

**MEETING OF THE BOARD FOR PROFESSIONAL ENGINEERS
AND LAND SURVEYORS**

**2535 Capitol Oaks Drive
Third Floor Conference Room
Sacramento, California, 95833**

Wednesday January 27, 2010, beginning at 10:00 a.m.

Board Members Present: Kim Blackseth, President; Gregg Brandow; James Foley; David Luzuriaga; Ray Satorre; Jerry Silva; Patrick Tami; Michael Trujillo; and Paul Wilburn.

Board Members absent: Mike Modugno, Vice President.

Board Staff Present: David E. Brown (Executive Officer); Joanne Arnold (Assistant Executive Officer); Linda Brown (Administrative Manager); Paula Brown (Geology Program Manager); Susan Christ (Staff Civil Engineer); Mike Donelson (Staff Electrical Engineer); Nancy Eissler (Enforcement Manager); Ric Moore (Staff Land Surveyor); Jennifer Fyfe (Board Liaison); Cindy Fernandez (Enforcement Analyst); Julie Baker (Enforcement Analyst); Donna Vaum (Enforcement Analyst); Tiffany Criswell (Enforcement Analyst); and Gary Duke (Legal Counsel).

1. Roll Call to Establish a Quorum

Meeting called to order by President Kim Blackseth. Roll call was taken, and a quorum was established.

2. Public Comment

Thom Barry, a licensed geologist and a member of the San Francisco chapter of AEG, stated that committee members of the former BGG would like to continue to be a part of exam development. Mr. Brown explained that BPELS is continuing BGG exam development using a pool of licensed Geologists as subject matter experts, as opposed to using a structured exam committee as the former BGG used. This procedure allows each exam component to be developed separately and distinct from one another. Mr. Barry noted that he understands how subject matter expert pools run through DCA but does not see the point as they are not run by a licensed Geologist. He reiterated that all former committee members are ready and willing to volunteer.

Aaron Smith, current President of CSLA, introduced himself and current liaison Roger Hamlin.

Roger Hamlin, appointed liaison of CSLA, introduced himself and offered his contact information.

Bob Pexton, Registered Geologist, Engineering Geologist and Hydrogeologist, asked if there would be any positions allocated to oversee work through BPELS. Mr. Brown responded that two positions were allocated and selected on seniority through the State Civil Service process; however neither is a licensed Geologist. BPELS is currently undergoing a workload study to determine needs, and hopefully those needs will be added to the BCPs in the May budget revisions. In the interim, a few Geologists are acting in a consulting technical capacity to help with application review and the enforcement process.

3. DCA Director Updates

Gill DeLuna, on behalf of DCA Director Brian Stiger, discussed the Consumer Protection Enforcement Initiative. Mr. DeLuna noted the time taken to review enforcement cases has recently come into question, and this initiative was put into place to enhance the enforcement process and address any problems. The initiative moves to reduce a possible 3-year enforcement processing time down to 12-18 months on average. Mr. DeLuna stated there are three components to the initiative; administrative improvements, staffing and IT resources, and legislative changes.

Mr. DeLuna explained that administrative improvements include the identification of best practices among boards; an enforcement academy for personnel scheduled for April or May; a Deputy Director hired to monitor enforcement performance and improvements. Mr. DeLuna stated DCA is establishing performance agreements with other state agencies, such as the Attorney General's Office. A new licensing and enforcement computer tracking system is in the works to improve the process and reduce time. Additional staffing for healing arts boards is in the works and will continue with non-healing arts boards in the next year. Mr. DeLuna explained processes not requiring sworn investigators are being delegated to non-sworn investigators to improve processing time. Mr. DeLuna provided a handout that shows some examples of these legislative changes. The Department is requesting support from all boards in regards to both the healing arts and non-healing arts legislation.

Mr. Brown noted the next Board meeting is in March and asked if this was too late for the Board to take a position. Mr. DeLuna stated there would be adequate time. Mr. Foley expressed his concern with regards to furloughs and the 5% personnel budget reduction drill and their impact on the ability to timely process enforcement actions. Mr. DeLuna stated that the Department understood and appreciated those concerns.

