

# Louisiana Engineer & Surveyor Journal

August 2006

Vol. 9 No. 3

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## The 2006 Legislative Session and the "Trespass" Law



*photo courtesy of Baton Rouge CVB*



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### LOUISIANA ENGINEER AND SURVEYOR JOURNAL

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- 3) Published quarterly, February, May, August and November.

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# MESSAGE FROM THE CHAIRMAN

Richard I. Durrett, P.E., P.L.S.

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.

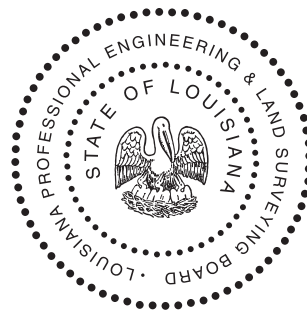
My term as the Chair of the LAPELS Board has come to an end. As I look back over the last year, I will always have fond memories of having the opportunity to work with a great board that truly has the Engineering and Surveying profession at heart. We have selected an Executive Secretary, Donna Sentell, 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



Richard I. Durrett, P.E., P.L.S.  
Chairman

Louisiana Professional Engineering  
and Land Surveying Board

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.



LAPELS  
LA PROFESSIONAL ENGINEERING  
AND LAND SURVEYING BOARD

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Kenneth L. McManis, Ph.D., P.E., P.L.S.

Ali M. Mustapha, P.E.

Mark H. Segura, P.E.

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Executive Secretary

Robert Eddleman  
Director of Enforcement

Heidi G. Watts  
Administrative Secretary/Editor

[www.lapels.com](http://www.lapels.com)

## MARK YOUR CALENDAR

### LAPELS Board Meeting Dates

September 25-26, 2006

November 13-14, 2006





# FROM THE EXECUTIVE SECRETARY

Donna D. Sentell, Executive Secretary



Donna D. Sentell  
Executive Secretary

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](http://www.lapels.com) for details.*

# NEW REGISTRANTS

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

## Professional Engineers

Sears, Melvin  
Layne, William Howell  
Munley, Charles Martin  
Adams, William Whitman  
Alferez, Vicente Narvaez  
Andrus, Kimberly Hayes  
Babin, Marshall Lance  
Baker, William F.  
Baldinger, Robert Winston  
Ball, John Lamson  
Becker, Gregory Towle  
Benjamin, Caryn Elizabeth  
Berkland, Eugene Olani  
Bertucci, Anthony Joseph  
Boltz, Joshua Philip  
Bonadona, Lance James  
Bordelon, Mark Anthony  
Boucvalt, Allison Kathryn  
Boudreau, Jennifer Ann  
Bouman, Richard L.  
Bozenovici, Val  
Bredbender, 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 I.  
Cheng-Guajardo, Cesar Miguel  
Chester, Rodney Neal  
Chillara, 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  
David, Bert Gamboa  
Davis, Naomi Ruth  
Day, David V.  
Day, Robert L  
Delaney, Elizabeth Dolores  
Delaune, Robert Joseph  
Delva, Kevin Lynn  
Deuel, Charles Lloyd  
DiGenova, John G  
Doton, Gerald Richard  
Down, Scott Shelby  
Dunn, William Edmund  
Durbins, Katrina Olson  
Edelson, Eric L.  
Edmonds, Keith  
Elmore, Daniel Rea  
Evans, James Marvin  
Farrell, Walter W.  
Fetterly, Robert S  
Filer, Daniel Joseph  
Forbes, Natalie Janelle  
Foster, Edward Joseph  
Fourrier, Julie Ann  
Fultz, Charles Edward  
Garig, David William  
Gearhart, Jerrold Jerome  
Gordon, Richard Allen

