

TEXAS BOARD OF PROFESSIONAL LAND SURVEYING

Sunset Self-Evaluation Report

August 2001



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1. Professional Land Surveying Practices Act
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TEXAS BOARD OF PROFESSIONAL LAND SURVEYING Self-Evaluation Report

I. Key Functions, Powers, and Duties

A. Provide an overview of the agency's mission, key functions, powers, and duties. Specify which duties are statutory.

The mission of the Texas Board of Professional Land Surveying is to protect the residents of Texas by regulating, licensing and renewing the licenses of only competent surveyors, surveyors able to provide accurate surveys, which will result in the orderly use of our physical environment.

The key functions of the Board are to license and regulate surveyors.

1. Section 15 of the Professional Land Surveying Practices Act contains experience and education requirements that one must meet to qualify to take examinations. Examinations are designed to demonstrate competence. (Statutory- Section 15)

Registrants are required to maintain competency by completing continuing education courses. Eight hours of continuing education credit is required to renew a registration. (Statutory- Section 17)

2. The Board regulates the profession by investigating complaints. If violations of the Act or Rules are found, the Board can reprimand, suspend, assess penalty fees or revoke a license. (Statutory- Section 9, 23 and 24)

B. Does the agency's enabling law correctly reflect the agency's mission, key functions, powers, and duties?

Yes

C. Please explain why these functions are needed. Are any of these functions required by federal law?

Accurate surveys, prepared by competent surveyors, are essential to the orderly use of our physical environment. Technical work resultant thereof has important effects on the welfare, property, economy and security of the public.

Federal law requires none of these functions.

D. In general, how do other states carry out similar functions?

Other states carry out similar functions in much the same way. Minor differences can be found in the amount of experience and education required to take licensing examinations. Not all states require continuing education. Twenty states do not require continuing education. The number of hours required varies from state to state, with an average of 15 hours. This Board requires 8.

See Attachment 1

E. Describe any major agency functions that are outsourced.

The Board outsources the eight-hour Fundamentals of Surveying examination to a national test preparation organization. The National Council of Examiners of Engineering and Surveying (NCEES) provide the Fundamentals of Land Surveying examination for all 50 states.

The Board outsources the preparation of the Annual Financial Report.

F. Discuss anticipated changes in federal law and outstanding court cases as they impact the agency's key functions.

There are no anticipated changes in federal law or outstanding court cases that impact the agency's key functions.

G. Please fill in the following chart, listing citations for all state and federal statutes that grant authority to or otherwise significantly impact the agency.

Texas Board of Professional Land Surveying Exhibit 1: Statutes/Attorney General Opinions	
Statutes	
Citation/Title	Authority/Impact on Agency (e.g., "provides authority to license and regulate nursing home administrators")
Natural Resources Code	Provides duties of the Licensed State Land Surveyor
Natural Resources Code	Provides duties of County Surveyors
Texas Real Estate Act	Specifies when a survey is needed for land transactions
Local Government Code	Specifies when a subdivision plat is needed
Professional Services and Procurement Act	Specifies that the practice of land surveying is a professional service and state governmental entities must select a provider on qualifications and not lowest bid.
Attorney General Opinions	
Attorney General Opinion No.	Impact on Agency
JM 418	Plats of proposed well locations required by the Railroad Commission need not be prepared by a registered public surveyor.
JC 374	The Professional Services and Procurement Act apply to the prime contractor and to all subcontractors.

H. Please fill in the following chart:

Texas Board of Professional Land Surveying Exhibit 2: Agency Contacts			
	Name	Address	Telephone Number Fax Number E-mail Address
Agency Head	Sandy Smith Executive Director	7701 North Lamar, #400 Austin, Texas 78750	(512) 452 9427 (512) 452 7711 sandy.smith@mail.capnet.state.tx.us
Agency's Sunset Liaison	Sandy Smith		

II. History and Major Events

1919 The Examiners of Licensed State Land Surveyors was created

1955 The State Board of Registration for Public Surveyors was created

1979 The two agencies above were merged to create the Texas Board of Land Surveying. Legislation also required Professional Engineers (PEs) to become registered to continue to offer land surveying services. Prior to this date PEs could offer land surveying without demonstrating competency by passing an examination in land surveying. The number of licenses doubled.

