

# HOOSIER SURVEYOR

QUARTERLY PUBLICATION OF THE INDIANA SOCIETY OF PROFESSIONAL LAND SURVEYORS, INC.

AFFILIATED WITH THE NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS, INC.

VOLUME 42 • NUMBER 1 • SUMMER 2015



## ISPLS, INC.



## PROMOTING THE PROFESSION

Members of the Northwest Chapter of ISPLS promoted the surveying profession at the 31st Annual Antique Tractor and Farm Show hosted by South Lake County Agricultural Historical Society. Pictured above are Northwest Chapter Members Raiford Putnam and Frank Walsko. The complete article can be found on pages 32-33.

# INDIANA'S JOB CREATION COMMITTEE

A Report by R. Jason Coyle, PS, ISPLS Executive Director

I have had several inquiries as to Indiana's Job Creation Committee (JCC) and the recommendations they put forth concerning Professional Surveyors. For those not familiar with the JCC and their responsibilities – here is a quick explanation.

The Jobs Creation Committee (JCC) was established by the Indiana General Assembly in 2014 to assess the efficiency and effectiveness of all professional licenses regulated by the Indiana Professional Licensing Agency (IPLA).

The IPLA is an umbrella agency for 38 boards, commissions and committees, including licensing bodies such as the Medical Licensing Board and the Indiana Real Estate Commission. IPLA's boards regulate over 70 professional licenses that includes but is not limited to physicians, real estate brokers, pharmacists, nurses, accountants, dentists, cosmetologists, veterinarians and engineers. The boards are also responsible for temporary and intern permits related to the respective professions each board regulates. In addition to professional regulation, some boards are also responsible for regulating businesses, such as the Indiana Board of Pharmacy, which licenses wholesale drugs distributors, pharmacies and home medical equipment providers. From pharmacist interns to journeyman plumbers to limited temporary chiropractor licenses, IPLA and its boards are responsible for the regulation of over 200 unique permits that are required for a person to work in Indiana. Consequently, IPLA regulates approximately 490,000 actively licensed professionals, meaning almost one in seven working Hoosiers are licensed by the agency. In looking at all of the agencies that regulate professions, 1 in 4 Hoosiers must be licensed to go to work every day.

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The JCC is chaired by IPLA's Executive Director, Nicholas Rhoad, with other members of the committee being: Joseph Habig from the Office of Management and Budget, Allen Pope from the Attorney General's Office (nonvoting member), Barbara Quandt with NFIB (nonvoting member), Dr. Matthew Will (consumer member), Timothy Reed (representative from licensed field), Col. Richard Wilson (consumer member) and John Wright (representative from licensed field).

The JCC is tasked with issuing reports to the Governor and the Legislative Services Agency on each regulated occupation and board over the next five years. The report must contain the following as set forth in IC 25-1-16-8:

1. The number of individuals who are licensed in the regulated occupation.
2. A summary of the board's functions and actions.
3. The budget and other fiscal factors of regulating the regulated occupation, including the actual cost of administering license applications, renewals, and issuing licenses.
4. An assessment of the effect of the regulated occupation on the state's economy, including consumers and businesses.
5. Any recommendations for legislation, including whether:
  - a. the regulation of a regulated occupation should be modified;
  - b. the board should be combined with another board; or
  - c. whether the board or the regulation of the regulated occupation should be terminated;
  - d. whether a license should be eliminated; or
  - e. whether multiple licenses should be consolidated into a single license.
6. Any recommendations for administrative changes.

The JCC invited ISPLS to participate in their January 15, 2015 meeting to give a report of the surveying profession. A written report was prepared with the help of Todd Bauer, Gary Kent and countless other ISPLS Board Members and was provided to the JCC. A copy of the written report can be found at the following link:

[https://c.ymcdn.com/sites/ispls.site-ym.com/resource/resmgr/Legislative/JCC\\_-\\_ISPLS\\_Report\\_20150112.pdf](https://c.ymcdn.com/sites/ispls.site-ym.com/resource/resmgr/Legislative/JCC_-_ISPLS_Report_20150112.pdf)

Todd Bauer and I presented the written report to the JCC at their January 15, 2015 meeting, highlighted many aspects of the report and answered additional questions from the committee. Gary Kent was also in attendance for the meeting. Todd, Gary and I left the meeting feeling as if it went very well and that the committee understood the importance of the surveying profession. As we left, our only concerns were 1) that they would try to combine the Boards of Registration for Surveyors, Engineers and Architects; and 2) that they would recommend that the educational and work experience needed to become licensed be reduced.