Gosselin, Mark S.  
Gottschalck, 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  
Jaafar, Abdow M  
Janet, Adam S.  
Jia, Yunqiu  
Joffer, Mark W  
Johnson, Thedore A  
Johnson, Timothy Wayne  
Karnik, Jaideep 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  
McCall, Shannon Kelly  
McCool, Matthew Joseph  
McGill, Keri Lynn  
Midkiff, Wade Elbert  
Miles, Jeffery Paul  
Netthikumara, Indunil  
Nix, Keith M  
Normand, Christopher Wesley  
Nsar, Athanasios 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  
Raaf, Michael D.  
Rabalais, Tacie Goetting  
Reid, Trygve Einar  
Rickborn, Timothy William  
Rivera, Frank  
Roan, Eric Tate  
Robinson, Dale J  
Rolen, George Amos  
Rostedt, Brian Kurt  
Schade, Christian Stephen  
Schim�ze, Richard Robert

Schober, Gregory Gerard  
Scott, Chad William  
Shank, Thomas Alfred  
Shelander, 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  
Thibodeaux, 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  
Woehrl, Michael David  
Wood, Scott Mitchell  
Worsham, John A  
Yung, Andrew Carl  
Zelenka, Gerald W.  
Zoeller, Jennifer Roe  
Zuniga, Edgardo Franklin  
Robertson, Donald Timothy  
Cribbs, Ricky Allesen

## 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.  
Ardoin, 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 Jacon-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, Jacob Howard  
Brown, Daniel Craig  
Brown, Sedrick  
Bruce, Thomas Carl  
Brune, Michael Forrest  
Brunet, Ashlee Rae  
Bruno, Christopher Michael  
Buckley, Robert Anderson  
Bulliard, 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, Conor Larkin  
Carter, Zoe Nicole  
Caskey, Gregory Keith  
Castaneda, J. Yamane  
Castay, Mark David  
Chapman, Charles David  
Chen, Fredy Louis  
Cheramie, Jacob Tyler  
Chesser, David Wayne  
Chicola, Chase Nicholas  
Christian, Sarah K.  
Christopher, Christopher Patrick  
Christou, Prodromos  
Clampitt, Colleen Leah  
Clark, Daniel Thomas  
Clouate, David Anthony  
Coates, Tollie Martin  
Connelly, Bradly Jonathan  
Cornwell, Paul A  
Coulon, Dusty James  
Cox, Mark Daniel  
Cuadrado, Joseph Frank Boyd  
Dallimore, Eric Joseph  
Dallinger, Timothy Jude  
Daughdril, Magen Denise  
Dawar, Karan R.  
Debaillon, Rene Michael  
Desonier, James Olin  
DiLorenzo, Neil R.S.  
DiZinno, Jenny Marie  
Dolin, Robert Kaleta  
Domingue, Derek Lynn  
Donnell, Jarrod K.

*continued on next page*

# NEW REGISTRANTS

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

Doolittle, Courtney Grace  
Dowell, Meghan Michelle  
Ducote, Philip Anthony  
Dufour, Michael Christian  
Dufrene, Corey C.  
Dunaway, Jeff Darrell  
Dupre, Amy Louise  
Dupre, Stacey Ann  
Eberle, Jeremy Kenneth  
Eleew, 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  
Gaiennie, Matthew Ernest  
Galjour, Jasmine Rose  
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 Kelli  
Goetzmann, Benjamin Bon  
Goodin, John Landon  
Griffin, Ryan P.  
Gudipati, Sripavani  
Guidry, John Paul  
Hamlington, 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 Thomas  
Hewlett, Patrick Thomas  
Hicks, Jack Hoang  
Higgins, Marcus Jerome  
Hoffman, Jacob S.  
Hoffpauir, Erik James  
Holloway, Elizabeth Alice  
Horne, Jordan Paul  
Hottengada, Babruvahan  
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  
Kinler, Ryan Paul  
Kinney, Powell McVay

