

Meeting of Board of Licensure for  
Professional Engineers & Professional  
Surveyors held 9:00 a.m., July 14, 2006 at  
Red River Conference Center, 101 W.  
River, Red River, NM

Members Present:     Patricio Guerrerortiz, PE, Board Chair  
                            Gilbert Chavez, PS, Board Vice Chair  
                            Charles Atwell, Public Member, Board Secretary  
                            Severiano Sisneros, PE  
                            Subhas Shah, PE  
                            John Romero, Sr., PE  
                            Fred Sanchez, PS  
                            Salvador Vigil, PS

Others Present:       Elena Garcia, Executive Director, BOLPEPS  
                            Candis Bourassa, Licensing Manager, BOLPEPS  
                            Perry Valdez, Licensing Specialist, BOLPEPS  
                            Larry A. Cisneros, PE guest

Members Absent:     Dr. Rola Idriss, PE  
                            Stevan Schoen, Public Member

1.     Convene/Roll Call/Introduction Of Guests – Patricio Guerrerortiz, Board Chair

Mr. Guerrerortiz convened the meeting at 9:00 a.m. Roll call was taken, and it was noted that a quorum of the Board was present. Guest, Larry A. Cisneros, PE introduced himself.

2.     Approval Of The Agenda   Motion by Mr. Sisneros, second by Mr. Shah. Mr. Romero asks where discussion on classification changes and director salary could be included. Mrs. Garcia says item 12 on agenda would cover this as a report. Motion goes to vote and unanimously,

**VOTED:** To approve the agenda as presented.

3.     New Rules –

3.1    Professional Development – Elena Garcia

3.1.1   Guidelines for Minimum Ethics Training – Mrs. Garcia has received one letter from Mr. R. Tate which has been included in the meeting packet. All questions are answered but the one on allowing carry-over of ethics hours. Mr. Guerrerortiz ask how often are audits done and Mrs. Garcia answers it is done randomly as the board wishes. Various board opinions are expressed. Some members prefer use of the honor

system in recording or no PDHs taken at all. Other members want more audits of PDHs verification. Board members for continuing the honor system say the renewals have signed statement and can be asked to produce proof at any time. Strong penalties exist which the board can use. The addition of written verification would add a tracking burden requiring an additional staff person. The question arises how this would work with future online renewals. Board members wanting PDHs reported with written verification point out engineers and surveyors show at hearings that they do not know the rules. Rules on PDHs would have to be followed if verification was required. Maybe the class institution could provide an attendee list. Mr. Sanchez indicated he endorses requiring an audit of PDHs when a complaint is filed against a surveyor. He believes ethics is part of signing for PDHs and reading the NM Practice Act. Mr. Vigil points out PDHs classes give technical knowledge and nothing on keeping up with current standards. Licensees are not taking responsibility toward their obligation. Mr. Sisneros believes the problem is not ethics or getting PDHs but the problem is they are not reading the Practice Act and only 10% of engineers are getting registered. He suggests engineers and surveyors may have to have separate rules on PDHs reporting requirements. Mrs. Garcia states that an on line renewal system with an open book exam on current rules is most cost effective. This may be hard to initiate with DFA wanting a flat budget for FY 08 with no increase in programs. In her experience in years that audits are done as many as 3 to 4 hundred do not return renewals properly completed. She believes they just do not keep the paper work in order to produce it when required. With the current staff resources no changes for increased auditing can be done. Mr. Chavez suggests new sources of listening media as a disc containing the Practice Act and Standards would encourage licensees to keep up with the changes. Mr. Guerrerortiz stated each engineer and surveyor has his own situation as to the completion of his own PDHs and all are responsible for keeping up with the changes in their fields. Mr. Sisneros asked Mrs. Garcia about the origin of PDHs requirements. Mrs. Garcia explained professional development was created in the early 90's as voluntary and they were structured to meet the model law. Today we have rules that are not included in the model rules. Mr. Vigil points out that public notification is there but public participation is not there.

The board addressed Mr. Tate's question on allowing carry-over of ethics hours and this will be an action item at the next meeting. It is not decided. Some members believe carry-over should remain unclassified. For example, carry over could be 15 hours in ethics or a mixture, but 4 new hours of ethics would be required in the next 2 years. Other board members want the ethics hours tracked by the licensee and carried over to fill their next two-year obligation toward 4 hours.