4. Information Technology Updates

a. On-Line Renewals/Credit Card Renewals (Possible Action)

Mr. Donelson introduced Wayne Odd from the Department's Office of Information Systems. Mr. Odd noted that on-line renewals and credit card

renewals are not a BREEZE project; in addition there is currently an on-going procurement process as a part of the enforcement model. Mr. Odd described the system as a blind system and not an intelligent system, meaning it does not check on education or self-certification when a person renews his or her license. This project is in the pilot stage with the Physical Therapy Board and is set to be complete in March 2010, at which time other boards will be included.

b. NCEES Candidate ID Requirement (Possible Action)

Mr. Odd stated this is a new collaboration between the national licensing system and the DCA system. The project is expected to go into testing May-June with implementation by July 2010. Mr. Odd noted this system is lending itself to transference of data between NCEES and DCA's Office of Information Systems.

Mr. Tami explained that NCEES is mandating this collaboration. These dates put the Board up against a hard wall and any blips can cause major problems. Mr. Brown asked about the limitations of our system, which will not allow some information to be transferred into our system. Mr. Odd noted this is an antiquated system. Mr. Odd explained that procedures that were typically done at BPELS to alert DCA of licensees coming on board is now to be done at NCEES and then information sent over to DCA; however, the current system was not made for that. Currently, the antiquated system is under various constraints caused by the new enforcement model. Mr. Odd explained the Governor's Executive Order does not allow for these changes as these will be addressed with the new enforcement system; in addition, these issues cannot be addressed with this short-term model as it requires expenditure of funds. The changes currently made are just to address the exchange of information given the current system. Mr. Brown asked for clarification with regards to the new system and the data transfer. Mr. Odd stated the new system, BREEZE, will include these needs; including applicant tracking system, online applications, database repository, and web services.

Mr. Foley asked Mr. Tami what would happen if this system is not implemented. Mr. Tami noted that NCEES is stating if this system does not go live, there will be no examinations. A member of the public asked what the final filing date was. Mr. Moore responded that it is July 19, 2010. Gina Zayas noted the solution provided by July 1, 2010, includes eligibility files transferred as well as listing of book orders.

Mr. Foley noted he hopes online renewals will not require a surcharge to be paid by the licensees. Mr. Odd noted that DCA already addressed that issue and allocated money to cover any costs.

7. Assumption of Duties and Responsibilities of the Geologist and Geophysicist Act pursuant to Chapter 18 (Assembly Bill 20), 2009-2010 Fourth Extraordinary Session (Possible Action)

Paula Brown, Transition Deputy for the Geology Program, discussed updates of the program included in a handout.

Ms. Brown noted the two staff from BGG are motivated and hard working. The Geology and Geophysics Program staff is working with DCA in getting automated and onto the Applicant Tracking System; they are also working on updating the flow of the website; and they are in the process of updating some of the application forms.

5. Report of Examination Development

a. Components of Licensing and Certification Exams

Bob Holmgren, representing OPES of DCA, explained he is part of an internal program providing exam development services. This program focuses on minimum competency as a mission to safeguard the public. Mr. Holmgren explained it is the Board's purview to decide who can be licensed. Professional standards are measured by a job analysis to determine credential worthy performance, but an exam is needed to measure this. Mr. Holmgren explained his office uses a cycle of development, a continual process which includes: an occupational analysis, subject matter determination, test development, exam administration, and exam scoring. The program proposes what work will be done and establishes a contract; however, some services are pro-rata. Mr. Holmgren described in detail as to what each component consists of. Scoring is very accurate, validity is very high, and items are banked so new forms can be put together fast.

Mr. Tami asked if linear or adaptive exams are recommended. Mr. Holmgren discussed that linear is used because of restrictions of computer based testing. Mr. Tami asked about graphics. Mr. Holmgren stated that graphics can be used, but are not currently. Mr. Tami asked about recommended ratio of what is used versus items maintained in an item bank. Mr. Holmgren noted it is usually a 3 to 1 ration; however, this depends on the Board. Mr. Tami asked about the amount of sites. Mr. Holmgren noted there are 13 in California, the closest being in Rancho Cordova.

Mr. Foley asked about security. Mr. Holmgren noted for exam development they are very cautious; as for administration, an applicant must sign in, have their picture taken, remove electronic devices, and go to a station. In addition, items in the bank are withdrawn when a question is compromised and circulated. Mr. Tami asked about how they will deal with the amount of reference books that PE applicants bring to exams. Mr. Holmgren noted each question is linked to analysis and a specific text; a list of references to use can be given to the applicants. Mr. Holmgren noted that a large amount of references would have to be considered and discussed as they go along. Mr.