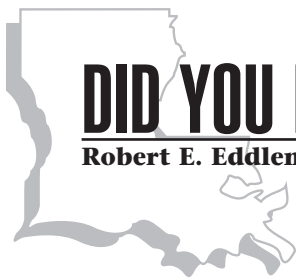
Kirby, William Clay  
Knight, Edward Michael  
Kocke, Paul Joseph  
Kovacs, Stephen Joseph  
Kreutz, Amy Marie  
Kwiatkowski, Steven Michael  
LaGrone, Jonathan Wynn  
Larisey, Michael Shane  
Larson, Boone F.  
Lasseigne, Joel Patrick  
Lawler, Alexander Sturgis  
Lawrence, Cory Douglas  
Le, Nga Ngoc  
Ledet, Christopher Paul  
Lefever, Lindsay Kate  
Leuck, Nicholas Edwin  
Levy, Christopher P.  
Li, Congna  
Lirette, Nicole Plache  
Lok, Mustafa S.  
Longacre, Aaron Hugh  
Lorio, Justin Michael  
Luckham, Caroline Monique  
Lumby, Crystal Renee  
Lupulescu, Cristiana Dana  
Maggio, Matthew Jacob  
Mailhot, Chantal Andree  
Manint, April Stacey  
Marbry, Clayton M.  
Marin, Michelle Marie  
Marsh, William Jessie  
Martinez, Alicia Kinchen  
Matthews, Roger Glenn  
Mautner, Travis John  
May, Lewis Yancey  
May, Raechelle Victoria  
McDaniel, David Michael  
McDonald, Johnny Wayne  
McGough, Morgan Wesley  
McKeever, 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 Daulton  
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, Kinuyo Kim  
Obulareddy, Sandeep  
Ohar, Megan May  
Oliver, Sean Michael  
Ordoyne, Melinda Lea  
Palermo, Joseph John  
Patterson, Brian Joseph  
Patz, Daniel David

Perrotti, Joel T  
Phillips, William James  
Piehler, 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  
Rodrigue, Jake Paul  
Rogers, Michael James  
Romanach, Marta Elena  
Rowe, Mathew Dennis  
Rowley, Scott A.  
Ryan, Robert Nevin  
Saladino, Anthony John  
Sangerman, Jordan T.  
Sawyer, Jeffrey Thomas  
Scalfano, Samuel Phillip  
Schexnailder, Michael Andrew  
Schroeder, Danielle Vanessa  
Seale, William Charles  
Seedah, Dan Paapanyin Kofi  
Seiler, Brian Edward  
Shaeffer, April Cher'ree  
Shapiro, Daniel Jordan  
Sharma, Aditi  
Sharper, 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.  
Stich, Rachel L.  
Suren, Chen  
Sutley, Garrett 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  
Travassos, Aaron Joseph  
Tu, Annie  
Tyson, Lance Garth  
Ulicsni, Mark Bradley  
Vadlamani, Srividya  
Valadie, Casey Nicholas  
Vanicor, Clifton Joseph  
Varahramyan, Kamran Matthew  
Vise, Zachary J.  
Volpe, Paul S.  
Watkins, Samuel Larry  
Watson, Jay Bradley  
Weenig, Stuart M.  
Wells, Lemuel Addison  
Wheeler, Anna Elizabeth  
White, Amy Colleen  
White, Gregory Coyce

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

## Engineering Firms

AccuTech Houston, LLC  
Alternatives in Engineering, Inc.  
Amprical Solutions, L.L.C.  
Anderson & Hastings, 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.  
Dayspring Group, LLC  
Dearborn Mid-West Conveyor Co.  
Design & Development Construction, L.L.C.  
Design Engineering of St. Tammany, LLC  
DesignTech Engineering, LLC  
EFI 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.  
Kendrick Engineering, LLC  
Leonhardt, Andra und Partner Consulting Engineers and GmbH  
Little Susitna Construction Co., Inc.  
M A Cheek Engineering, LLC  
Maxwell Johanson Maher Architects, LLC  
Mechanical Engineering & Accident Reconstruction Services, LLC  
Nesbit Engineering, L. L. C.  
Ocean Engineering Associates, Inc.  
Page Southerland Page, LLP  
Patrick Engineering, Inc.  
Poole Fire Protection, Inc.  
PowerCon Engineering P.C.  
Prentice Training Company, Inc.  
PT&C Forensic Consulting Services, P.A. (Corp.)  
RTM & Associates, inc.  
Rung & Associates, L.L.C.  
Skidmore, Owings & Merrill LLP  
Stantec Consulting Services Inc.  
Structural Engineering Services, LLC  
TAE, Inc.  
Telids  
The Structures Group, Inc. of VA  
Westbrook Engineering



## DID YOU KNOW?

**Robert E. Eddleman, Deputy Executive Secretary/Director of Enforcement**



**Robert E. Eddleman**

**T**he 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 (\$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 the signing and sealing of plans that were not prepared under his responsible charge. Mr. Capdepon sign 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 (\$1,000.00dollars, to pay administrative costs of eighty-two and 72/100 \$82.72) dollars, to successfully complete the Board's on line Laws and Rules Examination, 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 sign 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 (\$1,000.00dollars, to pay administrative costs of eighty-two and 72/100 \$82.72) dollars, to successfully complete the Board's on line 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 laes 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 on line 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.



