

Approved Gary Blumenthal 2/3/92
Date

MINUTES OF THE House COMMITTEE ON Governmental Organization

The meeting was called to order by Rep. Gary Blumenthal at
Chairperson

9:10 a.m./~~p.m.~~ on January 27, 1992 in room 522-S of the Capitol.

All members were present except:

All present

Committee staff present:

Carolyn Rampey, Legislative Research Dept.
Julian Efird, Legislative Research Dept.
Avis Swartzman, Revisors Office
Nita Shively, Committee Secretary

Conferees appearing before the committee:

Glen Yancey, Commissioner, Rehabilitation Services, SRS
Brian Moline, General Council, KCC
Lori Callahan, Attorney, Board of Technical Professions
Wayne Blackbourn, Engineering Technician, Emporia
Steve Brosemer, KS Society of Land Surveyors
Bill Henry, KS Engineering Society
Trudy Aron, American Institute of Architects
George Barbee, Executive Director, KS Consulting Engineers
Representative Phil Kline
Art Griggs, Attorney, Dept. of Administration

Chairman Blumenthal opened the meeting at 9:10 a.m. when quorum was present.

Chair recognized Glen Yancey, who requested introduction of a bill which would direct the Secretary to provide transition planning services for continuity of post-school services to individuals with disabilities enrolled in secondary special education programs. Mr. Yancey advised that this bill amends the 1986 transition planning statute and brings it in conformity with the 1990 federal special education law. (ATTACHMENT 1)

Representative Brown made a motion to introduce proposed bill, the motion was seconded by Representative Hackler, motion carried.

Hearing on HB 2667 - An act concerning the Kansas sunset law, continuing in existence the state corporation commission.

Chair announced that another subcommittee would not be appointed since this would result in duplication of last year's efforts. Chair requested that Representative McClure, who chaired the subcommittee dealing with the KCC during the 1991 session, briefly report to the committee.

Representative McClure mentioned the concerns of the 1991 subcommittee which are: the large number of unclassified personnel and overlapping of responsibilities in several divisions in the Agency. He noted that work was done during the interim and these concerns were assigned to a legislative post audit committee to review. Representative McClure recommended the re-authorization of the KCC for the period of time stated in the bill. However, when the post audit review is completed, depending on their recommendations, it might be necessary to look at a trailer bill.

Brian Moline spoke in support of HB 2667, noting that the continuation of the KCC is, of course, essential. In addition, he agreed with the points made by Representative McClure. However, the KCC has gone through 2 sunsets and both times the overlap situation was addressed--the Legislature

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Governmental Organization,
room 522-S, Statehouse, at 9:10 a.m./~~p.m.~~ on January 27, 1992

itself decided to continue with those overlaps for policy reasons. If there are any needed changes following the post audit review, the KCC will certainly cooperate.

Hearing closed on HB 2667.

Hearing on SB 380 - An act concerning the technical professions.

Chair recognized Lori Callahan, who spoke in support of SB 380, written testimony furnished, (Attachment 2). She briefly outlined the problems that resulted in the drafting of this proposed legislation. Due to inconsistencies between professions and the difficulty in enforcing requirements, the various groups worked together to prepare this compromise bill. Listed on the fact sheet are the goals and objectives of SB 380. Also included is a balloon draft containing amendments to the bill. This covers all the controversial areas and took 3 years to resolve. She reiterated that this is extremely important legislation and urged the committee to approve it favorably.

Wayne Blackbourn appeared as a proponent of SB 380, furnishing written testimony, (Attachment 3). However, Mr. Blackbourn voiced some concerns and offered a proposed amendment to the bill, which is intended to assist the non-traditional students. He outlined the problems he has encountered in attempting to take the Engineer-in-Training Exam in order to receive a Professional Engineering license. He feels that the qualifying date should be changed from January 1, 1992 to January 1, 1993 and an amendment should be included allowing the grandfathering of existing applicants.

During discussion following Mr. Blackbourn's testimony, Chair questioned whether the requested grandfathering amendment would be in conflict with the intention of the bill. Lori Callahan, as attorney for the Board, stated that this should not be mandated by the Legislature, but ought to be left to the discretion of the Board.

George Barbee appeared in support of SB 380. He began his testimony by describing the many hours spent since 1987, by the various groups, in order to work out compromises. This bill passed in the Senate 39-1.

Mr. Barbee referred to the previous testimony by Mr. Blackbourn and pointed out that the 1993 date in the balloon amendments inadvertently gives a grandfather, which should solve Mr. Blackbourn's problem.

Bill Henry spoke in support of SB 380, furnishing written testimony, (Attachment 4). He noted that the Engineering Society, along with the other professions governed by the Board, deliberated over a long period of time to develop a satisfactory bill that would benefit all the groups.

Steve Brosemer spoke briefly in support of SB 380, furnishing written testimony, (Attachment 5). He stressed that the proposed bill, along with amendments, would be extremely beneficial for both technical professions and in protecting the public.

Trudy Aron appeared as a proponent of SB 380, furnishing written testimony, (Attachment 6). Rather than take up the committee's time giving basically the same testimony as earlier proponents, she simply requested approval of SB 380 on behalf of American Institute of Architects in Kansas.

Representative Phil Kline encouraged support of SB 380. He advised that his engineering firm employs members of 3 of the 4 professions governed by the Board. Although resolving the many issues caused considerable friction in his firm, this bill is considered an acceptable compromise and is fully recommended by all parties.

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Question and answer period followed. It was determined that an additional amendment would not be required for Mr. Blackburn; the balloon amendment is sufficient.

Hearing closed on SB 380.

Chair advised, that as the result of a hastily called meeting, Art Griggs will introduce 3 bills at today's meeting.

Chair recognized Art Griggs who stated he is introducing 3 bills at the request of the Division of Personnel Services. The bills are:

1. A bill relating to the Civil Service Act -- disciplinary procedures from the time frame when evaluations are required.
2. Compensation of the Chairperson on the Civil Service Board -- recommendation to reduce compensation due to changes in duties.
3. Regarding state's drug screening program at MH/MR facilities -- remove some references to alcohol testing.

Motion by Representative Bowden to introduce the 3 above-mentioned bills, motion seconded by Representative Samuelson, motion carried.

Chair announced that the merger of the Banking and Savings and Loan Boards has been referred to the G.O. committee. It has been assigned to Representative Lahti's subcommittee.

Motion to approve minutes for January 17 and January 21, 1992 was made by Representative Hackler, motion seconded by Representative Watson, motion carried.

Meeting adjourned at 10:15 a.m.