Satorre asked if OPES does anything for continuing education. Mr. Holmgren explained that OPES develops exams for licensing and entry into the profession.

15. Executive Officer's Report

I. Legislation

b. Legislative Proposals for 2010 (Possible Action)

Mr. Brown discussed a scholarship fund created by the Contractors State License Board. Mr. Brown introduced Professor Younger who started the program. Mr. Younger explained universities can qualify for grants if they are accredited (have qualified programs) or can document that 50% of students end up with a state license. Grants are not for student scholarships, but rather for the support of the programs. A program can receive up to \$3000 per graduate from qualifying programs and for the other schools they get \$3000 per number of students licensed. The money cannot be used to increase salary of faculty; a faculty member can be paid for developing a program, but not for salary. Mr. Younger explained the development of this grant program started in 1981 because of a need for support for college programs. Mr. Younger explained this required a bill to pass the legislature.

Dr. Brandow asked if they were all public institutions. Mr. Younger explained that members had different views about public and private institutions; however, it was decided public institutions needed the funding most. Mr. Duke asked if contributions were tax deductible. Mr. Younger responded yes.

Mr. Younger explained there are so many individual scholarships already that many students are not taking advantage of; what is needed is something to help the program. Mr. Tami noted the need for this kind of thing is very high, as he has seen on multiple ABET visits. Mr. Younger noted he would be happy to be part of a sub-committee to help develop the program for BPELS. Mr. Smith noted that CLSA would be supportive of such a program.

Mr. Tami stated that he would like to see more information about this type of program. Mr. Foley advised caution with discretionary money regarding influence that can get the Board in trouble. Mr. Duke noted staff can research all that is involved and other types of models and present the information to the Board. Mr. Silva directed the Board staff to look into this type of sponsorship program.

5. Report of Examination Development

b. Computer Based Testing (Possible Action)

Nicole Woods of Integrated Examination Services Program (IESP) of DCA introduced the program. She explained that 65,000 candidates have been

tested so far at 13 sites. Each site has 15 stations, except for a few that have 8. Two proctors are used regardless of the number of candidates. Each candidate is screened, their picture and thumb print taken, they are patted down, their pocket items removed, and their hoods removed; candidates are advised of these procedures when given all information about scheduling. Everything is readily available. The candidate can take the exam today and receive the results tomorrow. Ms. Woods noted that procedures are in place for anything and everything that can happen. Mr. Brown asked about control, specifically who maintains control. Ms. Woods noted that the Board remains in control regarding eligibility. Mr. Brown questioned whether the same disciplines would be sitting next to one another. Ms. Woods noted that testing sites are on a first come, first serve basis and that candidates from different boards and professions may be taking exams at the same time. Mr. Tami asked if new questions were used right away or if they were tested first. Ms. Woods noted that testing is being done with another Board with applicants first, before it is formally used.

6. Administration

b. FY 2009-10 Budget (Possible Action)

Debbie Thompson described a summary of the budget for BGG and BPELS as shown on page 35 of the agenda packet; the funds are kept separate as discussed at the previous meeting. BPELS has a \$9 million allotment, showing a \$200,000 deficit this year. BGG with a \$1.9 million allotment and a surplus of \$608,000 due to the Budget Act of the previous year.

c. FY 2010-11 Budget Change Proposals (Possible Action)

Ms. Thompson discussed the Board had submitted three budget change proposals (BCPs), however only one has been approved for inclusion in the Governor's budget proposal.

a. Fund Condition (Possible Action)

Ms. Thompson reviewed the fund condition: \$6 million in revenue to date. The Board has an adequate fund reserve for the next three years.

Ms. Thompson introduced Jeff Alameida and Michael Wells from the DCA Budget Office to discuss the deficit and possible resolutions. Mr. Wells, budget manager at DCA, has oversight of 25 boards. He explained that proctor costs are double what was allotted. He also advised that Attorney General (AG) costs are five times greater than what they were in the past, which is a good thing from an enforcement perspective, but not something that was budgeted for in the past. Exam costs are extreme for some categories and are policy issues that need to be addressed by the Board. Mr. Wells discussed that all boards and departments are currently in process of a 5% salary savings as required by the budget letter; looking at Fiscal Year 2010-2011 this will require a \$35,000 reduction from the

personnel services budget line item. The good news is they are working on a Memorandum of Understanding to provide offset for administrative costs of BGG at \$50,000-60,000. Mr. Foley asked if enforcement revenues, such as fines and cost recovery, go to the Board's spending authority or to the General Fund. Mr. Wells explained that they go into the Board's reserve fund, not its spending authority. Mr. Foley asked about expense of reserve and why it shows as revenue rather than expense recovery. Mr. Wells noted it is two years out to show that.