# FROM THE EXECUTIVE SECRETARY

Donna D. Sentell, Executive Secretary

**L**APELS Board Members, past and current, participated in the Order of the Engineer Ceremony at Louisiana Tech University at Ruston on Friday, May 5, 2006. Pictured: Kerry M. Hawkins, P.E., Jerry G. Lazenby, P.E., P.L.S., Richard I. Durrett, P.E., P.L.S., Mark H. Segura, P.E., Paul N. Hale, Jr. Ph.D., P.E.

## The Obligation of an Engineer

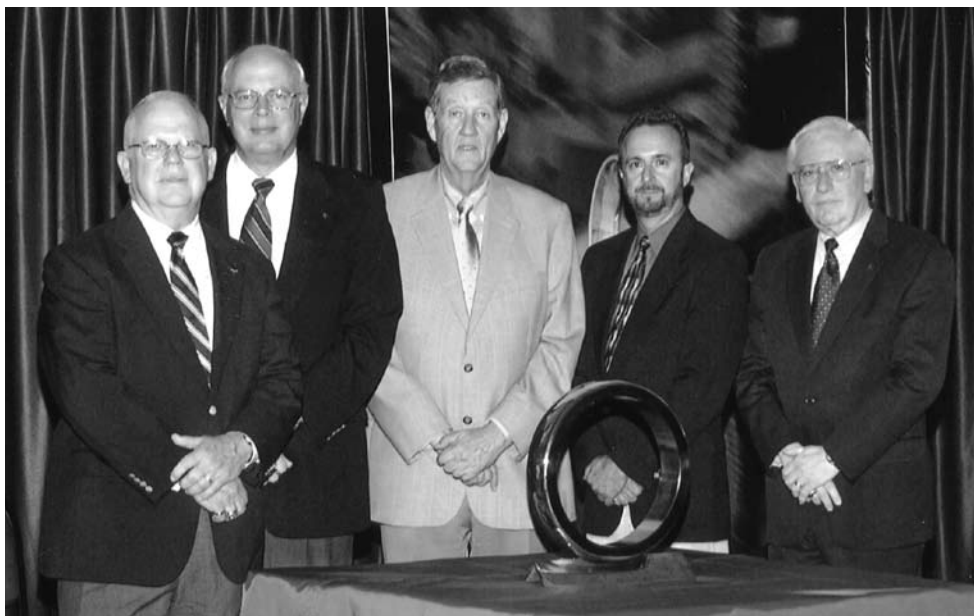
I am an Engineer, in my profession I take deep pride. To it I owe solemn obligations.

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 Mankind'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 per-



formance of duty and in fidelity to my profession, I shall give the utmost.

For more information: [www.order-of-the-engineer.org](http://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



**Kevin E. Crosby, P.E., P.L.S.**  
*Louisiana Engineering Society President*

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](http://www.les-state.org).

# SOCIETY NEWS

**By: Brenda Gajan**  
LES Executive Director



## LES OFFICERS & BOARD

### President

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### Young Engineers

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<http://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!



## Calendar of Events

### August, 2006

- 9 11th JESC Planning Meeting - LES State Office
- 11 Executive Committee Meeting - Conference Call
- 15 Honors & Awards Nominations Begin

### September, 2006

- 15 Homeland Security Seminar - Baton Rouge
- 22 LES Board of Direction Meeting - Shreveport
- 22 LEF Board Meeting - Shreveport
- 25-26 LAPELS Board Meeting - LES State Office

### October, 2006

- 4 11th JESC Planning Meeting - LES State Office
- 6 Executive Committee Meeting - Conference Call
- 13 Deadline for copy, Louisiana Journal, November issue

## ALEXANDRIA CHAPTER

By: Glenn Turner, P.E.