1985 Changes were made to Section 5 regarding Sunset and Section 7 regarding conflict of interest provisions for Board members.

1989 The word "Professional" was added to the name of the Act and the licensee. The licensing method changed to require an applicant to first become a Surveyor-In-Training (by passing the Fundamentals of Surveying exam) and gain additional experience before taking the remainder of the examination. A degree requirement was added to become effective in 1996. An Inactive Status was added. Completion of Continuing Education courses was made a requirement for license renewal with an effective date of for RPLSs who were not PEs and effective date of for RPLSs who were PEs.

1991 The degree requirement was removed

1995 The degree requirement was added with an effective date of 01-01-2003.

1997 Land Surveyors were added to Professional Services and Procurement Act.

2001 Language was changed which allowed an applicant to take the examination every six months.

The purpose of the Board(s) has remained the same, to protect the residents of Texas by regulating and renewing the licenses of only competent surveyors, surveyors able to provide accurate surveys, which will result in the orderly use of our physical environment. The Board also reviews applicants to take the exam and insures that the examination is developed in such a manner that only individuals competent in land surveying are licensed.

III. Policymaking Structure

A. Please complete the following chart:

TEXAS BOARD OF PROFESSIONAL LAND SURVEYING				
Exhibit 3: Policymaking Body				
Member Name	Term/ Appointed by	Qualification	Address	Telephone Number Fax Number E-mail Address
Raul Wong, Jr.	01-31-01 Appointed by Governor	RPLS	8616 Northwest Dr. Dallas, TX 75243	(214) 346 6210 (214) 739 7086 rwongjr@half.com
Hon. David Dewhurst C.B.Thomson,Designee	By Statute	Commissioner of the General Land Office	1700 N. Congress Austin, TX 78701	(512) 463 5001 (512) 463 5098 ben.thomson@glo.state.tx.us
Jerry M. Goodson	01-31-01 Appointed by Governor	LSSL	P.O.Box 349 Lampasas TX 76550	(512) 556 6885 (512) 556 6261 jmgsurveyor@ltex.net
Steven C. Hofer	01-31-05 Appointed by Governor	Public	3602 Trinity Meadows Midland TX 79707	(915) 685 8547 (915) 684 3180 shofer@cbtd.com
Daniel E. Martinez	01-31-05 Appointed by Governor	RPLS	5502 72 nd Street Lubbock TX 79424	(806) 763 5642 (806) 763 3891 dmartinez@hugoreed.com
Kelley Neumann	01-31-03 Appointed by Governor	Public	227 Brightwood San Antonio TX 78209	(210) 704 7141 (210) 704 7028 kneumann@saws.org
A. W. (Art) Osborn	01-31-01 Appointed by Governor	RPLS	625 Chase Dr., #B Tyler TX 57503	(903) 581 2238 (903) 561 0600 aosborn@tyler.com
Robert L. Pounds	01-31-03 Appointed by Governor	LSSL	240 Thunderbird El Paso TX 79912	(915) 584 9455 (915) 564 9457 boflbs@compuserv.com
Douglas Turner	01-31-05 Appointed by Governor	RPLS	7060 Evans Houston TX 77061	(713) 860 8429 (713) 462 0180 dtuner@clri.com
Joan White	01-31-03 Appointed by Governor	Public	905 West Price Road Brownsville TX 78520	(956) 428 0451 (956) 425 6253 jwhite@cngmail.com

B. How is the chair of the policymaking body appointed?

The Governor appoints the Chair.

C. Describe the primary role and responsibilities of the policymaking body.

The Board enforces the Professional Land Surveying Practices Act and implements necessary rules to ensure competent surveying practice. The Board oversees the administrative operation of the agency and hires an Executive Director to conduct the administrative affairs of the Board. The Board takes final action on all complaints investigated.