17. Closed Session – Personnel Matters, Examination Procedures and Results, Administrative Adjudication, and Pending Litigation (As Needed) [Pursuant to Government Code sections 11126(a) and (b), 11126(c)(1), 11126(c)(3), 11126(e)(1), and 11126(e)(2)(B)(i)]

a. Discrimination Complaint (Authority for Closed Session Discussion pursuant to Government Code section 11126(e)(2)(B)(i))

18. Open Session to Announce the Results of Closed Session

Ms. Eissler reported the Board adopted the default decisions regarding Mohamad Ganaba and Roy Payton; the stipulations regarding Vernon Kalinowski, Claude Keissieh, and Tyler Smithson; and the proposed decisions regarding Rodolfo Dimalanta and Kevin Kendall.

6. Administration

a. Fund Condition (Possible Action)

Ms. Thompson introduced two handouts: one regarding the frequency of exams offered and the other entitled "April 2010 Exam Cancellation Options." Ms. Thompson stated the Board staff came up with five options. Mr. Brown explained how the staff came to these conclusions and why this decision must be made. Mr. Brown advised that the Board used to under expend in enforcement, so that it could use those excess funds to supplement the exam program; however, enforcement is the Board's highest priority, so the Board now needs to fully expend the enforcement funds on enforcement. He further explained that the Board can find savings in terms of exam administration and development, but this would only apply for future fiscal years, not this fiscal year; money needs to be addressed for this fiscal year. In addition to the deficit, there is also a 5% reduction in the personnel budget line item due to the Governor's directive.

Mr. Foley asked how much needs to be cut. Ms. Thompson noted that at least \$250,000 needs to be cut. Ms. Thompson explained the five possible options and the savings associated with each. Option 1 would be to cut all national exams with a \$700,000 savings; Option 2 would cut the Engineer-in-Training (EIT) and Land Surveyor-in-Training (LSIT) exams for April 2010 with \$372,000 savings; Option 3 would cut April 2010 exams held twice a year with \$1,264,000 savings; Option 4 would cut exams held on the second day with a

\$588,734 savings; and Option 5 would cut all state-specific exams and the NCEES Structural II exam at \$237,000 savings.

Mr. Foley noted that there is a lot of revenue coming in on Option 5 as the candidates are paying for all exams, but only taking one; he stated he did not believe this would be the best option. Mr. Brown noted that is true, but the revenue would be for next fiscal year. Ms. Thompson stated that the revenue is not significant for any of these options; revenue will only reserve the Board for a couple of months. A member of the public noted that the cost of rental of space is so huge, and asked if space can be donated. Mr. Moore noted that smaller and multiple sites cost more. Mr. Brown noted there is no compromise in size of space as they are so large. The member of the public asked if proctor costs could be cut by getting volunteers. Mr. Moore noted that the Board is mandated to have a certain amount of proctors to examinees. Mr. Duke stated security and insurance might be an issue with using volunteers.

Ms. Thompson explained there is potential exam development savings, but they are not currently noted, because it is uncertain if the costs can be reduced since the contracts are already done. Mr. Luzuriaga asked about cutting out some sites and limiting who can sit for the exam based on when they applied or whether they are first-time applicants. Mr. Duke explained this would create a legal issue as to how the Board created the criteria of who would be allowed to sit; the Board would need to adopt regulations to specify the criteria to be used.

Mr. Foley noted there is only one option that does the job, Option 2 which creates less of an issue at the professional level, but has a large impact at the educational level. Mr. Tami questioned Option 5 which barely makes the cut.

Mr. Wilburn asked what happens if the Board carries over a deficit. Ms. Thompson noted that DCA does not allow the Board to carry over a deficit. Mr. Luzuriaga stated all exams should be cancelled, as we should not punish a certain group. Mr. Wilburn asked if the Board could request expenditure authority from its reserves. Mr. Brown noted that such a request would not be considered by DCA. Mr. Foley noted that Option 2 is the best option, because it only affects students and they can go to other states. A member of the public noted that in other states the requirements are different for the EIT.