### Board members for the Alexandria Chapter are:

President - Glenn Turner, P.E.  
1st Vice President – Rajesh Krithivasan, 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 Boudreaux, E.I.



## LAFAYETTE 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.

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**OUR 14TH ANNUAL  
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### Memphis, TN

Sept. 26 & 27

Holiday Inn - Select E.

### Dallas-Ft. Worth, TX

Oct. 3 & 4

Holiday Inn - Airport N.

### Little Rock, AR

Oct. 5 & 6

Holiday Inn - Select

### Birmingham, AL

Oct. 19 & 20

Holiday Inn - Homewood

### Houston, TX

Oct. 26 & 27

Holiday Inn - S. W. Freew.

**For More Information:  
Call 901-493-6502 (Memphis, TN)  
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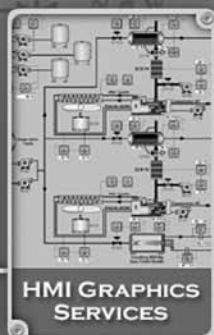
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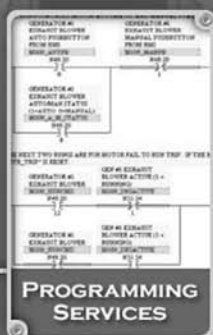
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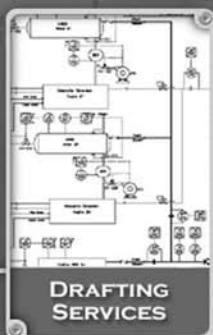
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# LES 2007 HONORS & AWARDS

By: Brenda Gajan

**L**ES 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

**T**wo 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

### Alexandria

Michael R. Cooper, E.I.  
Jonathan Holston, E.I.  
Bryan Morgan, P.E.  
Ross Twidwell, E.I.

### Baton Rouge

Matthew H. Colosino, E.I.  
Matthew J. Colosino, E.I.  
Joel Luke, P.E.  
Travis J. Mautner, E.I.  
Wilbur D. Nesbit, Jr., P.E.  
David Solberg, E.I.  
William Taylor, E.I.

### Lafayette

Poche' Prouet Associates, Ltd  
Southern Structures, LLC  
Keith Wicker, P.E.  
Crystal Yoes, E.I.

### New Orleans

Carboline Co.  
Richmond Favrot, P.E.  
Edwin J. Kapinus, P.E.  
Cesar Rincon, E.I.  
Royal Engineers and Consultants, LLC

### Shreveport

John Irving, P.E.  
Kristin Jerome, E.I.

### Non-Resident

Deepak Ahuja, P.E.  
Donald Anderson, P.E.  
Michael Cook, P.E.  
John Glover, P.E.  
Jason Monfils, P.E.  
Daniel I. Nwosu, P.E.  
Victor Perret, P.E.  
Raquel Sims, P.E.



# 8 HOUR HOMELAND SECURITY SEMINAR

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

**S**ponsored 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      ACEC/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](http://www.les-state.org)

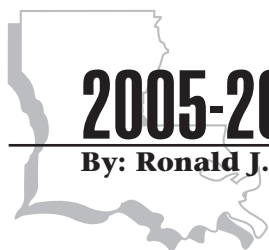
If you have any questions, please call the LES office at (225) 924-2021

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.





# 2005-2006 LEGISLATIVE COMMITTEE REPORT

By: Ronald J. Rodi, P.E., Chairman

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 of the owner and proposed law provides instead that professional land surveyors can enter and remain on the structure, watercraft, or immovable property, of another without 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)

# LES 108TH ANNUAL CONFERENCE HIGHLIGHTS

By: Ali Mustapha, P.E.

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.



Ali Mustapha, P.E.



LES Incoming President Kevin Crosby thanks Outgoing President Chris Richard for his years of service to LES.



# LES RECOGNITION

By: H. Glen Kent, P.L.S.

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.



