

Meeting of the Professional Engineering Committee
of the Board of Licensure for Professional
Engineers & Professional Surveyors held 2:00 p.m.,
June 12, 2008 at the Ruidoso Convention Center,
111 Sierra Blanca Dr., Ruidoso, NM

Members Present: Patricio Guerrerortiz, PE, PEC Chair, Board Vice Chair
John T. Romero, Sr., PE, PEC Vice Chair, Board Secretary
Dr. Rola Idriss, PE,
Subhas Shah, PE

Members Absent Stevan Schoen, Esq., Public Member
Severiano Sisneros, PE

Others Present: Edward Ytuarte, Executive Director, BLPEPS
Candis Bourassa, Licensing Manager, BLPEPS
Ericca Lopez, Executive Secretary, BLPEPS
Roman Garcia, Investigator, BLPES

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

Mr. Guerrerortiz convened the meeting and roll call was taken. It was noted that a quorum was present.

2. **APPROVAL OF THE AGENDA**

MOTION by Mr. Romero to approve the agenda, **SECONDED** by Dr. Idriss.

VOTE: Unanimous to approve the agenda as presented.

3. **APPROVAL OF THE MINUTES**

3.1 August 21, 2007- MOTION by Mr. Guerrerortiz to accept the minutes of the August 21, 2007 temporary board meeting, **SECONDED** by Mr. Romero

VOTE: Unanimous with Mr. Shah abstaining to accept the meeting minutes of August 21, 2007 meeting minutes as presented.

3.2 November 1, 2007- MOTION by Mr. Shah to approve the meeting minutes of November 1, 2007, **SECONDED** by Mr. Guerrerortiz

VOTE: Unanimous, to approve the meeting minutes of November 1, 2007 as presented.

3.3 April 17, 2008- MOTION by Dr. Idriss to approve the meeting minutes of April 17, 2008 pending the changes as stated by Mr. Guerrerortiz, **SECONDED** by Mr. Romero

VOTE: Unanimous to approve the meeting minutes of April 17, 2008, pending changes as stated by Mr. Guerrerortiz

4. NEW BUSINESS

4.1 Election of Officers for FY '09- Chair and Vice Chair- Mr. Guerrerortiz nominated Mr. Romero as Chair. No other nominations were presented. Mr. Romero was proclaimed Chair of the PEC by acclamation. Mr. Shah nominates Dr. Idriss for Vice Chair of the committee. No other nominations were presented. Dr. Idriss was proclaimed Vice Chair by acclamation.

4.2 Ethics – Mr. Guerrerortiz informed the committee that the New Mexico Department of Transportation (DOT) is continually working on providing ethics training for engineers practicing in New Mexico. He says that currently they are providing these trainings at two conferences that the DOT sponsors annually, one in the spring and one in the fall. Mr. Guerrerortiz indicated that he would like to introduce more ideas at the next meeting.

5. COMPLAINTS AND VIOLATIONS- Closed Session- MOTION by Mr. Romero to go into closed session pursuant to NMSA 1978, Section 10-15-1(H) (1) to discuss only those cases listed in 5.1 through 5.4 of the agenda, **SECONDED** by Mr. Shah. Mr. Guerrerortiz declared that the committee was in closed session.

5A. COMPLAINTS AND VIOLATIONS-Open Session- Mr. Guerrerortiz states that the committee is now back in open session

Case 08-07-14- .MOTION by Mr. Romero to table for further investigation by administrative staff, **SECONDED** by Dr. Idriss.

VOTE: Unanimous, to table this case for further investigation.

Case 08-07-23-MOTION by Mr. Guerrerortiz to issue an NCA, **SECONDED** by Dr. Idriss.

VOTE: 3 For, Mr. Shah Against, motion carried to issue an NCA

Case 08-08-25- MOTION by Mr. Romero to issue an NCA, **SECONDED** by Mr. Guerrerortiz.

VOTE: Unanimous, to issue an NCA.

Case 08-08-37- MOTION by Mr. Romero for a letter to be sent to respondent to change their website within thirty days or the board will take further action pursuant to the appropriate section, **SECONDED** by Mr. Shah.

VOTE: Unanimous, for letter to be sent to respondent to change their website within thirty days or the board will take further action pursuant to appropriate section

5A.1 Appointment of Hearing Officers (if required) for new cases- MOTION by Mr. Romero to make the entire committee the hearing officers for case numbers 08-07-23 and 08-08-25, **SECONDED** by Mr. Shah

VOTE: Unanimous, to make the entire committee the hearing officers for case numbers 08-07-23 and 08-08-25

6. OLD BUSINESS

6.1 Clarification on required experience for the PE Exam- Mr. Guerrerortiz stated that the experience requirement for taking the PE Exam was two years after completing the Bachelors' degree and passing the FE Exam. Dr. Idriss noted that four years of experience were required to be licensed as a PE. Ms. Bourassa stated that the staff needed clarification on whether or not the Masters degree counted as experience towards taking the exam or towards the two years that were required after passing the exam to be licensed.