Minutes from the January 15, 2015 JCC Meeting can be read at the following link:

[http://www.in.gov/pla/files/JCC\\_Meeting\\_Minutes\\_1.15.15.pdf](http://www.in.gov/pla/files/JCC_Meeting_Minutes_1.15.15.pdf)

I also attended the following JCC meeting held on February 19, 2015 as I was under the impression that they would openly discuss their findings and opinions from the previous meeting with the Surveyors and Engineers. It was only after asking the Chairman if they would be discussing the previous meeting did they do so. Those remarks are noted in the February 19, 2015 JCC Meeting Minutes. You can read those minutes at the following link:

[http://www.in.gov/pla/files/JCC\\_Meeting\\_Minutes\\_2\\_19\\_15.pdf](http://www.in.gov/pla/files/JCC_Meeting_Minutes_2_19_15.pdf)

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I would have you pay close attention to the recommendation from the committee during this meeting – see pages 8-9 of the meeting minutes. There was not the first mention of eliminating the Professional Surveyor's license or doing away with the Board of Registration.

Fast forward to June 2, 2015, the JCC met again to recap the assessments of the reviewed professions and firm up the recommendations for the July 1, 2015 report. Below is the text from the meeting minutes concerning surveyors:

*Mr. Rhoad felt that there is redundancy in this field. He explained that this profession has firm licenses, intern licenses, continuing education provider licenses, and corporate licenses. He believes that the IPLA should be careful to wade into the education licensing business. Mr. Pope said that the AG's office does not typically receive complaints for continuing education providers. Col. Wilson expressed concerns with the people providing the education who might have direct connections with the actual trade organization, so the level of transparency concerns him. He explained that he is not attacking training or professional development; he would just like to ensure that the licensed CE providers are not in cahoots with trade organizations or any other behavior that might take advantage of trainees. Mr. Pope explained that sometimes he sees other schools accepting students who are not capable of finishing the program just so they can collect the federal/state education grants. He believes that licensing CE providers were probably initially established as a consumer protection issue.*

Once again there is no mention of eliminating the Professional Surveyor's license or doing away with the Board of Registration. However, a few weeks later, a Draft of the Annual Report of Recommendations for the Professional Licensing Agency's Occupational Licensing Boards was issued during the June 17, 2015 Meeting of the JCC. Said draft report contained the following recommendation for the Professional Surveyors:

*This is the Job Creation Committee's policy statement for the State Board of Registration for Professional Surveyors and the regulation of the surveyor field:*

*The Job Creation Committee recommends that the State no longer license surveyors and to eliminate the State Board of Registration for Professional Surveyors. There is very little established harm to consumers that has been documented under this profession. With additions of new technology, the risk to consumers will continue to decrease.*

*The Committee does see this profession as a good candidate for the self-certification registry should the Legislature remove the need for licensure.*

After attending the meetings, hearing the previous discussions, and reading the recommendations within the draft report – my suspicions became certain. The JCC was a huge waste of taxpayer dollars and that they were simply going through the motions. The JCC was given a directive, regardless of their findings, to recommend the elimination of licenses and boards.

But at last, there was one individual on the Committee, Dr. Matthew Will, who spoke up prior to adopting the recommendation of the committee and stated that the State of Indiana should continue to license Professional Surveyors. After a short discussion, Dr. Will made a motion to revise the recommendation to as follows:

*The Jobs Creation Committee recommends that Indiana keep the State Board of Registration for Professional Surveyors and continue to license professional surveyors. The JCC did vote to recommend changes to the other licenses issued by the Board. As such, and pursuant to IC 25-1-16-14, the Jobs Creation Committee shall seek public input regarding these proposed changes at a future public meeting. The Indiana Professional Licensing Agency will submit an addendum to this report upon receipt of the Jobs Creation Committee's final recommendations.*

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*With the recommendation to keep the State Board of Registration for Professional Surveyors, the JCC also suggests the Board continue to enforce licensure law and discipline licensees who violate license law and that those cases are prosecuted by the Indiana Attorney General's Office.*

The above recommendation is found within the published Annual Report of Recommendations for the Professional Licensing Agency's Occupational Licensing Boards, dated July 1, 2015. The full report can be read at the following link:

[http://www.in.gov/pla/files/JCC\\_-\\_2015\\_Annual\\_Report\\_for\\_Licensing\\_Boards\(1\).pdf](http://www.in.gov/pla/files/JCC_-_2015_Annual_Report_for_Licensing_Boards(1).pdf)

I would remind you that these are simply recommendations to the Governor's Office and the General Assembly. For these recommendations to become reality, a bill would have to be introduced in the General Assembly and go through the process to become incorporated into the Indiana Code. ISPLS will continue to monitor this and be ready to defend the importance of our Profession and having licensed Professional Surveyors.

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