H. Glen Kent, P.L.S.



# "THANK YOU" TO 2006 TRI-STATE EXHIBITORS & SPONSORS

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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For information on how to sponsor the 2007 Annual Meeting at Sandestin Resort, June 24-27, please call LES at (225) 924-2021.

# 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.





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May 10, 2006

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

Alan D. Krouse, P.E.  
7038 Ernest Floyd N  
Gonzales, LA 70737

Dear Chris:

We, the Tellers Committee, duly appointed, met at the LES State Office, 9643 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. Boudoin, P.E. - 312  
Angela Desoto Duncan, P.E. - 9  
Wilfred Barry, P.E. - 1

### 2nd Vice-President

Alan D. Krouse, P.E. - 311  
John Lawrence, P.E. - 8  
Susan Richard, P.E. - 1

### Secretary-Treasurer

Michael L. Bares, P.E. - 309  
Keith Gonzales, P.E. - 10  
Angela Desoto Duncan, P.E. - 1

### State Directors

Gregory G. Danielson, Jr., P.E. - 279  
John L. Lowery, P.E. - 280  
James Webb, P.E. - 1  
Bodin Hugger, P.E. - 1  
William Melancon, P.E. - 1  
Craig Dooley, P.E. - 1

Total Ballots Mailed 1,235  
Total Ballots Counted 322  
Ballots Received Late 1

Signed:

Robert Degeyter, P.E.

Darrell K. Jones, P.E.

Barry Gafagan, P.E.

Brenda Gajan - Executive Director

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

*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

*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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**Warren J. Wilder**  
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## ACEC/L ANNOUNCES 2006-2007 BOARD

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:

President - **James P. Ledet, P.E.**, T. Baker Smith, Inc., Thibodaux  
 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  
 Member-at-Large - **Robert A. Basinger, P.E.**, BBC Engineering, Inc., Shreveport  
 Member-at-Large - **Anthony J. Mumphy, 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  
 Member-at-Large - **Tuncer A. Arikol, P.E.**, PECC, Baton Rouge  
 Member-at-Large - **Mark B. Dubroc, P.E.**, Dubroc Engineering Inc., Lafayette  
 Chapter Presidents  
 Baton Rouge - **Mark L. Morgan, P.E.**, SEMS, Inc., Baton Rouge  
 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 19<sup>th</sup>. 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 Marrienneaux amended HB 935 on the floor to strip the Beard amendments from the bill. The Senate passed the amended bill and sent it to the House to concur in Sen. Marrienneaux'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 23) 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 10<sup>th</sup>.

**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 25<sup>th</sup>.

**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 LSPS 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 13<sup>th</sup> 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 31<sup>st</sup> 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 19<sup>th</sup> 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. Mumphy, 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.

**TABLE 1**

Semester -Year	Full- time	Part- time	Total
Summer 2003	0	2	2
Fall 2003	5	6	11
Spring 2004	7	5	12
Summer 2004	2	8	10
Fall 2004	15	7	22
Spring 2005	24	9	33
Summer 2005	2	12	14
Fall 2005*	27	5	32
Spring 2006*	27	4	31

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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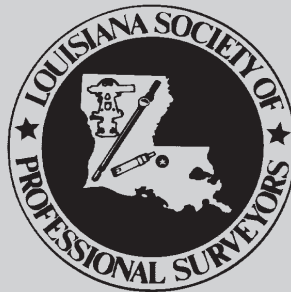
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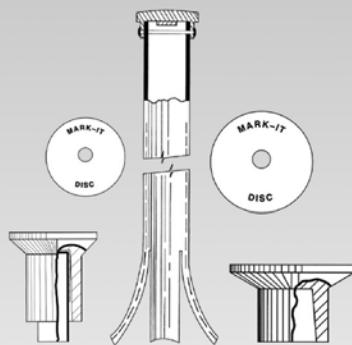
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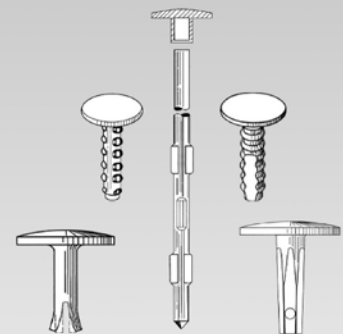
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# 2006 LSPS EDUCATION FOUNDATION SCHOLARSHIP