Date: Jan. 27, 1992

GUEST REGISTER

HOUSE

COMMITTEE ON 'GOVERNMENTAL ORGANIZATION

NAME	ORGANIZATION	ADDRESS	
CARL OSMUND	Board of Tech Prof	TOPEKA	
WILLIAM P WINSLOW	KS BOARD OF TECH PROF	MANHATTAN	
R.D. FOGO	BOARD OF TECH PROF	WICHITA	
LISA CALAHAN	KTA	WICHITA	
Jim McBride	observer	Terre Haute	
Murray L. Bordes	Bd of Technical Professions	Kansas City	
Carl Knop P.E.	Chrmn, Ks Bd of Tech Prof	Wichita	
Alecene Barber	Ks Consulting Engneer	Topeka	
Marvin Brown	KRS	Topeka	
Con Lin Yancy	Com. KRS	Topeka	
Loi Callahan	Bd. of Tech. Prof	Topeka	
Cleuda (C) ...	Bd of Tech Prof	Topeka	
Betty Rose	Bd of Tech Prof	Topeka	
REP PHIL KEINE	HOUSE OF REP.	TOPEKA	
Tom Whitaker	Ks Motor Vehicle Assn	Topeka	
Gary Anderson	AIA Kansas	Topeka	
Trudy ARON	AIA Kansas	Topeka	
Joan McConnell	Ko. Land Surveyors Comm	Topeka	
Brian McBride	" "	"	
Tom Day	" "	"	
Bill Henry	Ks Engineering Society	Topeka	
Steve Braemer	KANSAS SOCIETY OF LAND SURVEYORS	EMPORIA	

Kansas Department of Social and Rehabilitation Services
Donna Whiteman, Secretary

Presenter's name: Glen Yancey
Acting Commissioner
Rehabilitation Services
(913) 296-3911

Topic: Introduction of a proposed revision of K.S.A. 75-5372 to 75-5374, effecting transition planning services for secondary special education students

Date: January 27, 1992

Committee: Governmental Organization

Mr. Chairman and Members of the Committee: On behalf of the Secretary of Social and Rehabilitation Services, I thank you for the opportunity to present you with this testimony on the proposed revisions of the transition planning statutes, K.S.A. 75-5372 to 75-5374.

Title: An act concerning the department of social and rehabilitation services; directing the secretary to provide transition planning services for continuity of post-school services to individuals with disabilities enrolled in secondary special education programs; repealing K.S. A. 75-5372 to 75-5374.

Purpose: The proposed bill amends the 1986 transition planning statutes. It models the 1990 federal special education law which requires that a statement of the needed transition services be included as part of the Individual Education Plan. The bill also directs development of a statewide network of local transition councils.

Background: Change and transition are an important part of life. Everyone must adapt at various times to new responsibilities, situations and relationships. One of the most important transition periods we all face is finishing high school and moving into the adult world. For young adults with severe disabilities, this transition process can be especially challenging. Important decisions need to be made about whether to seek additional education, where to live and work; how to arrange for necessities, such as health care, transportation and community support services; and what opportunities will be available for leisure activities, a social life and meaningful relationships with family and friends.

In 1986, the Kansas Legislature recognized the need to help these students and their families plan for a smooth transition from school to adult life. KSA 75-5372 to 75-5374 was enacted, authorizing the Department of Social and Rehabilitation Services to prepare transition plans which would identify vocational and residential options for students with mental retardation and developmental disabilities. This transition planning function was assigned to Rehabilitation Services within SRS.

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attachment 1

Transition Planning
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The transition statutes are permissive, allowing provision of services within available funding and staffing. In 1987 the Legislature authorized eight transition counselors; they began work in August 1987.

As of December 1990, there were 5,470 Kansas special education students ages 16-22 who could benefit from transition planning services. In contrast, the transition counselors can target services to only about 700 students a year.

For those who have been able to receive transition planning services, we have had positive outcomes. For example, 72% of the participants reported that transition planning was very useful. We have experience showing that transition planning can help special education students progress directly from school to employment or other services. This continuity of services and activity helps assure that they will retain - and even advance - the functional capability they had when they left school. However, in one year's time, if appropriate residential and work settings in communities are not available, these young adults almost certainly experience a functional loss. Functional loss equates to loss in independence and quality of life and to being less able to contribute to one's livelihood. Such functional loss denies a return on the special education investment and limits the net productivity of the Kansas economy.

Opportunities for people with disabilities have changed greatly since passage of the transition statutes in 1986. There are many more choices and options than there were five years ago. There have also been changes in federal legislation. The Americans with Disabilities Act (ADA) was passed in 1990. It prohibits discrimination against people with disabilities in employment, public accommodations, transportation and telecommunications. The Kansas Act Against Discrimination, amended last year, parallels the assurances of ADA.

On October 3, 1990 President Bush signed into law the Individuals with Disabilities Education Act (IDEA). This law requires that a statement of the needed transition services be included in the Individual Education Plan for students beginning no later than age 16, and annually thereafter. When determined appropriate for the individual student, this transition planning process can begin at age 14. This new requirement will enhance the outcome of individuals leaving high school and going into the community.

We need to revise the Kansas transition statutes to be in step with the federal laws and the growing opportunities. The proposed revision defines "individuals with disabilities" and "transition planning services" to coincide with ADA and IDEA. The new bill lowers the age requirements to age 16 to be in compliance with IDEA. The last important new component is the direction and development of local and state transition councils. Councils are a representative group of persons with disabilities and their families, school personnel, adult service agency personnel, employers and members of the general public. The councils develop annual plans to improve secondary special education, transition and transition planning services in their communities.

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Effect of Passage:

- 1) Special education students will be able to receive transition planning at an earlier age. Students will have enhanced independent living skills and improved functional job skills for future employment.
- 2) The new legislation will complement the ADA and IDEA legislation. In anticipation of services IDEA will require, Rehabilitation Services and the Kansas State Board of Education (KSBE) are working on an interagency agreement to further coordinate services and eliminate duplication. This proposed revision would positively impact this collaboration. The successful transition of youth with disabilities from school to work and adult life depends largely upon collaborative planning and cooperation of school personnel, transition service providers, post-secondary personnel, and employers.
- 3) There are now approximately 10,000 secondary special education students in Kansas. According to national statistics, 60% will not have jobs or will be in jobs at minimum wage or less one year after graduation. Without employment disabled adults are faced with long waiting lists for community services. Curtis Hartenberger, USD 501 school board member, recently stated that 4 of the 10 individuals on the KBI most wanted list are former special education students.

In contrast, transition services improve employment outcomes. Tax-users become tax-payers. This program is prevention oriented, not crisis driven.

