

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Monday, November 26, 2018 1:28:00 PM

-----Original Message-----

From: sunset@sunset.texas.gov <sunset@sunset.texas.gov> On Behalf Of Texas Sunset Commission
Sent: Monday, November 26, 2018 1:22 PM
To: Sunset Advisory Commission <Sunset@sunset.texas.gov>
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS%20BOARD%20PROFESSIONAL%20LAND%20SURVEYING

First Name: Paul

Last Name: Carey

Title: RPLS, LSLS

Organization you are affiliated with: Medina Valley Surveys

Email:

City: Castroville

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or Opposed:

I have found that the Sunset Commission Report was lacking comprehensive information.

First, land surveying is a vital contributor to any and every economic effort. Nothing happens without a survey. No roads, no utilities, no towns, no subdivisions, no buildings, no easements, nothing moves without a surveyor first examining, evaluating and documenting the condition of the land.

The testing procedure, the licensing requirements and existence of two licenses (Registered Professional Land Surveyor and Licensed State Land

Surveyor) are all the product of prior Legislation and are not the prerogative of this Board to modify or implement in any unauthorized fashion.

The suggestion of including the TPBLS with the Professional Engineers with one Surveyor on this board is folly.

This is where Texas was in 1955 when this Board was created. Engineers are not trained in land surveying.

Allowing the Engineers Board to ostensibly govern land surveying would be the end of this vital profession in

Texas. Allowing one Surveyor vote on the Engineering Board is tantamount to having zero votes. Historically, the RPLS was grandfathered to the practicing engineers until 1978 due to strong

lobbying in the Texas House. The same thing happened when Texas developed

the Professional Geoscientist license. Engineers were automatically authorized to provide all the same services.

This was the death of the PG license. Why would a student pursue a license which requires the same level of education and the same experience requirements only to be able to provide a fraction of the service available from an engineer? This non-expectancy on the part of the legislature was a complete waste of time for the government, the board appointees and the applicants across the nation.

As for the TPBLS's ability to address and process complaints in a competent and speedy fashion, I find that this expectation is overly optimistic given the fact that only in the last two years has the Board employed a second, half-time, investigator and the fact that if negligence is found, the Board is unable to take any action because of the legislated requirement of proceeding through SOAH. This government has given this Board a job to do, reduced the available funding, tied their hands and complained about their inabilities. It is no surprise that this Board end the

year with surplus funds occasionally, in that funds must be retained in the event of a protracted SOAH hearing wherein the Board must provide and compensate attorneys.

Lastly, Texas is a unique place to be a surveyor. Only Texas has been "New Spain," "Mexico," a Republic and a State. This history has had an impact on the land and the history continues to shape the decisions of the Surveyors of the land. The lengthy training and intense, unique, examination of licensees is absolutely necessary to protect the citizens of Texas and their most valuable investments, their land.

In the words of the first President of the Texas Surveyor Association, "no other professional ... must be versed in so many subjects as the modern Texas Surveyor. He must be skilled in the use of scientific instruments, a mathematician of the first order, no ordinary Botanist, a fair abstracter, a capable photographer, a good public relations man, an expert investigator, possess a catalogued knowledge of all Boundary Law that has been written in Texas, have a complete understanding of human nature, a keen sense of humor and, most important of all, must have unprovocative patience." -- Hugh L.

George, 1956.

I COMPLETELY OPPOSE the recommendations of the Sunset Commission.

Any Alternative or New Recommendations on This Agency: I strongly recommend that the TBPLS be retained as an independent Board. The Surveying Profession is too important to the Texas economy to have un-knowledgeable and inexperienced persons making decisions about the examination process, the professional practices and the rules and regulations which govern Land Surveying in Texas.

My Comment Will Be Made Public: I agree