3.1.2 NCEES Registered Continuing Education Providers Program – Mrs. Garcia has provided copies of NMSPE's ethics class brochure.

4. Evaluation/Appointment of Existing Committees, Changes, and Task Priorities – Patricio Guerrerortiz. Mrs. Garcia explained staff priorities are constantly changing in just keeping up with the daily workload. It would be of great assistance if the existing committees would take initiative and do scheduling, reports and committee business independently. She and staff are there to help, but more work can be directed by the committee chairs, such as establishing a meeting schedule. Staff could then do the scheduling. Mr. Chavez makes a motion that the committees be defined and charges be established as well as time lines for all committees, second by Mr. Vigil. Mr. Chavez establishes this is for special committees and task forces. Motion goes to vote and unanimously

**VOTED:** to pass motion

Mr. Vigil reports on the salary review committee's meeting of June 27, 2006. Mrs. Garcia, Mr. Vigil, Mr. Romero and Mrs. Rosen of SPO attended. It was suggested at the meeting by Mrs. Rosen that reclassification would update the licensing staff positions of licensing manager, licensing specialist and secretary. Currently their salaries are below other state agencies of similar positions. Reclassification is submitted, but this can be a slow process. Mrs. Garcia and the committee are working with Mrs. Rosen on the appropriate changes and will get with her after July 14. Mr. Romero added Mrs. Garcia's Governor exempt range for directors has been established and is ready for the supporting document form letter to be written for DFA and the Governor. Board agrees the letter should be completed the next week and presented to DFA by the August meeting. They believed an action vote was already completed at an earlier meeting.

5. Responsibilities of a Hearing Officer – Mrs. Garcia has included in the meeting materials what is required for hearing officers. Mrs. Smith would like to do training on this and it could be included in the August meeting. Mrs. Garcia explained that to get compensated board appointments need to be made at regular board meetings by committee chair or board chair, the meeting has to be noted and more than one board member need to be appointed.

Items 6 7 8 and 10 are skipped till next meeting

6. Newsletter Evaluation – Patricio Guerrerortiz
7. Applicants' Documentation Review - Mr. Guerrerortiz
8. Possible Legislative Changes – Deletion of Industry Exemption
9. Public Outreach – S. Sisneros-
  - 9.1 Outreach to Candidates Who Pass Intern Exam Only & Federal Employees - Believes a committee would be most functional to encourage by letters and other means the federal employees to test. Mrs. Garcia has seen the majority of FE examinees leave the state. She suggests finding a contact to reach

those federal employees. The NCEES kit could be used. Mr. Vigil experienced at Los Alamos the sovereign employees had no interest in licensure.

## 9.2 Working with the Professional Associations – NMSPE

10. Public Comments [If there are visitors] – No formal Action to be taken by board
11. Reports From Committees – C. Atwell, PSC Chair & Subhas Shah, PE, PEC  
Chair Mr. Atwell reports the PEC discussed PDHS rules and agreed there should be a penalty for not producing audit proof. Additional wording should be added on form at signature that falsification can result in loss of licensure. Mr. Chavez addressed the problems of counties going digital and legal description being done by those who were not professional surveyors. In discussion about the city of Roswell doing their own design surveying, it is decided and Mr. Chavez will draft a letter and email to PSC members to review at next PSC meeting.

Mr. Shah reported for the PEC that the Masters degree does not count as part of the two years experience required to apply to take the PE exam, but it will count as one year of experience after the applicant has passed the exam. The Board will accept Engineering Technology applications to take the PE exam after two years experience if they are accepted into an engineering Masters program or have earned a Masters in engineering. The certification process for Engineer Interns will also be reduced for Engineer Technologists if they have earned a Masters degree. It was voted and passed unanimously that an NCA will be issued on Case 06-05-55.

12. Strategic Planning for Board – Legislative process is too complex to make changes every year. It requires networking with professional societies and legislatures. The problem with the industrial exemption does need to be addresses next time.
13. Closing Remarks/Assignments - Meeting is adjourned

Submitted by:

Approved by

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Elena Garcia, Executive Director

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Mr. Guerrerortiz, Board Chair

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Approval Date