

Meeting of the Professional Engineering  
Committee of the Board of Licensure for  
Professional Engineers & Professional  
Surveyors held at 9:00 p.m., June 8, 2006 at  
the Hawthorne Suites, 107 Sierra Blanca  
Dr., Ruidoso, NM.

Members Present: Patricio Guerrerortiz, PE, PEC chair  
Severiano Sisneros, PE  
Subhas Shah, PE  
John Romero, Sr., PE

Others Present: Elena Garcia, Executive Director, BLPEPS  
Candis Bourassa, Licensing Manager, BLPEPS  
Ed Ytuarte, Complaint Manager, BLPEPS  
Mary Smith, Assistant Attorney General, Board Counsel

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

1. **CONVENE/ROLL CALL/INTRODUCTION OF GUESTS**

Mr. Guerrerortiz convened the meeting at 9:00 a.m. Roll call was taken, and it was noted that a quorum of the Professional Engineering Committee was present

2. **APPROVAL OF THE AGENDA** – Motion by Mr. Sisneros, second by Mr. Romero and unanimously,

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

3. **APPROVAL OF THE MINUTES** – Approval of the 5/12/06 minutes delayed for review of draft form

4. **NEW BUSINESS**

**4.1 Election of Officers** – Chair, Vice Chair. Nominations for chair were opened, Mr. Sisneros moved to nominate Mr. Shah, seconded by Mr. Romero. No other nominations were presented and it was unanimously,

**VOTED:** To elect Mr. Shah as Chair of the PEC by acclamation.

Nominations for vice-chair were opened and it was moved by Mr. Sisneros moved to nominate Mr. Romero, seconded by Mr. Shah. No other nominations were presented and it was unanimously,

**VOTED:** To elect Mr. Romero as Vice Chair of the PEC by acclamation.

The terms for these offices are July 1, 2006 through June 30, 2007

4.2 Approval PE and FE Scores – scores have not arrived, but Mr. Romero motions that Mr. Guerrerortiz is appointed to review scores, second by Mr. Shah and unanimously board agrees. Mr. Shah ask he and members be copied on the scores through email.

5. **OLD BUSINESS**

5.1 **Increased Exam Fees** – Mrs. Garcia reported on the increases of the examinations by NCEES. PE & PS examinations are going from \$110 to \$200 while structural II is going from \$310 to \$470. Mrs. Garcia indicated that during the November meeting, the Board had had a lengthy discussion on the exam costs and how the Board for years has been subsidizing the costs so candidates do not have to pay the entire costs of the exams and for the administration of the exams. During that meeting it was noted that due to our decreasing cash reserve, the Board would require candidates for the professional exams to pay 100% of the costs but continue to subsidize the costs to students for the FE and FS exams. This fee would remain at \$65.00. She indicated that unfortunately this item was not captured in the minutes of that particular meeting. The Board agreed that that had been the general discussion. It was moved by Mr. Sisneros, seconded by Mr. Romero and unanimously,

**VOTED:** To continue to subsidize ½ of the test cost (\$65.00) of the FE and FS examinations and to not subsidize any portion of the costs for the PE and PS examination or of any specialty test.

6. **COMMUNICATIONS** – None

7. **CLOSED SESSION (Complaints and Violations)** – It was moved by Mr. Shah, second by Mr. Romero and

**VOTED:** To convene in closed session pursuant to NMSA 1978, Section 10-15-1 (H) (#1) to discuss only those cases listed in 7.1 through 7.5 of the agenda. A roll call vote was taken. Voting yes: Mr. Guerrerortiz, Mr. Sisneros, Mr. Shah, and Mr. Romero. Motion carried unanimously.

7. A. **OPEN SESSION** – Action on cases on the agenda – Mr. Shah moved to reconvene the meeting in open session, Mr. Romero seconded the motion. Mr. Shah further stated that the discussions in closed session were limited to those cases listed under 7.1 through 7.5 on the agenda. It was unanimously,  
**VOTED:** To convene in open session.

7.1 Cases 04-04-08 [Daniel Armstrong, PE – Update.] It was moved by Mr. Romero, seconded by Mr. Guerrerortiz and unanimously,  
**VOTED:** To schedule a new hearing date for this case.

7.2 Cases 05-05-41 – It was moved by Mr. Shah, seconded by Mr. Romero and unanimously,

**VOTED:** to send a letter to the firm that they must remove “Engineering” from the company name or meet the statutory requirements for a professional engineer within the firm.

7.3 Cases 06-05-49 – It was moved by Mr. Shah, seconded by Mr. Sisneros and unanimously,

**VOTED:** To to issue a NCA based on Section 9 of the Rules of Professional Conduct and violation of Incidental Practice Rule Section 39.4.6.

7.4 Case 05-05-08 – It was moved by Mr. Romero, seconded by Mr. Sisneros and unanimously,

**VOTED:** To postpone discussions for lack of a quorum.

7.5 Case 06-05-51 (A) & 06-05-51 (B) – It was moved by Mr. Shah, seconded by Mr. Sisneros and unanimously,

**VOTED:** To send a cautionary letter to the author of the response that an unlicensed engineer pending licensure can not be used on a proposal and also copy the unlicensed engineers involved in this complaint.

7.1 **Appointment of Hearing Officer** – It was noted that for case 06-05-49 the PEC would hear the case if a hearing is requested in Las Cruces.

## **8. REVIEW OF APPLICATIONS**

8.1 Applications for Retired Status & Inactive Status, five applications for retired status were approved.

8.2 Applications to Reactivate License from Inactive Status, two applications were approved.

8.3 Applications with “MLE” Council Records and “Substantial Equivalency, thirty-four engineers licensed through the directives to staff were approved/ratified.

8.4 Review of New Comity and Examination Applications – Four applications for licensure by examination were approved and one application for licensure by comity was approved. Decisions were noted in individual application files.

9. **ADJOURNMENT** – Having no further business, it was moved by Mr. Romero, seconded by Mr. Sisneros and unanimously,

**VOTED:** To adjourn the meeting

Submitted by:

Approved by

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Elena Garcia, Executive Director

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Patricio Guerrerortiz, PEC, Chair

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Approval Date