

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE PROFESSIONAL ENGINEER SECTION OF THE
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST:

BRUCE J. MANNING, PE

FINAL DECISION AND ORDER

RESPONDENT

LS0205031ENG

Division of Enforcement Case No. 01 ENG 008

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Bruce J. Manning

41892 Enterprise Circle South

Suite E

Temecula, CA 92590

Professional Engineer Section

PO Box 8935

Madison, WI 53708-8935

Department of Regulation and Licensing

Division of Enforcement

PO Box 8935

Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Professional Engineer Section. The Section has reviewed this Stipulation and considers it acceptable.

Accordingly, the Section in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Bruce J. Manning (D.O.B. March 16, 1956) is duly licensed to practice as a Professional Engineer in the state of Wisconsin (license #30117). This license was first granted on April 8, 1994.
2. Respondent's most recent address on file with the Wisconsin Department of Regulation and Licensing is 41892 Enterprise Circle South, Suite E, Temecula, CA 92590.
3. On or about September 8, 1995, Respondent was disciplined by the Wyoming State Board of Registration for Professional Engineers and Professional Land Surveyors. The factual basis for the discipline was that Respondent engaged in engineering practice in Wyoming without a license. A true and correct copy of the Wyoming Stipulation is attached and incorporated by reference into this document as Exhibit A.

4. On or about March 15, 1996, Respondent was disciplined by the Nevada State Board of Professional Engineers and Land Surveyors. The factual basis for the discipline was the imposition of discipline in 1995 by the Wyoming Board. A true and correct copy of the Nevada Stipulated Agreement is attached and incorporated by reference into this document as Exhibit B.
5. On or about September 12, 1997, Respondent was disciplined by the Nevada State Board of Professional Engineers and Land Surveyors. The factual basis for the discipline was the submission to the Clark County, Nevada Building Department of incomplete, unclear and unprofessional plans for an improvement project. A true and correct copy of the Nevada Stipulated Agreement is attached and incorporated into this document as Exhibit C.
6. On or about December 16, 1999, Respondent was disciplined by the California Board for Professional Engineers and Land Surveyors. The factual basis for the discipline was the imposition of discipline in 1997 by the Nevada Board and negligence and incompetence in the plans and structural calculations for a building in Fresno, California. A true and correct copy of the California Stipulation in Settlement and Decision and Order is attached and incorporated into this document as Exhibit D.
7. On or about November 16, 2000, Respondent was disciplined by the Nevada State Board of Professional Engineers and Land Surveyors. The factual basis for the discipline was the imposition of discipline in 1999 by the California Board. A true and correct copy of the Nevada Stipulation and Decision is attached and incorporated into this document as Exhibit E.
8. In resolution of this matter, Bruce J. Manning consents to the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Professional Engineer Section has jurisdiction over this matter, pursuant to sec. 443.11, Stats.
2. The Wisconsin Professional Engineer Section is authorized to enter into the attached stipulation, pursuant to sec. 227.44(5), Stats.
3. The conduct described above constitutes a basis for discipline against Respondent's license to practice as a Professional Engineer in the state of Wisconsin, pursuant to sec. 443.11(1)(e), Stats. and Wisconsin Administrative Code § A-E 8.03(3)(a).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that

1. On the effective date of this Order, the Wisconsin Professional Engineer's (license #30117) of Bruce J. Manning is hereby LIMITED until such time as he possesses unrestricted Professional Engineer licensure in the states of California and Nevada.
2. Respondent shall also arrange for reports on a quarterly basis from the California and Nevada Boards of Professional Engineers on the status of his compliance with the terms and conditions imposed upon his professional engineer's license in those states. Those reports shall continue on a quarterly basis until Respondent possesses unrestricted Professional Engineer licensure in the states of California and Nevada. These reports shall be submitted to the Department Monitor. The Respondent shall self-report immediately to the Department Monitor any violation of the California and Nevada orders.
3. Within ninety (90) days from the effective date of this Order, the Respondent shall pay to the Department of Regulation and Licensing partial costs of the investigation and prosecution of this action in the sum of TWO HUNDRED dollars [\$200.00]. Payment shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing and submitted to the Department Monitor.

IT IS HEREBY FURTHER ORDERED THAT:

4. If Respondent intends to resume practice as a professional engineer in the state of Wisconsin, he shall appear before the Professional Engineering Section of the Board prior to beginning practice in Wisconsin.

The Professional Engineering Section of the Board may elect to require Respondent to fulfill the following conditions:

- a. Respondent shall submit, on a quarterly basis, a complete and detailed description of all engineering work that Respondent has performed in the state of Wisconsin during the preceding three-month reporting period. Respondent shall promptly reply to any questions that the Section may have concerning his work and shall submit full plans and specifications for any project within ten [10] days of a request by the Section or its designated agent. The Section may in the exercise of its discretion require Respondent to appear personally before the Section to answer questions related to his practice

in Wisconsin.

b. In the event that the Section determines that Respondent's work should be evaluated or reviewed by another licensed professional engineer, Respondent shall be responsible for all costs associated with such review.

c. Respondent shall maintain full, complete and timely compliance with the terms of the California and Nevada Orders referred to in the Findings of Fact, paragraphs 6 and 7 above.

d. In the event that the Section concludes that Respondent's work poses a danger to the public health, safety or welfare, Respondent's license or that Respondent has violated any Order from any jurisdiction he SHALL BE SUSPENDED without further notice or hearing, until further order by the Section.

5. Any plan of supervision, petition or report submitted under this order shall be submitted to:

Department Monitor

Division of Enforcement

PO Box 8935

Madison, WI 53708-8935

FAX (608) 266-2264

TEL. (608) 267-7139

6. Respondent may petition to eliminate the limitations on his license for practice in Wisconsin at any time he can demonstrate full unrestricted Professional Engineer license status in the states of California and Nevada. Denial in whole or in part of a petition under this paragraph shall not constitute denial of a license and shall not give rise to a contested case within the meaning of secs. 227.01(3) and 227.42, Stats.

7. This Order shall become effective on the date of its signing.

PROFESSIONAL ENGINEERS SECTION

EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS DESIGNERS AND LAND SURVEYORS

By: Lynda Farrar

5-3-02

A Member of the Board

Date