

MINUTES
LEGISLATIVE ISSUES COMMITTEE MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS
1917 SOUTH IH-35, BOARD ROOM, AUSTIN, TX
FEBRUARY 14, 2013 – 9:30 AM

CALL TO ORDER. James “Jim” Greer, P.E., Committee Chair called the Legislative Issues Committee meeting to order at 9:33 am on February 14, 2013, at the Texas Board of Professional Engineers, 1917 South Interstate 35, Austin, TX 78741 (All votes are unanimous, unless otherwise noted).

1. Roll call and welcome visitors.

James “Jim” Greer, P.E.	Chair
Gary Raba, D. Eng., P.E.	Member (excused absence)
Edward Summers, Ph.D.	Member
Elvira Reyna	Member

A quorum was present. Ms. Veena Mohan, Assistant Attorney General, was present to provide legal counsel to the Board. Mr. Jose I. Guerra, P.E., Emeritus Board Member was present.

The following staff members were present:

Lance Kinney, P.E.	Executive Director
Priscilla Piphon, MPA	Deputy Executive Director
C.W. Clark, P.E.	Director of Compliance & Enforcement
Dewey Helmcamp, III JD	Staff Attorney
Dorothy Gonzales	Executive Assistant

Visitors. Bill Tucker, Texas Department of Transportation (TxDOT); Terry Bilderback, P.E., Texas Society of Professional Engineers (TSPE); Doug Bell, P.E., TSPE; Peyton McKnight, American Council of Engineering Companies (ACEC); Carry Baker, Board Member; Sam Kannappan, P.E., Board Member.

2. Public comment. None.

DISCUSS AND POSSIBLY ACT ON THE FOLLOWING (AGENDA ITEMS 3-6):

3. Discuss and possibly approve the November 29, 2012, Legislative Issues Committee Minutes.

It was MOVED/SECONDED (Summers/Reyna) to approve the November 29, 2012, Legislative Issues Committee Minutes as submitted. A vote was taken, and the MOTION PASSED.

4. Report on bill tracking.

Mrs. Piphon reviewed the exhibit provided to Committee members regarding bills being tracked by the agency. She added that the link to the Texas Legislature Online (www.capitol.state.tx) allows the opportunity to review the bills’ text. HB613 by Orr regarding foundation repair is included for the Board to review. One of the issues with this bill is its use of the term “design” in regards to foundation repair.

5. Sunset Review Update.

Dr. Bennett, Mr. Kinney, and Mrs. Piphon attended the Sunset hearing that made final decisions about the report. Legislation has been drafted. The agency’s Sunset date has been changed back to the original 12 year cycle, which was a concern since the recommendation was that it coincides with the Texas Department of Licensing (TDLR).

Dr. Summers asked about the foundation repair bill. Mrs. Piphon responded that it is dealing with residential foundation repairs. Mr. Kinney stated that we are tracking the bill to make sure the practice part does not allow the repairing contractor to perform design that should be done by an engineer.

Mrs. Piphon added that the Board can be a resource and testify when the bill is heard before committee.

Mr. Bell asked if the foundation design repair must be done by an engineer, and if engineering should be required for every repair. Mr. Kinney responded that it is something to be considered but this is not what the proposed current bill addresses.

Mr. Kinney commented that the bill is to regulate the companies providing residential foundation repair. We are tracking it to ensure that the design does not cross over into the engineering field.

Dr. Summers expressed concern regarding this bill and the possibility of overlap. Mr. Guerra shared that several of the Board's complaints are regarding foundations. Mr. Greer asked Mr. Kinney to make sure that the bill's content remains clear as to what falls under the Board's Act and what is regulated.

Mrs. Piphon shared with the Committee members that a full list of bills the Board is tracking is included as an exhibit for the members to review.

6. Issues for future consideration and schedule next committee meeting.

None.

ADJOURN.

It was MOVED/SECONDED (Reyna/Summers) to adjourn the meeting at 9:48 am. A vote was taken, and the MOTION PASSED.

Date Committee approved the minutes as submitted: May 23, 2013

Date Board accepted minutes: May 23, 2013