D. List any special circumstances or unique features about the policymaking body or its responsibilities.

There are no special or unique features about the policy making body.

E. In general, how often does the policymaking body meet? The Board meets as needed, usually every two months. How many times did it meet in FY 2000? 6 In FY 2001? 7

F. What type of training do the agency's policymaking body members receive?

Upon notification of new appointments, the Executive Director sends the new member the Act and Rules, copies of minutes of the past several Board meetings, budget and financial information. Additional training is given if needed. Members attend the Attorney General's annual training sessions and the Governor's New Board Member Orientation meeting. Members also complete required EEO training.

G. Does the agency have policies that describe the respective roles of the policymaking body and agency staff in running the agency? If so, please describe these policies.

Section 9 of the Act specifies the role of the Board, to enforce the Act and adopt rules necessary to administer the Act.

Section 9 of the Act specifies the role of the Executive Director and staff, to conduct the administrative affairs of the Board.

The primary responsibility of the Board is to set agency policy and employ an Executive Director.

The Board directs and evaluates the performance of the Executive Director.

The primary responsibility of the Executive Director is to implement Board policies and manage the Board's operations on a day-to-day basis.

H. If the policymaking body uses subcommittees or advisory committees to carry out its duties, please fill in the following chart.

Texas Board of Professional Land Surveying Exhibit 4: Subcommittees and Advisory Committees			
Name of Subcommittee or Advisory Committee	Size/Composition/How members are appointed	Purpose/Duties	Legal Basis for Committee
Item Writing Committee (ExaminationCommittee)	9 to 12 RPLS Demonstrated Competency in land surveying	Write items for the examination	Section 9 (g)
Cut-Off-ScoreCommittee (ExaminationCommittee)	10 to 14 RPLS Demonstrated Competency in land surveying	Review examination items and set cut-off passing scores	Section 9 (g)
Quality Control/Quality Assurance Committee (ExaminationCommittee)	5 to 7 RPLS Demonstrated Competency in land surveying	Review examination items for technical errors prior to administration	Section 9 (g)

I. How does the policymaking body obtain input from the public regarding issues under the jurisdiction of the agency? How is this input incorporated into the operations of the agency?

Board meeting dates and Agendas can be found on the Board's web site.
 Board meetings are published as required in the Texas Register and the meetings are open to the public.
 Each Board meeting opens with an opportunity for public comment. The Board welcomes comment from any individual or group. The Board responds to written inquiries from the public.
 Newsletters are sent to registrants. Board members are very active in their communities and maintain ongoing communication with not only registrants but also the public.

IV. Funding

A. Describe the agency's process for determining budgetary needs and priorities.

Board staff reviews past performance and assesses future needs. A budget is prepared that conforms to specifications imposed by the legislature and governor. The budget is presented to the Board for consideration and revised accordingly if needed.

PLEASE FILL IN EACH OF THE CHARTS BELOW, USING EXACT DOLLAR AMOUNTS.

B. Show the agency's sources of revenue. Please include all local, state, and federal sources.

Texas Board of Professional Land Surveying Exhibit 5: Sources of Revenue – Fiscal Year 2000 (Actual)	
Source	Amount
General Revenue Fund	318,521.00
Additional Appropriations	43,797.50
Licenses, Fees and Permits	5,840.00
Sale of Goods and Services	1,129.00
Other Revenue	54.91
All funds expended by the Board were generated through fees collected by the Board	369,342.41
Total	

C. If you receive funds from multiple federal programs, show the types of federal funding sources.

The Texas Board of Professional Land Surveying does not receive federal funding.