Discussion was made about alternate options other than the five proposed options. Mr. Silva noted that extreme measures might warrant some attention in terms of the Governor. Mr. Brown noted the Board will not have to address staffing issues and unemployment that other boards have to deal with. Mr. Foley wanted to amend Option 2, possibly leaving the LSIT exam intact and leave to the discretion of Board staff. Mr. Foley noted the Board would get a lot of attention if they did extreme measures, but people might think we did not try to do everything in our power.

MOTION: Mr. Foley/Mr. Silva moved to support the amended Option 2 for just EITs and leave the LSITs to the discretion of the Board staff.

VOTED: 7-2, motion carried; Mr. Luzuriaga and Mr. Wilburn voted nay.

8. Discussion of Policy Issues Regarding the Geology and Geophysics Program (Possible Action)

Mr. Brown discussed the specifics of policy issues as shown in the agenda packet.

Dr. Brandow asked if two committees were required for the Geology and Geophysics Program. Mr. Duke noted that the former BGG had several different committees dealing with exam development, enforcement, and other policy issues. Mr. Brown advised that the Board could create one TAC to advise the Board on all of the various policy issues relating to geology and geophysics. Mr. Foley noted Board action is required to establish a TAC and then staff can call for membership of the TAC. Mr. Duke noted such action could not be taken today, but could be done at a future meeting if the action was noticed prior to the meeting. Mr. Brown noted that the issue of establishing a TAC, appointing members, and assigning duties can be addressed at the March meeting and in the meantime Board staff can collect applications.

10. Amendments to Business and Professions Code sections 6755 and 8741 regarding Exemptions from the Engineer-in-Training (EIT) and Land Surveyor-in-Training (LSIT) Examinations [First Division Examinations] (Possible Action)

Mr. Moore explained that currently an EIT can waive the LSIT if they wish to pursue a Professional Land Surveyor license, but that an LSIT cannot waive the EIT if they wish to pursue a Professional Engineer license. Mr. Moore and Ms. Christ compared notes from other agencies and also discussed the issue with three subject matter experts. Mr. Moore noted that the EIT exam has a general morning session and a specified topic/depth afternoon section. There is a 33% overlap of the EIT to LSIT material in the morning. The afternoon session is negligible to any overlap, unless the applicant chooses the civil engineering module which has a 20% overlap. Mr. Moore noted there is maybe a 30% overlap of information overall. Mr. Moore sent a survey to other states, and many responses showed that other states do not allow for such a waiver. From the little bit of research they have done, Mr. Moore and Ms. Christ noted there is very little overlap between the EIT and LSIT exams.

Mr. Tami recommended that staff develop language to amend the laws to remove the waiver for the Board to address at a future meeting.

11. Approval of Delinquent Reinstatements (Possible Action)

MOTION: Mr. Tami/Mr. Foley moved to approve the Delinquent Reinstatements in the agenda as follows:

CIVIL

RAJNEESH KUMAR BHARIL

Reinstate applicant's civil license once he/she takes and passes the Board's Law and Regulations Examinations.

JOSEPHONE FOLGER

Reinstate applicant's civil license once he/she takes and passes the Board's Laws and Regulations Examination, and pays all delinquent and renewal fees.

CARL HEERUP

Reinstate applicant's civil license once he/she takes and passes the seismic principles examination, the engineering surveying examination, and the Board's Laws and Regulations Examination, and pays all delinquent and renewal fees.

JAMES LANDAU

Reinstate applicant's civil license once he/she has taken and passed the Board's Laws and Regulations Examination.

ELECTRICAL

SAMY A. MAHMOUD

Reinstate applicant's electrical license once he/she takes and passes the Board's Laws and Regulations Examination, and pays all delinquent and renewal fees.

LLOYD F. MARINER

Reinstate applicant's electrical license once he/she takes and passes the Board's Laws and Regulations Examinations, and pays all delinquent and renewal fees.

LAND SURVEYOR

RICHARD ALLEN GOODWIN

Reinstate applicant's Land Surveyor license once he/she takes and passes the Board's Laws and Regulations Examination.

MECHANICAL

STEVEN M. FELLER

Reinstate applicant's mechanical license once he/she takes and passes the Board's Laws and Regulations Examination, and pays all delinquent and renewal fees.