- 4) The transition councils will aid in providing a grass roots effort to improve opportunities for individual students through modification of the Individual Education Plan process to include a statement of needed transition services and improvements of program capacity to support the service needs that are identified in the individual plans. The councils will be guided by program standards, implemented through proven effective procedures and supported cooperatively by KSBE and Rehabilitation Services. The essence of our transition councils is that they function at the local level. The members of the councils work together, supported by the strength of their own communities while assessing, planning and working to solve common problems and maximizing resources.

Recommendations: On behalf of Secretary Whiteman, Social and Rehabilitation Services respectfully requests the repeal of KSA 75-5372 to 75-5374 and the adoption of this updated transition planning services bill.

Thank you.

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attachment 1-3



KANSAS STATE BOARD OF TECHNICAL PROFESSIONS

(913) 296-3053

Suite 507, Landon State Office Building 900 Jackson Street Topeka, Kansas 66612-1214

TO: House Governmental Organization Committee

FROM: Kansas State Board of Technical Professions
Lori Callahan, Attorney

RE: S.B. 380

DATE: January 27, 1992

The Kansas State Board of Technical Professions regulates and licenses engineers, architects, land surveyors and landscape architects in the state of Kansas. S.B. 380 culminates many years of work of the Board, the societies representing these professions, and other interested parties. Attached is a Fact Sheet concerning S.B. 380 as well as amendments to the bill. These amendments constitute the current compromise position of the Board and the other interested parties. The Board would ask that you consider this legislation and the attached amendments and vote this bill out of committee with a recommendation for passage.

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ARCHITECTS ●

ENGINEERS ●

LANDSCAPE ARCHITECTS ●

LAND SURVEYORS



KANSAS STATE BOARD OF TECHNICAL PROFESSIONS

(913) 296-3053

Suite 507, Landon State Office Building 900 Jackson Street Topeka, Kansas 66612-1214

FACT SHEET ON S.B. 380

The substance of S.B. 380 was first proposed by the Kansas State Board of Technical Professions in the 1989 legislative session as S.B. 104. The Board of Technical Professions governs the practice of architecture, engineering, land surveying and landscape architecture in the State of Kansas. Since 1976 when these four professions were unified in one board, inconsistencies have existed in the laws which have resulted in the inability of the Board of Technical Professions to discipline those who have violated the intent of the purpose of the Board, which is the protection of the public health, safety and welfare. S.B. 380 was intended to resolve these inconsistencies and to make the Board a more effective guardian of the public health, safety and welfare. The essential goals and primary objectives of S.B. 380 are the following:

1. Define practice. To define the practice of each of the professions in such a manner so that the Board may bring action against those unlicensed individuals who are practicing in the four professions. The vague definitions of the professions as they currently exist have resulted in the Court's finding that individuals have not been put on sufficient notice by the statute that the activities they have engaged in are in fact professional activities and, therefore, have allowed the unlicensed practice of the professions.
2. Require a college degree for each of the professions. Few states continue to allow individuals to be licensed without obtaining some type of post-high school education. This would increase the professionalism, and in the Board's opinion, reduce incompetency and misconduct in the practice of the technical professions.
3. Establish a title law. Currently in the State of Kansas, the law is not clear as to whether individuals may use the title of architect, engineer, land surveyor or landscape architect as long as they do not practice in those areas. This is misleading to the public in that the public believes if an individual utilizes the title of one of the technical

professions, they are in fact licensed. S.B. 380 would clarify that individuals are not only precluded from practicing the technical professions if they are unlicensed, but are also precluded from using the title if they are unlicensed.

4. Strengthen the ability of the Board to prohibit the unauthorized and unlicensed practice of the professions by non-licensed individuals. Currently, individuals may be tried criminally by their local district attorney if they practice any of the technical professions without a license. Overburdened county attorneys, coupled with the vague definition of the professions, has resulted in county attorneys declining to prosecute those in their county who practice the technical professions without a license. S.B. 380 would strengthen the Board's ability to bring a civil action to enjoin individuals from such activity.

5. Clarify what activities are exempt from licensure. Currently, the statutes provide that individuals who perform certain types of renovations need not be licensed. The definitions utilized in the statute in some instances are such that even on the simplest of renovation projects, the involvement of a licensed individual would be required, while on the other hand in very complex renovations, a licensed individual's involvement is not required. S.B. 380 would utilize the definition of codes currently used by building code officials, such as the life safety code, to define when a licensed individual's involvement is needed and when it is not.

6. Disallow the unlicensed practice of the technical professions by corporation. Under the current corporate practice section of the statutes governing the technical professions, any corporation which has on its board a licensed individual, is allowed to practice the technical professions. Many cases have been litigated by the Board where the licensed technical professions merely showed up for annual meetings and had no other involvement other than being paid a minimal fee for the use of their name as a corporate officer. S.B. 380 would provide that corporations may only practice the technical professions if the licensed individual was in fact an active participant in the corporation.

7. Clarify authority of building code officials. Currently, the Board of Technical Professions receives numerous phone calls from various building code officials throughout the State of Kansas. These code officials are unclear as to whether they are required to issue building permits based upon plans which in their opinion require the seal of a technical professional when that seal is missing. S.B. 380 would provide that building code officials would require that all plans submitted to them either bear the seal of an individual in the technical

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professions, or if no seal is provided on the submission, then the individual would be required to submit to the building code official an affidavit as to why in the individual's opinion they are exempt from utilizing the services of a technical professional. The Board would then collect these affidavits on a regular basis, review them, and could more effectively prosecute the unlicensed practice of the professions.

Reform of the laws governing the Board of Technical Professions is long overdue and is now hindering the ability of the Board to discipline both licensees and nonlicensees. For this reason, the Board supports S.B. 380.

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1 of architecture, as defined in this act, for at least ten *eight* years,
2 which practice shall include responsible charge of architectural work
3 as principal;

4 (4) One ~~(1)~~ member shall be a licensed landscape architect, as
5 defined in this act, and shall have been engaged in the practice
6 of landscape architecture for at least seven *eight* years, which prac-
7 tice shall include responsible charge of landscape architectural work
8 as principal; and.

9 (5) One ~~(1)~~ member *Three members* shall be from the general
10 public of this state. ~~Whenever members of the board are meeting as~~
11 ~~a section comprised of one of the technical professions, a member~~
12 ~~from the general public shall be in attendance at such meeting.~~

13 ~~[(6) Engineers shall meet in a section meeting before each board~~
14 ~~meeting, and land surveyors shall meet in a separate section meeting~~
15 ~~before each board meeting.]~~

16 (b) Each member of the board shall be a citizen of the United
17 States and a resident of this state.