D. Show the agency's expenditures by strategy.

Texas Board of Professional Land Surveying Exhibit 7: Expenditures by Strategy — Fiscal Year 2000 (Actual)	
Goal/Strategy	Amount
A.1.1. Licensing and Education	255,842.94
A.1.2. Examination	18,925.00
GRAND TOTAL:	274,767.94

E. Show the agency's expenditures and FTEs by program.

Texas Board of Professional Land Surveying Exhibit 8: Expenditures and FTEs by Program — Fiscal Year 2000 (Actual)					
Program	Budgeted FTEs, FY 2000	Actual FTEs as of August 31, 2000	Federal Funds Expended	State Funds Expended	Total Actual Expenditures
Licensing and Enforcement	4	4	0	255,842.94	
TOTAL	4	4	0	255,842.94	

Texas Board of Professional Land Surveying Exhibit 8: Expenditures and FTEs by Program — Fiscal Year 2000 (Actual)					
Program	Budgeted FTEs, FY 2000	Actual FTEs as of August 31, 2000	Federal Funds Expended	State Funds Expended	Total Actual Expenditures
Examination	0	0	0	18,925.00	
TOTAL	0	0	0	18,925.00	

F. If applicable, please provide information on fees collected by the agency.

Texas Board of Professional Land Surveying				
Exhibit 9: Fee Revenue and Statutory Fee Levels — Fiscal Year 2000				
Description/ Program/ Statutory Citation	Current Fee/ Statutory maximum	Number of persons or entities paying fee	Fee Revenue	Where Fee Revenue is Deposited (e.g., General Revenue Fund)
Renewal Fees Registered Land Surveyor Licensed State Land Surveyor Inactive Renewal Fee	115.00 35.00 10.00	2513 344	292,435	General Revenue Fund
Application Fee	100.00	317	31,775	General Revenue Fund
Examination Fee	125.00	536	67,000	General Revenue Fund
Penalty Fee	62.50	133	8,350	General Revenue Fund
Penalty Fee	125.00	6	750.00	General Revenue Fund
Duplicate Certificate	20.00	5	100.00	General Revenue Fund
Prorated Registration Fee	115.00	27	3,105	General Revenue Fund
Prorated Registration Fee	76.00	38	2,888	General Revenue Fund
Violation/Fine	1,500 per violation	14	9,950	General Revenue Fund
Continuing Education App Fee	50.00	66	3,350	General Revenue Fund
Continuing Education Renewal Fee	25.00	17	425.00	General Revenue Fund

G. Please fill in the following chart.

Texas Board of Professional Land Surveying				
Exhibit 10: Purchases from HUBs				
FISCAL YEAR 1998				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	N/A	N/A	N/A	11.9%
Building Construction	N/A	N/A	N/A	26.1%
Special Trade	N/A	N/A	N/A	57.2%
Professional Services	N/A	N/A	N/A	20.0%
Other Services	31,768.00	1,065.00	3.35%	33.0%
Commodities	14,388.00	5,565.00	38.6%	12.6%
TOTAL	46,156.00	6,630.00	14.4%	
FISCAL YEAR 1999				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	N/A	N/A	N/A	11.9%
Building Construction	N/A	N/A	N/A	26.1%
Special Trade	N/A	N/A	N/A	57.2%
Professional Services	N/A	N/A	N/A	20.0%
Other Services	73,097.00	11,344.00	15.5%	33.0%
Commodities	20,347.00	13,587.00	66.7%	12.6%
TOTAL	93,444.00	24,931.00	26.6%	
FISCAL YEAR 2000				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	N/A	N/A	N/A	11.9%
Building Construction	N/A	N/A	N/A	26.1%
Special Trade	N/A	N/A	N/A	57.2%
Professional Services	N/A	N/A	N/A	20.0%
Other Services	39,150.61	1,412.00	3.60%	33.0%
Commodities	13,494.00	6,834.13	50.6%	12.6%
TOTAL	52,644.61	8,246.13	15.6%	

H. Does the agency have a HUB policy? How does the agency address performance shortfalls related to the policy?

The Board's HUB policy is contained in the Strategic Plan. The Board strives to comply with guidelines by purchasing from HUB's whenever possible.

