayard - bbayard@madereng.com

The **Seminars and Technical Education Committee** is charged with securing informative speakers and presentations to aid with the continuing education of the Society.

   - Chair - Charlie Coyle - cgcthree@coyleengineering-bossier.com
   - Cliff Mugnier - cjmce@lsu.edu
   - Glen Kent - gklaw@bellsouth.net

The **Liaison Committee** works with the Louisiana State Board of Registration for Professional Engineers and Land Surveyors on matters of common concern.

   - Chair - David Patterson - patterson@landsource.com
   - Ryan Fuselier - ryan@fenstermaker.com
   - Chad Morris - morris@landsource.com
   - Jerry Lazenby - jlazenby@lazenbyengr.com

The **Map & Plat Contest Committee** is responsible for conducting the annual contest of our state society and submitting our winning entrants to the National Competition of the National Society of Professional Surveyors. This committee works in conjunction with the **Convention Committee**.

   - Chair - Mickey Robertson - mrobertson@sjbgroup.com
   - A. Champagne - achampagne@bellsouth.net

The **Finance Committee** insures that the society's fiscal policies are observed and that our accounts are responsibly maintained. This committee is chaired by the Treasurer.

   - Chair - Paul Kocke - pkocke@gandolfokuhn.com

The **Legislative Committee** is a vital part of our organization that serves by reviewing legal and legislative matters that affect our profession. This committee has also served as a liaison to the Legislative Representative.

   - Chair - Kevin Burdeaux - k.burdex@cochranetech.com
   - Mike Mayeux - mike@mayeux-surveying.com
   - Jerry Lazenby - jlazenby@lazenbyengr.com
The Scholarship committee has the task of reviewing applicants for the Scholarship and determining the winners based on the point system established for the scholarship.
Chair - David Patterson - patterson@landsourcE.com

The Certified Survey Technician Committee has the tasks of communicating the exam schedule for this program and supporting the publicity information for this program to our membership and their employees.
Chair - Jared Couvillion - jcouvillion@yahoo.com
David Patterson - patterson@landsourcE.com

The Newsletter Committee is tasked with helping our editor secure articles of interest to the society. Additional responsibilities of this committee include evaluating advertising space availability and costs.
Chair - Lyles Budden - jbudden@shreadkuvrkendall.com
Ronda Courville - lsps@bellsouth.net
Todd Farrar - ggec@bellsouth.net

The Membership/Member Benefits Committee works to increase and retain society membership in all membership categories. This committee also works to expand the benefits provided to members through the society.
Chair - Todd Farrar - ggec@bellsouth.net
Steve Flynn - sflynn@riverlandssurveying.com
Paul Culpepper - landmarkks@cox-internet.com

The Promotion of the Profession Committee - works with schools to increase awareness of surveying as a profession. Encourages participation in Trig-Star Competition.
Chair - Alisa Champagne - achampagne@bellsouth.net
Kevin Burdeaux - k.burdeaux@cochranetech.com
Ernie Gammon, Jr. - egammonjr@hydroconsultants.com
Todd Farrar - ggec@bellsouth.net

The Louisiana Geographic Information Systems Council (LaGIS) was created to promote GIS use and development in Louisiana and to facilitate the establishment of an infrastructure for network communication and data exchange among state GIS users.
Chair - Greg Palmer - glp@fenstermaker.com
Paul Kocke - pkocke@gandolfokuhn.com
David Patterson - patterson@landsourcE.com

CONTACT LPS at LS PS@BELL SOUTH.NET, OR 225/925-5800 IF YOU WOULD LIKE TO JOIN US!

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A New Era in GPS Surveying is Coming: Are You Ready?

New GPS signals are coming. In a clear demonstration of its commitment to
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for modernizing its constellation of GPS satellites. The first step in the mod-
ernization process will take place in 2004 with the launch of satellites that,
for the first time, will transmit civilian signals on the satellite L2 band. These
new signals will be called L2C signals.

How will the new GPS signals benefit you?

Over the last decade GPS surveying technology has helped surveyors to increase productivity, improve efficiency, and lower costs. And now the new L2C signal promises to take these benefits a step beyond. Once the L2C signals are available, your L2 measurements will be more robust, making your GPS observations even more reliable. All you'll need to benefit from the stronger signals is a GPS receiver capable of tracking them.

Trimble is ready...join us! Ever since the plan for GPS modernization was announced, Trimble has been working hard to provide technology that will enable you to benefit from the stronger, more robust signals. The results of our research and development is Trimble® R-Track technology and a new range of innovative GPS receivers.

Call Navigation Electronics today to find out more about the R-series receivers and the complete GPS and Optical Total Station Line from Trimble.

The Trimble GeoXT is a fully integrated GPS antenna and Windows Mobile data collector in a handheld package for GIS/Mapping use. You can load topos, photos, or other background files into the data collector and navigate your position on them with ease.

Trimble provides a portfolio of infrastructure solutions including single reference stations, a network of reference stations, or a VRS™ (Virtual Reference Station) solution. This scalability allows you to select the best solution for your requirements.

NetRS can be used with the Trimble® GPSBase, GPSNet and RTKNet reference station software.

Navigation Electronics, Incorporated
200 Toledo Drive
Lafayette, LA 70506
Phone: (337)237-1413  Phone: (337)258-4144
Fax: (337)237-1417  Fax: (337)237-1417
William Poché  Lee Drennan
william_poch@neigps.com  lee_drennan@neigps.com

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