18 (c) *The amendments to this section shall not be applicable to any*
19 *member of the board who was appointed to the board and qualified*
20 *for such appointment under this section prior to the effective date*
21 *of this act.*

22 Sec. 3. K.S.A. 74-7006 is hereby amended to read as follows:
23 74-7006. The members of the first board shall be appointed
24 within sixty ~~(60)~~ days after the effective date of this act, to
25 serve for the following terms: One member of the board shall
26 be appointed to serve for one ~~(1)~~ year, two for two ~~(2)~~ years,
27 three for three ~~(3)~~ years, and three for four ~~(4)~~ years. The term
28 of each board member, first appointed hereunder, shall com-
29 mence on the day this act becomes effective. Whenever a vacancy
30 shall occur in the membership of the board by reason of the expi-
31 ration of a term of office, the governor shall appoint a successor of
32 like qualifications. All appointments made subsequent to those
33 herein first specified shall be for a term of four ~~(4)~~ years, but no
34 member shall be appointed for more than three ~~(3)~~ successive four-
35 year terms; except that any term served by a member as see-
36 retary shall not be considered, in applying successive term
37 limitations. *The term of each member first appointed after January*
38 *1, 1992, for the purpose of computing the length of the term of*
39 *such member, shall commence on the first calendar day subsequent*
40 *to the day of expiration of the preceding term, regardless of when*
41 *the appointment is made, and shall end on June 30 of the fourth*
42 *year of the member's term for those members whose terms commence*
43 *on July 1, or on June 30 following the third full year of the member's*

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1 the board under K.S.A. 74-7009 and amendments thereto shall be
2 accompanied by the same form providing current information. In
3 the event of a change of any officer of such corporation or a change
4 of any member of the board, such change shall be designated on
5 such form and filed with the board within ~~thirty (30)~~ 30 days after
6 the effective date of such change.

7 (c) If the board of technical professions finds that such corporation
8 is in compliance with all of the requirements of this section, the
9 board shall issue a certificate of authorization to such corporation
10 designating the branch or branches of the technical professions for
11 which such corporation is authorized to provide services. A corpo-
12 ration to which a certificate of authorization has been issued is hereby
13 authorized to provide services in the branch or branches of the
14 technical professions for which such corporation is authorized to
15 provide services under such certificate of authorization.

16 (d) No corporation issued a certificate of authorization under this
17 section shall be relieved of responsibility for the conduct or acts of
18 its agents, employees or officers by reason of its compliance with
19 the provisions of this section, nor shall any individual practicing a
20 branch of the technical professions be relieved of responsibility and
21 liability for services performed by reason of employment or rela-
22 tionship with such corporation. The requirements of this section shall
23 not affect a corporation and its employees in performing services
24 included within the term "technical professions" solely for the benefit
25 of such corporation or subsidiary or affiliated corporations. Nothing
26 in this section shall exempt any corporation from the provisions of
27 any other law applicable thereto.

28 (e) ~~As used in this section, the term "corporation" shall not~~
29 ~~include corporations organized under the professional corpo-~~
30 ~~ration law of Kansas.~~

31 New Sec. 24. A public official charged with the enforcement of
32 any state, county or municipal building code shall not accept or
33 approve any technical submissions involving the practice of the tech-
34 nical professions unless the technical submissions have been stamped
35 with the technical professional's seal as required by this act or unless
36 the applicant has certified on the technical submission to the appli-
37 cability of a specific exception provided for in K.S.A. 74-7035 and
38 amendments thereto permitting the preparation of the technical sub-
39 missions by a person not licensed under this act. A building permit
40 issued with respect to technical submissions which does not conform
41 to the requirements of this act is invalid. *The acceptance or approval*
42 *of technical submissions or the issuance of a building permit by a*
43 *public official, contrary to the provisions of this act, shall not create*

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1 *liability upon the public official or the official's governmental agency.*

2 New Sec. 25. (a) The state board of technical professions, in
3 addition to any other penalty prescribed under the act governing
4 the technical professions, may assess civil fines and costs, including
5 attorney fees, after proper notice and an opportunity to be heard,
6 against any person or entity for a violation of the statutes, rules and
7 regulations or orders enforceable by the board in an amount not to
8 exceed \$5,000 for the first violation, \$10,000 for the second violation
9 and \$15,000 for the third violation and for each subsequent violation.
10 All civil fines assessed and collected under this section shall be
11 remitted to the state treasurer at least monthly and shall be deposited
12 in the state treasury and credited to the state general fund. All costs
13 assessed under this section shall be remitted to the state treasurer
14 at least monthly and shall be deposited in the state treasury and
15 credited to the technical professions fee fund.

16 (b) In determining the amount of penalty to be assessed pursuant
17 to this section, the board may consider the following factors among
18 others: (1) Willfulness of the violation; (2) repetitions of the violation;
19 and (3) magnitude of the risk of harm caused by the violation.

20 New Sec. 26. Any person licensed to practice the technical
21 professions in the state of Kansas at the time this act takes effect
22 shall thereafter continue to possess the same rights and privileges
23 with respect to the practice of the technical profession for which
24 such person is licensed without being required to obtain a new
25 license under the provisions of this act, subject to the power of the
26 board as provided in this act to suspend or revoke the license of
27 any such person for any of the causes set forth in K.S.A. 74-7026
28 and amendments thereto, and subject to the power of the board to
29 require any such person to renew such license as provided in K.S.A.
30 74-7025 and amendments thereto.

31 Sec. 27. K.S.A. 75-1251 is hereby amended to read as follows:
32 75-1251. As used in K.S.A. 75-1250 to 75-1267, inclusive through
33 75-1267, and amendments thereto, unless the context otherwise
34 requires:

35 (a) "Firm" means such individual, firm, partnership, corporation,
36 association, or other legal entity which is: (1) permitted by law to
37 practice the profession of architecture; and (2) maintaining an office
38 in Kansas staffed by one or more architects who are licensed by the
39 board of technical professions; or (3) not maintaining an office in
40 Kansas but which is qualified to perform special architectural services
41 that are required in special cases where in the judgment of the
42 secretary of administration it is necessary to go outside the state to
43 obtain such services.

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1 work in connection with any utilities, structures, buildings,
2 machines, equipment, processes, work systems, or projects and
3 such architectural work as is incidental to the practice of en-
4 gineering those services described in subsection (i) of K.S.A. 74-
5 7003 and amendments thereto.

6 (c) "Agency head" means the chief administrative officer of a state
7 agency, as that term is defined in subsection (3) of K.S.A. 75-3701
8 and amendments thereto, but shall not include the chief adminis-
9 trative officer of any state institution.