V. Organization

A. Please fill in the chart below. If applicable, list field or regional offices.

Texas Board of Professional Land Surveying Exhibit 11: FTEs by Location — Fiscal Year 2000			
Headquarters, Region, or Field Office	Location	Number of Budgeted FTEs, FY 2000	Number of Actual FTEs as of August 31, 2000
The Board has one office	Austin, Texas	4	4
TOTAL		4	4

B. What was the agency's FTE cap for FY 2000?

4

C. How many temporary or contract employees did the agency have as of August 31, 2000?

0

D. Please fill in the chart below.

Texas Board of Professional Land Surveying Exhibit 12: Equal Employment Opportunity Statistics FISCAL YEAR 1998							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	1	0	5%	0	8%	100%	26%
Professional	N/A	N/A	7%	N/A	7%	N/A	44%
Technical	N/A	N/A	13%	N/A	14%	N/A	41%
Protective Services	N/A	N/A	13%	N/A	18%	N/A	15%
Para-Professionals	N/A	N/A	25%	N/A	30%	N/A	55%
Administrative Support	3	33%	16%	0	17%	100%	84%
Skilled Craft	N/A	N/A	11%	N/A	20%	N/A	8%
Service/Maintenance	N/A	N/A	19%	N/A	32%	N/A	27%

Self-Evaluation Report Instructions

Texas Board of Professional Land Surveying Exhibit 12: Equal Employment Opportunity Statistics (cont.)							
FISCAL YEAR 1999							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	1	0	5%	0	8%	100%	26%
Professional	N/A	N/A	7%	N/A	7%	N/A	44%
Technical	N/A	N/A	13%	N/A	14%	N/A	41%
Protective Services	N/A	N/A	13%	N/A	18%	N/A	15%
Para-Professionals	N/A	N/A	25%	N/A	30%	N/A	55%
Administrative Support	3	33%	16%	N/A	17%	N/A	84%
Skilled Craft	N/A	N/A	11%	0	20%	100%	8%
Service/Maintenance	N/A	N/A	19%	N/A	32%	N/A	27%
FISCAL YEAR 2000							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	1	0	5%	0	8%	100%	26%
Professional	N/A	N/A	7%	N/A	7%	N/A	44%
Technical	N/A	N/A	13%	N/A	14%	N/A	41%
Protective Services	N/A	N/A	13%	N/A	18%	N/A	15%
Para-Professionals	N/A	N/A	25%	N/A	30%	N/A	55%
Administrative Support	3	33%	16%	0	17%	100%	84%
Skilled Craft	N/A	N/A	11%	N/A	20%	N/A	8%
Service/Maintenance	N/A	N/A	19%	N/A	32%	N/A	27%

E. Does the agency have an equal employment opportunity policy? How does the agency address performance shortfalls related to the policy?

The Board's equal employment opportunity policy is in the Strategic Plan.

VI. Guide to Agency Programs

The has only one program, one strategy, to license and regulate land surveyors

A. Please complete the following chart.

Texas Board of Professional Land Surveying Exhibit 13: Program Information — Fiscal Year 2000	
Name of Program	License and Regulate Land Surveyors
Location/Division	7701 North Lamar, Suite 400 Austin, TX
Contact Name	Sandy Smith
Number of Budgeted FTEs, FY 2000	4
Number of Actual FTEs as of August 31, 2000	4

B. What are the key services and functions of this program? Describe the major program activities involved in providing all services or functions.

License

- | | |
|-------------|--|
| Application | The Board reviews applications to determine if applicants meet the minimum requirements to take examinations offered. |
| Examination | Examinations are offered to all applicants who meet requirements. Applicants passing examinations are certified, registered or licensed. |
| Renewal | The Board renews the registration of all registrants who have completed the required amount of continuing education. |

Regulation

- | | |
|------------|--|
| Complaints | The Board enforces regulations relevant to complaints. |
|------------|--|

C. When and for what purpose was the program created? Describe any statutory or other requirements for this program.

The program was created for the protection of the public and to enforce the Professional Land Surveying Practices Act.

D. Describe any important history not included in the general agency history section, including a discussion of how the services or functions have changed from the original intent. Will there be a time when the mission will be accomplished and the program will no longer be needed?

Protection of the public regarding surveying practices is a continuing mission. As long as the public relies upon surveys, the practice must be regulated.

E. Describe who this program serves. How many people or entities are served? List any qualifications or eligibility requirements for receiving services or benefits.