**L**SPS 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 hand 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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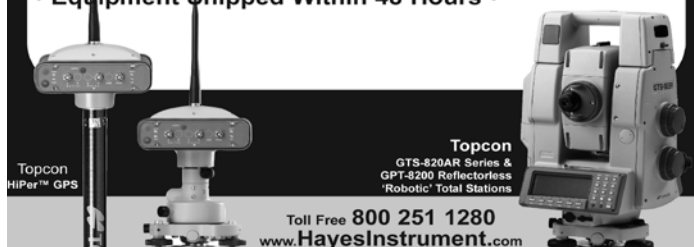
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## COMMENTS OFFERED BY J. ANTHONY CAVELL, PLS

To Louisiana State Law Institute  
Relative to House Concurrent Resolution No. 281  
by Representative Hammett and Senator Michot  
Requesting study of Act No. 802 of the 2003 Regular Session  
Regarding Criminal Trespass.

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.

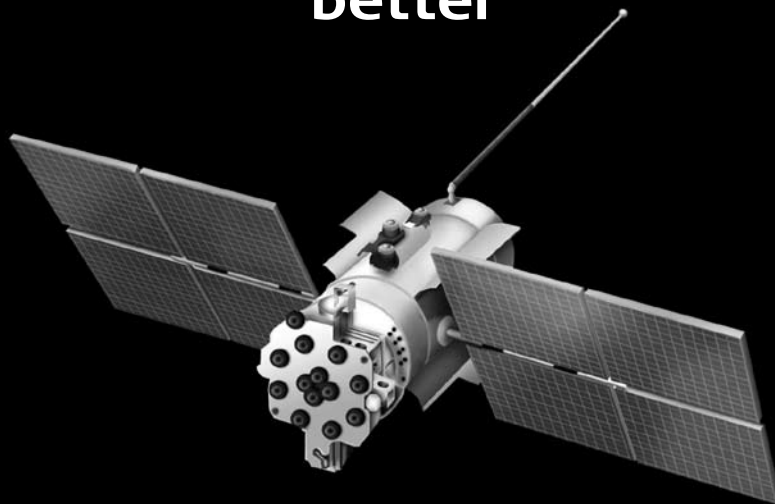
At the very least, help preserve citizens' right to determine the limits of their properties by a licensed Professional Land Surveyor. Even if the other, ostensibly more onerous aspects of Act 802 are left for unhappy discovery by others, please recommend remedies that will allow the surveyor, duly licensed 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  
L.S.P.S. Member and Past President  
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PROFESSIONAL SURVEYORS



# 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](mailto:wabear@charter.net)

- (1) **Item Writing Committee** - needs 2 members from each District

Chair - Steve Flynn - [sflynn@riverlandssurveying.com](mailto:sflynn@riverlandssurveying.com)  
Stanley Turner - [sturner@turnersurveys.net](mailto:sturner@turnersurveys.net)  
Charlie Coyle - [cgcthree@coyleengineering-bossier.com](mailto:cgcthree@coyleengineering-bossier.com)  
Michael Stelly - [mjstell@yahoo.com](mailto:mjstell@yahoo.com)  
Steven Langlinais - [sjlcompany@aol.com](mailto:sjlcompany@aol.com)  
James Pellegrin - [jamesp@tbsmith.com](mailto:jamesp@tbsmith.com)  
Dalton Honore - [dhonore@krestworth.com](mailto:dhonore@krestworth.com)

- (2) **Exam Prep/Review/Grading Committee**- as needed

- (3) **Subject Matter Expert Committee**-1 member from each District

The **Licensure Review Committee** is charged with review of the current rules and regulations necessary to become a Professional Land Surveyor. Review requirements of other states and explore the possibilities of how changes to the current law could increase the number of licensed surveyors in the state.