10 (d) "Negotiating committee" means a committee designated to
11 negotiate as provided in this act, and consisting of (1) the agency
12 head of the state agency for which the proposed project is planned,
13 or a person designated by such agency head, (2) the secretary of
14 administration, or a person designated by said secretary, and (3) the
15 chief administrative officer of the state institution for which the
16 proposed project is planned, or when the proposed project is not
17 planned for a state institution, the agency head shall designate a
18 second person in lieu of the chief administrative officer of a state
19 institution.

20 (e) "Project" means any capital improvement project or any
21 study, plan, survey or program activity of a state agency, including
22 development of new or existing programs and preparation of federal
23 grant applications.

24 (f) "State building advisory commission" means the state building
25 advisory commission created by K.S.A. 75-3780 and amendments
26 thereto, or any duly authorized officer or employee of such
27 commission.

28 Sec. 29. K.S.A. 74-7003, 74-7005, 74-7006, 74-7008, 74-7009, 74-
29 7010, 74-7011, 74-7012, 74-7014, 74-7016, 74-7017, 74-7018, 74-7019,
30 74-7020, 74-7021, 74-7023, 74-7025, 74-7026, 74-7029, 74-7031, 74-
31 7032, 74-7033, 74-7035, 74-7036, 75-1251 and 75-5802 and K.S.A.
32 1990 Supp. 74-7022 and 74-7034 are hereby repealed.

33 Sec. 30. This act shall take effect and be in force from and after
34 January 1, 1992, and its publication in the statute book.

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attachment 2-8

TO: House Governmental Organization Committee

FROM: Marion "Wayne" Blackbourn, R.L.S.

SUBJECT: Senate Bill No. 380

DATE: January 27, 1992

My name is Wayne Blackbourn. I live at 1227 Exchange Emporia, Kansas. I'm a resident of the State of Kansas, since 1970. I humbly submit to this committee my petition for the consideration to amend Senate Bill No.380.

Since my graduation from Kansas State Salina (formerly known as Kansas Technical Institute), I have set two goals for myself. One was to obtain my Land Surveying License (in which has been completed), the other being a Professional Engineering license. Having discussed my last goal with the professors at Kansas State and Kansas University, it was brought to my attention, that without a four year degree I was unable to take the Engineer-in-Training exam. With a family to provide for I was unable to find the financial means to go back to school full time. So my last goal would not be met. After review of the Kansas statutes of the Board of Technical Professions. I had found the Board was providing a nontraditional student a chance to take the Engineer-in-Training exam, as stated in the statutes and rules and regulations of the Kansas State Board of Technical Professions

*J.O. 1-27-92
attachment 3*

Article 74-7021. Professional engineers; qualifications for licensure.

(a) Minimum qualifications of applicants seeking licensure as professional engineers are the following:

Par. (2) a specific record of (8) years or more of experience in engineering work of a character satisfactory to the board and indicating that the applicant is competent to practice engineering, and has successfully passed a written examination in the fundamentals of engineering. Graduation in a curriculum other than engineering from a college or university of recognized standing may be considered as equivalent to two (2) years experience and graduation in a board approved technical institute two-year curriculum covering engineering sciences shall be accepted for not more than two (2) years of the eight (8) years' experience set forth above;

The key question, "What is a board approved technical curriculum?"

Article 9 EDUCATION

66-9-4 Accredited engineering curriculum.

"An accredited engineering curriculum" shall mean an engineering curriculum accredited by the accreditation board for engineering and technology (ABET). (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7022; effective May 1, 1984.)

Since Kansas Technical Institute has been accredited by ABET from 1975 to the present. It was clear to me by reading the statutes I should have been able to take the exam for the engineer-in-training.

go 1-27-92
attachment 3-2

I made application to the board of Technical Professions "See exhibit A for copy of EIT application listing experience."

My next contact was from the Board stating I was ineligible "See exhibit B for the copy of the letter."

I called Betty Rose (Executive Secretary for the Board) stating it was my understanding from the statutes that I only needed six (6) years for licensure for the Professional engineer exam. Betty said through her experience with the Board I would be classified under:

Article 10. EXPERIENCE

66-10-7. Engineer experience required of a graduate of a two-year engineering technology curriculum. Each graduate of a two-year engineering technology curriculum shall be required to provide a verified record of 10 years of engineering experience.

I told Betty the section 66-10-7 had not addressed an ABET accredited two (2) year program, and asked if she would go ahead and place my application to the board. With my application I had sent a letter stating my views. "See exhibit C for the copy of the letter".

At this time with the discussion I had with Betty that I was dealing with a very conservative Board.

g o 1-27-92
attachment 3-3

I received a letter back from the Board ("See exhibit D for the copy of the letter") granting only one year credit for education. This would mean that I would not be eligible for the engineer-in-training exam until July 1, 1992 . Having been informed that there is a bill to change the statutes for the application to the engineer profession, I thought it would be in my best interest to know how this bill would effect me and others in my profession.

1. The qualifying date January 1, 1992 shall need to be changed to January 1, 1993 to allow myself and other individuals in my profession the opportunity to make the necessary career decisions.

2. There is no amendment to allow the grandfathering of existing applicants for the engineer-in-training or professional engineer candidates to achieve licensure.

Before I begin this endeavor, I had asked the City Engineer what advantages that would be available. He stated the position for Assistant City Engineer does require an engineer-in-training certificate.

In my current position, I have the potential for advancement. Since I have already missed the October, 1991 testing date, do to the interpretation of the Board that has seriously jeopardized my advancement. I had sought legal council that had agreed with my interpretation of the statutes and advised me of my options. I furthermore, contacted the office of the Attorney General and spoke with Gwen Easley whom is in charge of the affairs for the Board of Technical Professions. Gwen was elusive in the answers to my question as not to form an opinion. Gwen explained the "rules and regulations were a supplement to the statutes so as to fill the holes".

So I stated as the statutes read that under Article 74-7021 par. 2 that I would be eligible for licensure with six (6) years of engineering experience, making the comment that the rules and regulations must of filled a pretty big hole since I am not eligible to take the engineering-in-training exam before six (6) years of the some experience.

Having not much time to properly prepare more data for this committee I could only research two facts that Lori M. Callahan, Attorney to the Kansas State Board of Technical Professions presented to the Senate Governmental Organizations Committee March 26, 1991.

1. "The intent and the purpose of the Board, which is to protect the public health, safety and welfare."

2. "Require a college degree for each of the professions."

Few states continue to allow individuals to be licensed without obtaining some type of post-high school education. This would increase the professionalism, and in the Board's opinion, reduce incompetency and misconduct in the practice of the technical professions."