This program serves the public by insuring that only competent surveyors are preparing surveys for the public. The population of the state is served.

Every private landowner and every entity that holds real estate in Texas has benefited from the services of Texas Professional Land Surveyors. The value of taxable real estate in Texas is tracked by the Tax Appraisal Districts. This value represents the single largest category of tangible assets owned by Texans.

The security of this real estate holding is provided by the legal system, the County Courthouse Land Records system, and the Texas Surveying Profession, which assures the correct legal interpretation of land law with the application of property description from the land records to locations on the ground.

While Texans may take real estate ownership and their property boundaries for granted, countries that do not have regulated Surveying Professions are at risk of erosion of their real estate value. In many jurisdictions, Texas included, the very first professional license issued was to regulate the Surveying Profession because of the risk of economic loss due to poor measurement of land relative to the legal descriptions of the land. As an example, the former Soviet Republics, and most developing nations will continue to perform below their economic potential until they can adequately establish a secure land tenure system that will allow the store of wealth in real estate. Critical to any secure land tenure system is the Surveying Profession that can legally relate records of property ownership and property boundaries onto the ground.

Of all the licensed professions, it is the Surveying Profession, which maintains the value of the single largest category of tangible asset value of the Texas economy, real estate. It is the work of these few quiet achievers that the greatest wealth of Texas depends.

F. Describe how the program is administered. Include flowcharts, timelines, or other illustrations as necessary. List any field or regional services.

License

Application

The Board reviews applications to determine if applicants meet the minimum requirements to take examinations offered. Section 15 of the Professional Land Surveying Practices Act list requirements for registration. The application contains information regarding the applicant, experience and education. Reference forms completed by the supervising Registered Professional Land Surveyor (RPLS) are also required to qualify for Certification and Registration as a RPLS. Reference forms completed by RPLS with personal knowledge of the applicants surveying experience are required for Licensure as a Licensed State Land Surveyor (LSLS).
Registration is a two-part process.

1. One must meet the requirements of Section 15 (e). Upon meeting the experience and educational requirements the applicants takes an eight-hour examination (the national NCEES, Fundamentals of Land Surveying examination).
2. If the applicant passes the examination, the applicant is certified and must get two additional years of experience to qualify to take the remainder of the examination (Section 15 (c) and (d)). Upon passing an eight-hour examination, the applicant is registered.
3. RPLS may apply to become a LSLS.

Examination

Examinations are offered to all applicants who meet the requirements. Applicants passing examinations are

1. Certified as a Surveyor-In-Training upon passing the eight-hour national Fundamentals of Land Surveying examination. This examination is offered by NCEES.
2. Registered as a RPLS upon passing the four-hour legal and four hour analytical examinations. If an applicant is registered in another jurisdiction, they may apply under the Reciprocal Section of the Act and take a four-hour state-specific examination developed by the

		Board.
		3. Licensed as a LSLS upon passing the eight-hour LSLS examination. The LSLS members of the Board develop the LSLS examination.
Renewal		The Board renews the registration of all registrants who have completed eight hours of continuing education.
Regulation	Complaints	The Board reviews all complaints for violations of the Act and/or Rules.

G.	If the program works with a federal government agency (e.g., Housing and Urban Development, Federal Deposit Insurance Corporation) or local units of government, (e.g., Councils of Governments, Soil and Water Conservation Districts), please include a brief, general description of these entities and their relationship to the agency. Briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.
H.	Identify all funding sources and amounts for the program, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

General Revenue

I.	Are current and future funding resources appropriate to achieve program mission, goals, objectives, and performance targets? Explain.
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Resources are adequate, but limited, to achieve the agency mission. The Board would benefit from more detailed procedural manuals that explain agency processes.

J.	Identify any programs internal or external to the agency that provide identical or similar services or functions. Describe the similarities and differences.
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There is no other program that licenses and regulates land surveyors in Texas.