Chair - Ryan Fuselier - [ryan@fenstermaker.com](mailto:ryan@fenstermaker.com)  
Ed Clinton - [elclint@bellsouth.net](mailto:elclint@bellsouth.net)  
Gerald Fussell - [gerald@polarisservices.net](mailto:gerald@polarisservices.net)  
Stanley Turner - [sturner@turnersurveys.net](mailto:sturner@turnersurveys.net)  
John Fenstermaker - [jwf@fenstermaker.com](mailto:jwf@fenstermaker.com)  
Jerry Lazenby - [jlazenby@lazenbyengr.com](mailto:jlazenby@lazenbyengr.com)  
Larry Prewitt - [lprewitt@fugrochance.com](mailto:lprewitt@fugrochance.com)  
Glen Kent - [gklaw@bellsouth.net](mailto: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.com](mailto:rjohnson@jchance.com)  
Paul Kocke - [pkocke@gandolfokuhn.com](mailto:pkocke@gandolfokuhn.com)  
Chris Ewing - [chris@ferrisinc.com](mailto:chris@ferrisinc.com)  
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Cliff Mugnier - [cjmce@lsu.edu](mailto:cjmce@lsu.edu)  
Patrick Landry - [plandry@bellsouth.net](mailto:plandry@bellsouth.net)  
Keith Roberts - [kjr@fenstermaker.com](mailto:kjr@fenstermaker.com)  
Brett Bayard - [bbayard@madereng.com](mailto: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](mailto:cgcthree@coyleengineering-bossier.com)  
Cliff Mugnier - [cjmce@lsu.edu](mailto:cjmce@lsu.edu)  
Glen Kent - [gklaw@bellsouth.net](mailto: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](mailto:patterson@landsource.com)  
Ryan Fuselier - [ryan@fenstermaker.com](mailto:ryan@fenstermaker.com)  
Chad Morris - [morris@landsource.com](mailto:morris@landsource.com)  
Jerry Lazenby - [jlazenby@lazenbyengr.com](mailto: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](mailto:mrobertson@sjbgroup.com)  
A. Champagne - [achampagne@bellsouth.net](mailto: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](mailto: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.burdeaux@cochranetech.com](mailto:k.burdeaux@cochranetech.com)  
Mike Mayeux - [mike@mayeux-surveying.com](mailto:mike@mayeux-surveying.com)  
Jerry Lazenby - [jlazenby@lazenbyengr.com](mailto:jlazenby@lazenbyengr.com)

Glen Kent - [gklaw@bellsouth.net](mailto:gklaw@bellsouth.net)

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](mailto: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](mailto:jcouvillion@yahoo.com)

David Patterson - [patterson@landsource.com](mailto: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 - [lbudden@shreadkuyrkendall.com](mailto:lbudden@shreadkuyrkendall.com)

Ronda Courville - [lsps@bellsouth.net](mailto:lsps@bellsouth.net)

Todd Farrar - [geec@bellsouth.net](mailto:geec@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 - [geec@bellsouth.net](mailto:geec@bellsouth.net)

Steve Flynn - [sflynn@riverlandssurveying.com](mailto:sflynn@riverlandssurveying.com)

Paul Culpepper - [landmarkls@cox-internet.com](mailto:landmarkls@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](mailto:achampagne@bellsouth.net)

Kevin Burdeaux - [k.burdeaux@cochranetech.com](mailto:k.burdeaux@cochranetech.com)

Ernie Gammon, Jr. - [egammonjr@hydroconsultants.com](mailto:egammonjr@hydroconsultants.com)

Todd Farrar - [geec@bellsouth.net](mailto:geec@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](mailto:glp@fenstermaker.com)

Paul Kocke - [pkocke@gandolfokuhn.com](mailto:pkocke@gandolfokuhn.com)

David Patterson - [patterson@landsource.com](mailto:patterson@landsource.com)

**CONTACT LSPS AT [LSPS@BELLSSOUTH.NET](mailto:LSPS@BELLSSOUTH.NET) , OR 225/925-5800 IF YOU WOULD LIKE TO JOIN US!**



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LSPS

LOUISIANA SOCIETY OF  
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## Welcome to a New Era A New Generation of Satellites

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

New GPS signals are coming. In a clear demonstration of its commitment to civilian users, the U.S. Department of Defense (DoD) has timetabled a plan for modernizing its constellation of GPS satellites. The first step in the modernization 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.

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