With these quotes in mind I ask the surrounding states Colorado, Nebraska, Oklahoma and Missouri each these questions;

1. Do you allow nontraditional students to take the engineer-in-training exam?

2. What are the requirements for the professional engineer and engineer-in-training?

3. Have you seen more problems with the nontraditional engineer vs. degree engineer?

Colorado:

1. Yes

2. P.E.: Graduate of a ABET accredited engineering curriculum plus four (4) years experience for a total of eight (8) years (the graduate may be eligible for the EIT the last year of school). or Graduate of Metro State four year technology curriculum plus six (6) years for a total of ten (10) years (the graduate will be eligible for the EIT after two (2) years experience). or Any graduate of a two year engineering curriculum plus eleven (11) years for a total of twelve (12) years (the graduate will be eligible for the EIT after five (5) years experience). or Any non-graduate for a total of twelve (12) years (six (6) years of experience to be eligible for the EIT).

3. "We have engineers with no education experience that have been around for twenty (20) years." That is just as good as any graduate engineer".

Nebraska:

1. Yes

2. P.E.: Graduate of a ABET accredited engineering curriculum plus four (4) years experience for a total of eight (8) years (the graduate may be eligible for the EIT the last year of school). or Any graduate of a two year engineering curriculum plus nine (9) years for a total of ten (10) years (the graduate will be eligible for the EIT after five (5) years experience). or Any non-graduate for a total of ten (10) years (six (6) years of experience to be eligible for the EIT).

3. " No it seems people that have the the (B.S.) engineering degree get in more trouble than the non-degree engineers".

Oklahoma:

1. Yes

2. P.E.: Graduate of a ABET accredited engineering curriculum plus four (4) years experience for a total of eight (8) years (the graduate may be eligible for the EIT the last year of school). or Any graduate of a two year engineering curriculum shall be evaluated by the board for classification and requirements. or Any non-graduate for a total of twelve (12) years, and note the applicant may waive the EIT exam.

3. Was unable to recall any comparisons for this question.

Missouri:

1. No

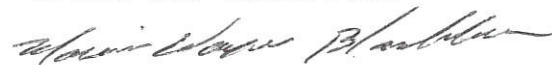
2. P.E.: Graduate of a ABET accredited engineering curriculum plus four (4) years experience for a total of eight (8) years (the graduate may be eligible for the EIT the last year of school).

3. N/A

From this research I find no evidence that the public is in danger of the nontraditional student or the fact that only a few states continue to allow individuals to be licensed without obtaining some type of post-high school education. I believe it would be better stated that only a few states will allow individuals to be licensed with less than a four year degree.

To conclude my petition, I would like to state for the record that Senate Bill #380 must be passed this year, providing the qualifying date to be changed to January 1, 1993 and provide an amendment to allow the grandfathering of applicants to achieve licensure, plus reconsider combination of education and experience for the applications of the engineering-in-training.

Sincerely submitted



Marion "Wayne" Blackbourn

(8)

G. O. 1-27-92
Attachment 3-8

STATE OF KANSAS
BOARD OF TECHNICAL PROFESSIONS
APPLICATION

USE A TYPEWRITER WITH BLACK RIBBON

1. GENERAL INFORMATION

Profession for which applying Engineering Civil
(Engineering; Landscape Architecture; Land Surveying)

Basis for Application EIT Certification
(Original License; Comity/Reciprocity; EIT Certification)

Name as desired on seal Marion Wayne Blackbourn
(not to exceed 20 letters) (First) (Middle) (Last)

Residence Address 1227 Exchange Emporia Kansas 66801
(Street) (City) (State) (Zip)

Business Address 104 E. 5TH. Emporia Kansas 66801
(Street) (City) (State) (Zip)

State of Residency Kansas Telephone Number (316) 342-5105 Ext. 261 (8:00-5:00)

Date of birth July 2, 1960 Social Security Number 515-60-9650

2. EDUCATION

List the colleges, universities, or technical schools you have attended, give the dates of attendance, date you graduated or will graduate, and type of degree you received or will receive. If not a graduate, outline nature and extent of studies.

Name and Location of Institution	Dates Attended (From-To)	Date Graduated	Degree Received
Kansas Technical Institute	8/83-12/85	5/86	Associate Civil Engr.
Kansas Technical Institute	8/83-12/85	5/86	Associate Surveying

An Official Transcript is Required and is: Enclosed; Being forwarded from my school; or Included in my national council record, which is being forwarded.

National Council Number _____

STOP here and **SKIP** to signature line, if you have a national council record being forwarded; are a Non-Student EIT applicant with an accredited engineering degree; are a Non-Student EIT applicant with a non-accredited engineering degree with a Masters; or are a landscape architect applicant, for original license, with an accredited degree.

3. REGISTRATION HISTORY

List any EIT, or LSIT Certifications, or any current licenses you presently hold and professional examinations you have previously taken in this or any other state. State the type of certification/license or examination; the state in which you are certified or licensed, and license number; the date of examination; the number of hours; and the date of issue.

Type of Certificate or Examination	State and License No.	Date of Exam	# of Hours	Date of Issue
KDOT Const. Insp.	Kansas #374			5-1-86
Land Surveying	Kansas #1127	4/90	16hrs.	6-12-91

Is original registration currently in good standing? yes

g. O. 1-27-92
Attachment 3-9

4. PROFESSIONAL EXPERIENCE

Important: Read all instructions in this section before completing experience record.

1. In chronological order beginning with first engagement after your degree (you may list co-op approved programs during college), enter month and year of engagement. DO NOT use "Present" in this column. The letter (a) designates your first experience engagement. Letter subsequent engagements consecutively with (b), (c), etc.
2. State the title of your position, the name and location of your employer. Engineering engagements must be explained in detail giving specific examples. If you have been employed by more than one employer, each is considered a separate engagement. Do not leave any gaps in experience.
3. Enter total time spent on engagement in Column 1. Enter the portion of your total time spent in activity other than engineering in Column 2. Enter the portion of your total time spent in engineering in Column 3. Columns 2 and 3 should equal Column 1. Use Years/Months.
4. Enter the name of the person most familiar with your experience in each engagement, preferably your immediate supervisor, who will verify this engagement. Send a reference form and a copy of your experience record to each employer/supervisor listed in this column. You must have at least three licensed professional engineers verify your experience, and each engineering engagement must be verified to obtain credit.

NOTE: Any engineering work performed after May 1, 1988, must be under the direct supervision of a licensed professional engineer.