K.	Discuss how the program is coordinating its activities to avoid duplication or conflict with the other programs listed in Question J and with the agency's customers.
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N/A

L.	Please provide any additional information needed to gain a preliminary understanding of the program.
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M.	Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. If this is a regulatory program, please describe:
-----------	--

- Why the regulation is needed;
Accurate surveys prepared by competent surveyors are essential to the orderly use of our physical environment. Technical work resultant thereof has important effects on the welfare, property, economy and security of the public.
- the scope of, and procedures for, inspections or audits of regulated entities;

Self-Evaluation Report Instructions

Registrants are not inspected or audited.

Requirements to become registered include experience and passing a 16-hour examination.

Experience must be under the direct supervision of a RPLS. This experience is verified by having the RPLS answer questions regarding the applicant on a notarized reference form.

Eight hours of continuing education is required to renew the registration.

The public may file a complaint if violations are suspected. The Board will review the complaint. If violations are verified, the Board can reprimand, suspend or revoke the registration. The may also assess administrative penalties. The maximum administrative penalty is \$1,500 per violation.

- follow-up activities conducted when non-compliance is identified;
If violations are verified, the Board can require additional continuing education and review of future work products.
- sanctions available to the agency to ensure compliance; and
If violations are verified, the Board may reprimand, suspend or revoke the registration. The Board may also assess administrative penalties. The maximum administrative penalty is \$1,500 per violation.
- procedures for handling consumer/public complaints against regulated entities.
The public may file a complaint if violations are suspected and the Board will review the complaint. If violations are verified, the Board can reprimand, suspend or revoke the registration. The may also assess administrative penalties. The maximum administrative penalty is \$1,500 per violation.

N. Please fill in the following chart for each regulatory program. The chart headings may be changed if needed to better reflect the agency's practices.

Texas Board of Professional Land Surveying (Regulatory Program Name) Exhibit 14: Complaints Against Regulated Entities – Fiscal Years 1999 and 2000		
	FY 1999	FY 2000
Number of complaints received	43	47
Number of complaints resolved	43	47
Number of complaints dropped/found to be without merit	18	31
Number of sanctions	25	16
Number of complaints pending from prior years	13	12
Average time period for resolution of a complaint	178 days	138 days
Number of entities inspected or audited by the agency	0	0
Total number of entities regulated by the agency		

VII. Agency Performance Evaluation

A. What are the agency's most significant accomplishments?

The Board has offered the examination to all applicants who meet the requirements. This number has varied from a low of 160 in April of 1998 to a high of 282 in October 2000.

The Board resolves more complaints in a shorter number of days than other similar regulatory Board's. (see attachment 1)

B. Describe the internal process used to evaluate agency performance, including how often performance is formally evaluated and how the resulting information is used by the policymaking body, management, the public, and customers.

The Board and staff monitor performance continually. The Legislature and the Governor's Office are sent copies of performance reports quarterly. Performance measures that are reported to LBB are monitored for compliance as due dates and required time frames are approached. The Board also monitors such performance. At each meeting the Board is given dates that complaints are received and are aware that the performance measure for complaint resolution is 160 days. Employee evaluations are completed annually. These evaluations help each employee critique themselves and their co-workers and gives the Board the opportunity to see where improvement is needed or warranted.

C. What are the agency’s biggest opportunities for improvement?

The Board's operations could be significantly improved with additional office staff. The Board would have the ability to be pro-active as opposed to re-active. More time could be committed to improving the quality of service we provide to the public.

D. How does the agency ensure its functions do not duplicate those of other entities?

The Board’s functions are dictated by the legislature, legislation is monitored for any changes.

E. Are there any other entities that could perform any of the agency’s functions?

No

F. What process does the agency use to determine customer satisfaction and how does the agency use this information?

The Board solicits feedback from registrants annually. Responses are compiled and analyzed. Any shortfalls in performance are corrected. The Board is currently looking into methods to determine customer satisfaction from the general public.

G. Describe the agency’s process for handling complaints against the agency, including the maintenance of complaint files and procedures for keeping parties informed about the process. If the agency has a division or office, such as an ombudsman, for tracking and resolving complaints from the public or other entities, please provide a description.

The Board has not received any formal complaints against the agency.