WILLIAM C. KREAMER

Reinstate applicant's mechanical license once he/she takes and passes the Board's Laws and Regulations Examination, and pays all delinquent and renewal fees.

VOTE: 9-0, motion carried.

12. Technical Advisory Committee (TAC) Reports (Possible Action)

- a. Board Assignments to TACs (Possible Action)**
- b. Appointment of TAC Members (Possible Action)**
Mr. Brown noted there was nothing to report.

13. Liaison Reports (Possible Action)

- a. ASBOG (Possible Action)**
Mr. Brown noted there was nothing to report.

- b. NCEES (Possible Action)**
Mr. Brown discussed the NCEES emeritus and associate members for 2010 that the Board must appoint.

MOTION: Mr. Foley/Mr. Tami moved to appoint Dr. Brandow as an Emeritus Member and Mr. Donelson as an Associate Member.

VOTE: 9-0, motion carried.

- c. Technical and Professional Societies (Possible Action)**

Mr. Moore updated the Board on the meetings he attended based on the information included in the agenda packet. Mr. Moore added that the EIT reference books are usually shredded after the examination. After the October examination, Mr. Moore worked with CSLA to hand out these books after the exam to the colleges for utilization. He noted this included 117 boxes that the Board did not have to pay to shred. Mr. Moore stated he hopes to do this after every exam in the future.

14. Presidents Report/Board Member Activities

Mr. Wilburn attended the Board member training. He explained he is a State employee, so quite a bit of the information was overlapping; however, there was some information regarding the role of Board members versus the role of the Executive Officer that was informative.

Mr. Tami noted he went to New Orleans for a computer based testing meeting; NCEES will most likely go to computer based testing in 2012; they will be voting on that in the future. He also attended a meeting in Washington for the faculty task force to get teachers licensed in the profession. Mr. Brown thanked Mr. Tami as he does a lot of this at his own expense.

Mr. Foley met with Chelsea Minor, legislative assistant to Sam Blakeslee, to discuss changes to the Board relative to the assumption of duties relating to the Geologist and Geophysicist Program.

Mr. Luzuriaga noted he went on an ABET visit to Harvey Mudd.

15. Executive Officer's Report

I. Legislation

a. Discussion of Proposed Legislation for 2010: AB 1431 and SB 275 (Possible Action)

Joanne Arnold discussed AB 1430 to add a Geologist to the Board and change the name of the Board to "Board for Professional Engineers, Land Surveyors, Geologists and Geophysicists." Ms. Arnold noted that by adding a Geologist to the Board, the Board would have an even number of professional and public members; currently, the Board has a majority of public members; she advised that DCA would most likely be addressing this issue. Ms. Arnold recommended that the Board should oppose this bill unless it is amended to only add Geologists to the Board's name and not Geophysicists as well since there are only about 200 licensed Geophysicists. A member of the public pointed out that geophysicists represent a separate profession from geologists; therefore, they are a "practice act," not a "title act."

Mr. Foley noted that adding another professional and another public member would create a 15-member Board, which is huge. Mr. Satorre asked the members of the public representing geologists and geophysicists if representation was made to the Governor that there should be licensees on the Board. Several members of the public explained that they are working to get representation on the Board with this proposed legislation.

MOTION: Mr. Foley/Mr. Satorre moved to support the bill as long as it is amended to change the name to the Board for Professional Engineers, Land Surveyors, and Geologists instead of the Board for Professional Engineers, Land Surveyors, Geologists, and Geophysicists.

VOTE: 9-0 , motion carried

Ms. Arnold discussed SB 275 and stated the bill is dead, but the issue of the Title Acts is still being discussed. Senator Negrete-McLeod wants it looked at thoroughly and has sent the bill to interim study.

Ms. Arnold stated she is working with legislative staff to include the language regarding separating the application, exam administration, and renewal fees into a bill. Mr. Tami noted that this language is needed to allow NCEES to collect the money for exam administration costs once NCEES starts administering the exams on behalf of the Board. Ms. Arnold explained the purpose of NCEES taking over exam administration is to relieve the Board of a \$6.2 million exam security liability. She hopes language will go into a bill in the next few months. Ms. Arnold stated that the issue of switching to the new NCEES Structural exam was discussed at the April 2009 Board meeting, and the Board had moved to go forward with this; however, the law needs to be amended to remove the requirement for a state-specific component, and last year it was opposed by ACEC and PEGC. Ms. Arnold advised that she is working with legislative staff to have this language included in a bill this year.