Dates (Month & Year)		Engagement	(1)	(2)	(3)	(4) Reference
From	To		Total Time	Non- Engineer	Engineer	Name & Profession & License No.
5/84	8/84	(a) Engineer Technician 1 Montgomery County Engr. Dept. Montgomery County, Independence, Kansas Duties performed were researching government surveys, right-of-way descriptions and roadway alignments of dedicated County right-of-way in the office of Register of Deeds. Working on the survey crew as rodman and instrument man that performed retracements of original surveys, reestablishing of lost corners throughout the County and right-of-way surveys.	.25	.25	0	Kurt Booe PE#5299 Division Manager Kirkham, Michael & Ass.
5/85 1/86	8/85 3/87	(b) Chief Surveyor, Mid-Continent Engineers, Salina, Kansas. Engineering time included interaction with the Engineer, so AS to discuss the requirements for the engineering surveys, listed as follows; Geometrical improvements of existing intersections, replacement of bridges, roadway improvements, channel reconstruction and sanitary sewer survey.	1.42	.50	.92	Dale Martinitz PE#5143 Civil Owner

00 1-27-92
 Attachment 3-10

3/87

4/89

NOTE each survey listed required field judgment as to the requirements for engineering design. Other engineering duties consist of inspection of KDOT secondary road & bridge and bituminous overlay projects. Each project required testing of materials for compliance, and the inspection of the work of the project, to assure compliance with the drawings and specifications.

Non-engineering work consists of land surveying with all the expected work affiliation.

(c)
 Field Engineer,
 Martin K. Eby Construction,
 Bedford, Texas.

2.08

-

2.08

Joe Lindeman
 V.P./ Area Manager
 M.K. Eby Const.

Joe Lee
 PE#57845 Civil
 Supervisor M.K. Eby

Engineering time included interaction with state inspectors and design engineers as to complete the project to the engineers drawings and specifications. This required preliminary inspection for placement of reinforcing steel, testing of materials and staking the layout of bridge columns, abutments, bridge deck grades and road alignment. All this type of quality control engineering was to complete the project with minimum rework and to assure the high standard of engineering for the completion of the projects.

Cont. See Attached Sheet for Engagement (d)

*D.O. 1-27-92
 Attachment 2-11*

4. PROFESSIONAL EXPERIENCE

Important: Read all instructions in this section before completing experience record.

1. In chronological order beginning with first engagement after your degree (you may list co-op approved programs during college), enter month and year of engagement. DO NOT use "Present" in this column. The letter (a) designates your first experience engagement. Letter subsequent engagements consecutively with (b), (c), etc.
2. State the title of your position, the name and location of your employer. Engineering engagements must be explained in detail giving specific examples. If you have been employed by more than one employer, each is considered a separate engagement. Do not leave any gaps in experience.
3. Enter total time spent on engagement in Column 1. Enter the portion of your total time spent in activity other than engineering in Column 2. Enter the portion of your total time spent in engineering in Column 3. Columns 2 and 3 should equal Column 1. Use Years/Months.
4. Enter the name of the person most familiar with your experience in each engagement, preferably your immediate supervisor, who will verify this engagement. Send a reference form and a copy of your experience record to each employer/supervisor listed in this column. You must have at least three licensed professional engineers verify your experience, and each engineering engagement must be verified to obtain credit.

NOTE: Any engineering work performed after May 1, 1988, must be under the direct supervision of a licensed professional engineer.

Dates (Month & Year)		Engagement	(1)	(2)	(3)	(4) Reference
From	To		Total Time	Non- Engineer	Engineer	Name & Profession & License No.
4/89	7/91	(a) (d) Engineer Technician, City of Emporia Engr. Dept. Emporia, Kansas. Engineering time includes interaction with the City Engineer for all design and construction inspection. Duties include preparation of construction plans, specifications and bid documents. Prepare the preliminary and final estimates of work and material required; establish grades for design of streets, curb and gutters, sidewalks, alleys, parking lots and other projects such as water mains, sanitary sewer and storm sewers; traffic engineering studies and surveys to determine need for application and other similar public works projects. The above work described requires independent judgment within standard perimeters of design. Non-Engineering work consists of researching existing boundary surveys and other duties. TOTAL-TIME =	2.25	.25	2.0	Mike Novak PE#7288 Civil City Engr.
			6.0	1.0	5.0	

9.0. 1-27-92
 Attachment 2-12

Exhibit



KANSAS STATE BOARD OF TECHNICAL PROFESSIONS

(913) 296-3053

Suite 507, Landon State Office Building 900 Jackson Street Topeka, Kansas 66612-1214

July 2, 1991

Marion Wayne Blackburn
1227 Exchange
Emporia, KS 66801

RE: Application for EIT Examination

Dear Mr. Blackburn:

Upon initial review of your application in the above-referenced matter, it would appear that you are a graduate of a two year technology program. You would receive 1 year credit for your education, and would need to show at least 6 years of engineering experience in order to be admitted to the fundamentals of engineering examination. A copy of the Kansas State Board of Technical Professions' table of requirements is enclosed for your use.

As your total engineering experience is only 5 years, we are returning your check for \$25.00 and application materials you submitted.

Once you have met the requirements of Kansas, you may wish to reapply. If you have any questions, please feel free to contact this office.

Sincerely,

Betty L. Rose
Executive Secretary

BLR:pa
Encl.

90 1-27-92
attachment 3-13

TABLE OF REQUIREMENTS - E.I.T. AND P.E. CANDIDATES

Exhibit 15

PIPELINE	CLASSIFICATION	Maximum credit for Education in years	Minimum required Experience in years	Total Educ. & Exp. Required for EIT Exam	Additional Experience	Total Educ. & Exp. Required for PE Exam
A	Graduate of an accredited engineering curriculum with MS or Ph.D in engineering	5	0	5*	3**	8
B	Graduate of an accredited engineering curriculum	4	0	4	4**	8
C	Graduate of a non-accredited engineering curriculum with MS or Ph.D in engineering	4	0	4	4	8
D	Graduate of a non-accredited engineering curriculum	3	1	4	4	8
E	Graduate of a Board approved related science curriculum w/ MS or PhD in engineering	2.5	1.5	4	4	8
F	Graduate of an accredited four-year technology program	2	4	6	4	10
G	Graduate of a non-accredited four-year technology program	1.5	5	6.5	4	10.5
H	Graduate of a Board approved related science curriculum	1.5	5	6.5	4	10.5
I	Graduate of a two year technology program	1	6	7	4	11
J	Non-Graduate	0	8	8	4	12

9.0 1-27-92
Attachment 3-14

* Applicants would be eligible for E.I.T. as graduate of an accredited engineering curriculum (4 years).
 ** Applicants may be admitted to P.E. exam during their last year of experience.

NOTE: This table is provided ONLY as a guideline. Education and experience are evaluated by the board.
 SEE BACK OF THIS FORM FOR PIPELINE CLASSIFICATION DEFINITIONS

Exhibit C

July 7, 1991

Betty L. Rose
Executive Secretary
Kansas State Board of Technical Professions
Suite 507, Landon State Office Building
900 Jackson Street
Topeka, Kansas 66612-1214

RE: Review For EIT Examination

Dear Betty L. Rose :

As we discussed over the telephone regarding the initial review and return of my application, I'm enclosing the application materials and check for full review by the Board.