H. Please fill in the following chart. The chart headings may be changed if needed to better reflect the agency’s practices.

Texas Board of Professional Land Surveying Exhibit 15: Complaints Against the Agency – Fiscal Years 1999 and 2000		
	FY 1999	FY 2000
Number of complaints received	0	0
Number of complaints resolved	0	0
Number of complaints dropped/found to be without merit	0	0
Number of complaints pending from prior years	0	0
Average time period for resolution of a complaint	0	0

I. What process does the agency use to respond to requests under the Public Information (Open Records) Act?

We specify that the request be in writing and include the name, address and phone number of the requestor. The Board’s goal is to respond to all requests within 10 days of receipt of request.

J. Please fill in the following chart with information that is as current and up-to-date as possible:

TEXAS BOARD OF PROFESSIONAL LAND SURVEYING		
Exhibit 16: Contacts		
INTEREST GROUPS		
(groups affected by agency actions or that represent others served by or affected by agency actions)		
Group or Association Name/ Contact Person	Address	Telephone Number Fax Number E-mail Address
INTERAGENCY, STATE, OR NATIONAL ASSOCIATIONS		
(that serve as an information clearinghouse or regularly interact with the agency)		
Group or Association Name/ Contact Person	Address	Telephone Number Fax Number E-mail Address
Texas Society of Professional Surveyors Ann Glasgow, Executive Director	2525 Wallingwood Dr. #300 Austin, Texas 78746	512 327 7871 512 327 7872 AnneG@tsps.org
National Council of Examiners for Engineering and Surveying Betsy Browne, Executive Director	P. O. Box 1686 Clemson, SC 29633	800 250 3196 864 654 6033 b.browne@ncees.org
LIAISONS AT OTHER STATE AGENCIES		
(with which the agency maintains an ongoing relationship, e.g., the agency's assigned analyst at the Legislative Budget Board, or attorney at the Attorney General's office)		
Agency Name/ Relationship/ Contact Person	Address	Telephone Number Fax Number E-mail Address
Texas Mapping Advisory Committee Barry Allison	TX Natural Resource Conservation Commission 12100 Park 35 Circle Austin Texas 78753	512 239 3850 512 239 5500 ballison@tnrcc.state.tx.us

VIII. 77th Legislative Session Chart

TEXAS BOARD OF PROFESSIONAL LAND SURVEYING Exhibit 17: 77 th Legislative Session Chart		
Legislation Enacted in the 77 th Legislative Session		
Bill Number	Author	Summary of Key Provisions/Intent
SB 584	Sen. Carona	Allow applicants to take the examination every six months
HB 2813	Rep. Wolens	Amends the Occupation Code by adding Title 6, non-substantive revision of Texas statutes.
HB3136	Rep. Hilbert	Stated that the statute of repose is independent of any other limitations.
SB1707	Sen. Van de Putte	Insurance Commissioner can adopt rules regarding title insurance when providing area and boundary coverage.
Legislation Not Passed in the 77 th Legislative Session		
Bill Number	Author	Summary of Key Provisions/Intent/Reason the Bill did not Pass
HB 2188	Rep. Wolens	Would have expunged frivolous complaints from the file. Proponents of Open Government felt that all information received should be retained and available for public review.

IX. Policy Issues

A1. Brief Description of Issue

The Attorney General issued opinion No. JM-418, which stated that plats of proposed well locations need not be prepared by a public surveyor.

B1. Discussion

The Board thinks that the public's property is not protected if the providers of these plats are not registered. Registration would require that plats meet minimum standards for accuracy.

C1. Possible Solutions and Impact

If the Attorney General's Office were to find that providers of such plats had to be registered, such plats would have to meet minimum standards for accuracy.

The Board will be requesting an opinion with this issue soon.

A2. Brief Description of Issue

Providers of GPS and GIS products that the public relies upon should be registered.

B2. Discussion

Regulation would require that GPS and GIS products meet standards that would insure accuracy.

C2. Possible Solutions and Impact

Legislation to include such providers is specifically added to the Act.

Self-Evaluation Report Instructions