b. Legislative Proposals for 2010 (Possible Action)

Ms. Eissler discussed a handout regarding Business and Professions Code section 6751. She explained that the EIT certification currently requires three years of Board-approved ABET-accredited engineering curricula or three years of experience and does not allow for a combination of the two nor does it allow for credit for non-accredited engineering education. Ms. Eissler noted that candidates for the PE can get credit for non-accredited education, but candidates for the EIT cannot. Ms. Eissler explained that the law needs to be amended to allow for this. Board members directed staff to include this issue as a legislative proposal on the next Board meeting agenda.

Bob DeWitt, representing ACEC, advised that they were no longer pursuing legislation that would require the Board to enforce Quality Based Selection (QBS) against governmental agencies.

c. Regulation Status Report

Ms. Eissler went over the regulation status report in the agenda. She noted that the modifications to the reference forms approved by the Board at the last meeting have been noticed for a 15-day public comment period; the information is available on the Board's website.

II. Personnel/Enforcement/Exams/Licensing/Publications/Website

Mr. Brown stated the Board now has an email subscriber list; the link to sign up is located under "Quick Hits" on the Board's home page. The entire Board agenda can be found on the website as well, effective this meeting.

Mr. Brown discussed different training modules that have been created for staff, including a block of training for analysts to create a standard; life training to help with elder care among other things; and a day in the life of a professional, to help staff understand what our licensing population actually does. Mr. Tami will give a presentation on land surveyors sometime in the near future.

Mr. Brown stated the Board has had one staff promotion. He also noted that National Engineers Week is in February, National Land Surveyors Week is in March, and National Earth Sciences Week is in October.

Ms. Eissler discussed the enforcement statistics, noting older cases are starting to increase a little, mainly due to furloughs. She advised that 12 cases have already been closed in January, and there are 22 more to review. Ms. Eissler noted the Board staff is still trying to keep up even with furloughs. Mr. Brown noted that the AG's Office is not on furlough, and they are working quickly on processing our cases.

Mr. Brown stated the Board newsletter is coming along; however, there are a few outstanding articles. Ms. Eissler noted there are two other publications that staff is working on and that the final edits have been sent to the DCA Publications Unit. Staff hopes to get an electronic version of the Local Officials Guide to put on website as soon as possible and then print copies when funding is available. The cost of DCA to print publications went down by about 50% since the Board last asked. Ms. Eissler advised that staff would like to work on similar publications for geologists and geophysicists. Mr. Foley asked if they could integrate the information into the publications that are currently being worked on. Ms. Eissler stated that would stop the progress of these publications and BPELS had an existing publication to work with, whereas BGG does not and would require more time to develop the appropriate content to be addressed. Mr. Brown noted that DGS has a program to advertise to gain revenue, but staff is still looking into this.

Ms. Eissler stated she is working on statistics for the Geology website and will have those for the next Board meeting.

16. Other Items Not Requiring Board Action

Mr. Brown stated the next Board meeting would be held on March 24 & 25, 2010, in Los Angeles at the L.A. Athletic Club. Ms. Eissler advised that there will be a petition for reinstatement hearing held in conjunction with that Board meeting.

Mr. Silva thanked Mr. Blackseth for running an efficient meeting considering all of the issues the Board had to discuss. Mr. Satorre thanked the Board staff for all of its hard work.

19. Approval of Consent Items (Possible Action)

(These items are before the Board for consent and will be approved with a single motion following the completion of Closed Session. Any item that a Board member wishes to discuss will be removed from the consent items and considered separately.)

a. Approval of the Minutes of the November 18 & 19, 2009, Board Meeting.

MOTION: Mr. Silva/Mr. Satorre moved to approve the minutes of the November 18 & 19, 2009, Board Meeting.

VOTE: 9-0, motion carried.

20. Adjourn

The meeting was adjourned at 2:49 p.m.

PUBLIC PRESENT

Trinda Bedrossian, California Geological Survey
Robert Sydnor, AEG
Roger Hanlin, CLSA
Steve Hao, CalTrans
Joan Al-Kazily, ASCE
Jeff Toney
Robert Pexton
Peter Thams, AEG Southern California Section
Tom Barry, AEG San Francisco
Jared Pratt, AEG San Francisco
Bob Dewitt, ACEC