

MINUTES
LEGISLATIVE ISSUES COMMITTEE MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
Via Videoconference
November 19, 2020—9:30 AM

Discuss and Possibly Act on the Following Agenda Items:

1. Preliminary Matters.

A. Call to Order.

Mr. Albert Cheng, Chair, called the Legislative Issues Committee meeting of the Texas Board of Professional Engineers and Land Surveyors to order at 9:30 a.m. via Videoconference. (NOTE: all votes are unanimous unless noted.)

B. Roll Call.

Ms. Bodden called the roll. It was noted for the record that a quorum was present.

The following Committee members were present:

Albert Cheng	Chair
Ademola Adejokun, P.E.	Alternate Member
Coleen Johnson, R.P.L.S.	Member

Veena Mohan, Assistant Attorney General and General Counsel for the Board, was present via Videoconference to provide legal counsel to the Board.

The following staff members were present:

Lance Kinney, Ph.D., P.E.	Executive Director
Rick Strong, P.E.	Director of Licensing and Registration
Michael Sims, P.E.	Director of Compliance and Enforcement
Elissa Mazza	Staff Attorney
Janet Sobieski	Director of Operations
Mason Schoolfield	Lead Systems Developer
Cristabel Bodden	Executive Assistant

C. Excuse absent Committee members.

The following Committee members were absent:

Rolando Rubiano, P.E.	Member
Kiran Shah	Public Member

It was MOVED/SECONDED (Johnson/Adejokun) to excuse Mr. Rubiano and Mr. Shah from the Legislative Issues Committee meeting. A vote was taken and the MOTION PASSED.

D. Welcome Visitors.

Jibrael Ahmad, R.P.L.S.; Lamberto Ballí, P.E., Board Member; Edmundo Gonzalez, P.E., R.P.L.S., Advisory Member; Mark Neugebauer, R.P.L.S., L.S.L.S., Board Member; Catherine Norwood,

P.E., Board Member, and R. Kyle Womack, P.E., Retired, Advisory Member, were present via Videoconference.

E. Public Comment.

There were no public comments.

2. Important Dates and Information Related to the 87th Legislative Session.

Mr. Cheng stated that with Coronavirus, the format and procedures of the upcoming legislative session are currently unknown.

Mr. Cheng further stated that most of the interim hearings were done virtually. While there are pressures for people to meet, one of the problems is there are no provisions in the legislative process for doing it virtually. To provide testimony, you may have to physically be at the Capitol. He also noted that the only issue that the legislature must do is pass the budget.

He added that with a vaccine coming out there may be some changes. The Legislature cannot really act for the first 60 days unless the Governor declares an item an emergency. So, there may be some time where they do not have to vote. We just have to continue monitoring that process.

Mr. Cheng stated that there is going to be a new speaker, Dade Phelan from Beaumont. Mr. Phelan has announced that he has the votes to be Speaker, but it is not official until they meet and hold the election.

Dr. Kinney stated that the only legislative milestone that has occurred as of now is November 9th and the prefiling of bills has begun. TBPELS staff is monitoring bills on a daily basis.

No action was required on this agenda item.

3. Update on bills relating to the Texas Board of Professional Engineers and Land Surveyors.

Mr. Cheng stated that so far, the bill filings are pretty general. Dr. Kinney and staff have done a good job in the past of tracking these bills. Mr. Cheng asked that we make sure to monitor all the bills and include surveying in the tracking.

Due to the merger of the surveying board, Mr. Cheng opined that it would be good to have the members of the Surveying Advisory Committee attend Board and committee meetings. Dr. Kinney stated that the SAC members are welcome at the meetings and he will remind them for future meetings.

Dr. Kinney discussed the Telicon report, which is the service the agency uses to track legislation during the session. This service provides a daily report of all bills filed. We have it use certain search words and surveying has been one for the last several sessions because what happens to other professions can impact the agency. We also track architecture, geoscience, etc.

In addition to auto-tracking we also have staff review every single bill caption because sometimes a bill is worded differently. We flag them to track and the Telicon report in the packet is just a summary of ones that we flagged to monitor so far.

Mr. Cheng stated that reviewing each bill is important. There is no way of knowing what is in each bill unless you read it. Six thousand bills will probably be filed in a regular session.

No action was required on this agenda item.

4. Legislative Communication Plans.

Mr. Cheng stated that he added this item to the agenda to discuss what the board and board members can and cannot do re: communication with the legislature. He stated that in the past, not just with this agency but with a lot of agencies, people get very concerned about communicating with legislators and obviously, as a state agency, we cannot lobby. He opined that this does not mean we cannot voice our concerns at the Capitol. The bottom line is we can never say we are for or against a particular bill but can provide information and be responsive to requests. Staff can be at the Capitol and can provide testimony at hearings that are relevant, and we can talk to members as needed. He will talk with Chairman Nejad about this as well. The session will probably be limited because of COVID.

Mr. Cheng stated that he thought that at the last session, Dr. Kinney dropped off packets to all the offices and he encourages that again this session, so legislators and their staffs know that we are here for questions. Many people may or may not know about the merger with the surveyors, and if people are not aware of that, we should definitely let the members know.

Ms. Mohan stated that the committee could have a discussion on what the parameters are or interaction with the legislature can be. She pointed out that we want to make sure that we avoid lobbying the legislature and maybe this could be a good thing to talk about in closed session at a future Board meeting. Mr. Cheng concurred.

Dr. Kinney state that we could generate a one-pager to send to members as an FYI about the agency.

No action was required on this agenda item.

5. Issues for consideration for future Committee meetings.

No issues were presented or addressed for future consideration at the next Committee meeting.

6. Adjourn.

It was MOVED/SECONDED (Johnson/Adejokun) to adjourn the meeting at 9:54 a.m. A vote was taken and the MOTION PASSED.

Date Committee approved minutes:
Date Board approved minutes:

February 25, 2021
February 25, 2021