At this time I wish that you would make a copy available of the following information to the members of the board, regarding my grievance as being evaluated in pipeline I for the required experience and education. The existing table of requirements does show the provided classification and Engineering experience for an two-year Engineering technology curriculum accredited by ABET (in which Kansas Technical Institute has been accredited since 1976), as set forth under section 74-7021 par. two (2) of the state statutes and rules and regulations in which states an approved two-year technical curriculum covering engineering sciences shall be accepted for not more than two (2) years of the eight (8) years experience. The definition for an approved curriculum is set forth under article 9, section 66-9-3 and 66-9-4 of the state statutes and rules and regulations.

To be evaluated under pipeline I as defined in section 66-10-7 would describe any two-year engineering technology program that is provided by several junior colleges. Being a member of the civil engineering advisory board at the Flint Hills area technical institute that provides a co-op program with Butler Co. Community College for an Associates degree in Civil Engineering Technology, which would be an inadequate program for comparing to the Kansas Technical Institute ABET accredited program for an associates degree in civil engineering technology that is the only two-year ABET accredited program in Kansas.

Please contact me if you have any questions regarding this letter or regarding my qualifications.

Sincerely,

Marion Wayne Blackburn

9.0 1-27-92
Attachment 3-15



KANSAS STATE BOARD OF TECHNICAL PROFESSIONS

(913) 296-3053

Suite 507, Landon State Office Building 900 Jackson Street Topeka, Kansas 66612-1214

September 16, 1991

Marion Wayne Blackburn
1227 Exchange
Emporia, KS 66801

RE: Application for NON STUDENT EIT Exam

Dear Mr. Blackburn:

At its recent meeting on September 13, 1991, the Board of Technical Professions met and reviewed your application in the above-referenced matter. The Board directed me to write and advise you that your application has been denied.

As a graduate of a two-year technology program, you have been granted 1 year credit for your education.

Your experience has been evaluated in the following manner:

(a) 5/84-8/84	Montgomery Co	Credit: 0
(b) 5/85-3/87	Mid-Continent	Credit: 11m
(c) 3/87-4/89	Martin K. Eby	Credit: 2y, 1m
(d) 4/89-7/91	City of Emporia	Credit: 2y

This gives you a total education and experience of 6y. The total requirement for education and experience for your pipeline is 7y.

You may update once you have obtained the additional 1y engineering experience.

Sincerely,

Betty L. Rose
Executive Secretary

BLR:pa



Kansas Engineering Society

A state society of the National Society of Professional Engineers

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 - Education
Donald Rathbone, P.E.
Manhattan

**Testimony before the House Governmental Organizations Committee
January 27, 1992**

Mr. Chairman, Members of the Committee, I am Bill Henry, Executive Vice President of the Kansas Engineering Society, and I appear before you today in support of S.B. 380.

The Kansas Engineering Society is composed of more than 1,000 licensed engineers who reside in the state of Kansas and who are governed by state law and the rules and regulations of the Kansas Board of Technical Professions.

Licensed engineers represent more than 68 percent of the individuals licensed by the Board of Technical Professions. All of the professions that are governed by the Board of Technical Professions have met and discussed the features of this bill, including the individual practice definitions, and the measure before you is a good product of discussion and compromise.

The Kansas Engineering Society hopes the committee will act with dispatch and recommend the bill favorable for passage along with the amendments offered to you by counsel for the Board of Technical Professions.

I would be happy to respond to any questions the committee may have.

Respectfully Submitted,

**William M. Henry
Executive Vice President
Kansas Engineering Society**

WMH/la

*g.o. 1-27-92
attachment-4*



KANSAS SOCIETY OF LAND SURVEYORS

Affiliated With the American Congress on Surveying and Mapping

WRITTEN TESTIMONY

TO: HOUSE GOVERNMENTAL ORGANIZATION COMMITTEE
FROM: STEVEN S. BROSEMER, RLS
THE KANSAS SOCIETY OF LAND SURVEYORS
RE: SENATE BILL 380
DATE: JANUARY 27, 1992

Mr. Chairman, Members of the House Governmental Organization Committee:

Thank you for the opportunity to speak with your Committee today as a proponent of Senate Bill 380.

I am Steven S. Brosemer, a licensed land surveyor with GeoTech, Inc., located in Emporia, Kansas. I am here today representing the Kansas Society of Land Surveyors as Chairman of the Legislative Committee.

Senate Bill 380, along with the new proposed rules, regulations and policies, will catapult the Kansas State Board of Technical Professions into the 1990's. This bill does not only contain something for all of the Technical Professions. Most importantly, it also strengthens the Board's legislative purpose of protecting the health, safety and general welfare of the public.

I was President of the Kansas Society of Land Surveyors in 1988 when this legislation was initiated. What we have before us today is a far cry from the first draft. We at KSLs are proud to endorse Senate Bill 380 in its present form and applaud the efforts of all of the Professional Societies in reaching this compromise bill before your Committee today. The Board of Technical Professions, through Executive Secretary Betty Rose, is to be commended for effectively coordinating and communicating the concerns of each of the Technical Professions.

In short, I urge you to pass this legislation as amended.

Thank you again, for this opportunity to testify on behalf of Senate Bill 380 and I am ready to address any questions that you may have.

Respectfully Submitted by:

Steven S. Brosemer, RLS

90-1-27-92
Attachment-5



January 27, 1992

TO: Members of the House Governmental Organizations
Committee

FROM: Trudy Aron

RE: **SUPPORT FOR SB 380**

Mr. Chairman and Members of the Governmental Organizations Committee, I am Trudy Aron, Executive Director of the American Institute of Architects in Kansas (AIA Kansas). Thank you for the opportunity to appear before you today in support of SB 380.

The bill before you is the culmination of a multi-year effort on the part of the Board of Technical Professions and the four professions it regulates.

This bill defines the various professions and streamlines and coordinates the requirements for the four professions under the Board. While I won't go into the changes, we do want you to know that compromises have been made by all of the professions. The bill before you is a reflection of those compromises and is one on which we all have reached agreement.

We want to underscore our support the new Sections 24 and 25 which will aid the Board in their enforcement activities. Section 24 will allow the local code official to stop many potential violations of the law before they occur. The authority of the Board to assess civil fines will help in their enforcement activities, especially against those who repeatedly violate the law.

We urge you to support SB 380. I will be happy to answer any questions you may have at this time.