MOTION was made by Mr. Shah, for clarification purposes, that two years of experience was required post Bachelors degree to take the PE exam or one year of experience, would be required post Masters Degree to take the PE Exam. At the time of application three references would be required, at least one is required to be a professional engineer, and after the second two years of experience is updated, an additional two references would be required to meet the requirements of the New Mexico Statutes, **SECONDED** by Mr. Romero.

VOTE: Unanimous, voted for clarification purposes, that two years of experience was required post Bachelors degree to take the PE exam or one year of experience would be required post Masters Degree to take the PE Exam. At the time of application three references would be required, at least one is required to be a professional engineer, and after the second two years of experience is updated, an additional two references will be required to meet the requirements of the New Mexico Statutes.

Further discussion was made by the committee on the reference requirement and it was decided that it should be sent to the Rules and Regulations committee to provide further clarification on what the reference requirement should be for examinees at the two year mark.

- 6.2 NCEES Council Record requirement for licensure by endorsement-** Mr. Guerrerortiz states that the board had adopted a policy that they would require licensees trying to become licensed in New Mexico by comity or endorsement to have an NCEES Council record. He states that this policy was adopted because they thought that it would be more uniform and that it would be easier for the staff.

The board has received complaints that the process is very cumbersome, that it takes to long and it is expensive.

Mr. Ytuarte stated that staff can provide the same kind of verification process that is used by NCEES and staff should be able to provide it when an applicant does not have an NCEES council record rather then requiring them to create a council record through the NCEES before an application may be processed.

Mr. Ytuarte is recommending that we do not make the NCEES council record a requirement and that we go back to allowing applicants to apply with or without the council record.

MOTION by Mr. Romero made to reverse the policy of requiring the NCEES council record that was adopted on February 3, 2006,

SECONDED by Mr. Guerrerortiz.

VOTE: Unanimous, to reverse the policy of requiring the NCEES council record that was adopted on February 3, 2006.

- 6.3 NCEES to develop a PE exam for software engineering- Review of ABET-** Mr. Ytuarte explains that this item was discussed by Mr. Zimmerman at the April 2008 board meeting. The committee had asked to see an example of a university curriculum that is currently out there being used. This item was provided by Mr. Zimmerman for the members to review. Mr. Romero states that this item was already voted on at the last meeting. After some review, Dr. Idriss says that the courses looked okay to her and that she had no problem with it. Mr. Guerrerortiz states that the committee will recommend it.

- 6.4 Bachelors plus 30-** Mr. Ytuarte explains that NCEES is proposing that in order to become a licensed engineer it would be required to have a bachelors' degree plus thirty additional credit hours. Mr. Ytuarte explains that the reason he brought it to the committee was because Mr. David Whitman is creating a task force to look further into this motion and would like one representative from each state to be a part of this task force. **MOTION** by Mr. Romero to have Mr. Shah be the representative for New Mexico, **SECONDED** by Mr. Guerrerortiz. Mr. Guerrortiz states that Mr. Shah is proclaimed the representative for New Mexico by default.

Under old business Mr. Shah asked Mr. Ytuarte on the progress of previous NCA cases. Mr. Ytuarte explained that not much had happened with cases because of the time lag between directors. Mr. Ytuarte explained that he has met with Eric Miller, prosecutor and that a newed active will take place within a the next week

or so. He also informed the committee that Eric Miller has now been assigned as the board's prosecutor.

7. REVIEW OF APPLICATIONS & RENEWALS

7.1 Applications for Retired Status & Inactive Status- MOTION by Dr. Idriss to approve the applications, **SECONDED** by Mr. Romero

VOTE: Unanimous, to approve the list of applicants for retired and inactive status.

7.2 Applications with "MLE" Council Records and "Substantial Equivalency"- MOTION by Dr. Idriss to approve the list as presented, **SECONDED** by Mr. Romero

VOTE: Unanimous, to approve the list of "MLE" Council Records and "Substantial Equivalency" as presented


7.3 Review of New Comity and Examination Applications- Applications were reviewed on an individual basis.

7.3.1 Waiver of NCEES Council Records-MOTION by Dr. Idriss to accept the requests for waiver of the NCEES requirement due to the action taken on item 6.2 on the agenda, **SECONDED** by Mr. Romero.


VOTE: Unanimous, to accept the requests for waiver of the NCEES requirement due to the action taken on item 6.2 on the agenda.

8. ADJOURNMENT – Mr. Guerrerortiz adjourned the meeting at 4:45 p.m.

Submitted by:


Mr. Edward Ytuarte, Executive Director

Approved by


Mr. Patricio Guerrerortiz, PE, PEC Chair

10-10-08

Approved Date