

## **Proposed Legislation to Support Professional Engineers and Land Surveyors Registration Board**

**Purpose** – Improve the quality of Professional Engineering and Land Surveying in the State of Georgia to protect the health, safety and welfare of the public.

### **Current Issues Limiting Quality of Professional Engineering and Land Surveying**

1. Lack of communication between Secretary of State/Board of Registration and the Professional Engineers and Land Surveyors, Code Enforcement Officials, and public
2. Lack of staff to support the Board of Registration
3. Backlog of unresolved complaints against Professional Engineers and Land Surveyors
4. Inadequate availability of investigators provided by the Secretary of State's office needed to process complaints in a timely manner
5. Lack of Investigators that have the expertise required to properly investigate the validity of engineering and surveying complaints
6. Lack of support by the Attorney General's office to issue meaningful fines
7. Board members are unable to attend to their responsibilities, because they are bogged down doing work that is primarily the responsibility of the Board of Registrations full-time staff
8. The State's call center is dysfunctional
9. The continuing education requirements are not audited by the Board of Registration

**Objective:** The primary duty of the Board of Registration for Professional Engineers and Land Surveyors (PELS Board) is to protect the health, safety and welfare of the public by insuring that individuals and companies practicing engineering and land surveying services in Georgia have the education, experience and competency to do so. A vital part of that duty is the effective and timely processing of complaints regarding incompetent or unlicensed practice which are filed with the Board. The current reality is that the Board is forced to share the investigative function for such claims with other agencies, which delays and dilutes the Board's ability to enforce professional competency. Also, due to competing demands put upon support staff, Board members are often overly occupied with mundane Board administrative tasks. To enable the board members to devote more time to and be more effective in the enhancement and enforcement of the competency of registrants, the engineering and surveying community proposes the creation of a public-private partnership to provide administrative, investigative and legal support to the Board.

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**Concept:** Through this legislation, the PELS Board would be allowed to contract with a new, not for profit corporation known as the PELS Management Corporation (PELS MC), for all of its administrative and support services. The PELS MC would report directly to the PELS Board and provide, by contract, all administrative, investigative, and legal services required by the PELS Board to carry out its currently authorized duties. The PELS MC would employ a full time investigator(s) with knowledge and experience in PELS matters. The PELS MC would act as an instrumentality of the state, but would not be a state agency and its employees would not be state employees.

**Details of the PE/LS Management Corporation:** The PELS MC would be governed by a nine member board of directors. Six of the directors would be appointed by the PELS Board of Registration and three would be appointed by the Secretary of State. The operation of the PELS MC would be 100% financially supported by the licensing and application fees set by the Board of Registration and collected by the PELS MC, as part of its administrative duties. Surplus funds would be held in trust for the State of Georgia. The PELS MC would submit an annual report summarizing financial information to the Secretary of State.

**Provisions Not Affected:** Contracting for the administrative, investigative and legal support services for the PELS Board of Registration shall not affect any other provisions of the current registration law, including but not limited to:

1. The protection of the health, safety and welfare of the public afforded by the current statute.
2. The duties and responsibilities of the Board of Registration;
3. The composition of the Board;
4. The educational, experience, and examination requirements for registration as a professional engineer or land surveyor: and,
5. The scope of practice for an engineer or land surveyor.

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