



To: Senate Commerce Committee
From: Travis Lowe
Kansas Society of Professional Engineers
Date: February 23, 2021
Re: Neutral Testimony on SB 137

Mr. Chairman and members of the committee,
Thank you for the opportunity to offer input for Senate Bill 137. I am Travis Lowe, appearing on behalf of the Kansas Society of Professional Engineers (KSPE).

For over 110 years, KSPE has worked to promote engineering by delivering professional development services, encouraging licensure, and advocating legislation and public policy for the betterment of human welfare and the industry.

KSPE supports the underlying intent of the bill to assist new residents, military, and military spouses to become licensed in Kansas in an expedited fashion. However, our intention is to make the committee aware of anticipated consequences with a suggested solution to relieve our concern.

To be clear, KSPE is not here today asking to be exempt from this bill. Our request, instead, is to be included in subsection (S), which would allow licensed professional engineers and other technical societies the ability to continue measuring qualifications for a new license rather than simply work experience or similar scope of practice. This is the same ability that was provided by the agreed-upon bill considered before this committee last session. Licensed professional engineers have specific reasons to justify such an amendment that will be covered in our following testimony.

SB 137 changes the path to licensure to be based off work experience instead of adhering to the qualifications pursuant to existing Kansas law.

Unlike many professions such as pharmacists or dentists, engineers have a workforce consisting of both unlicensed and licensed engineers. A large percentage of people that graduate with engineering degrees who practice some type of engineering never become licensed. The other portion of the workforce are licensed professional engineers who are awarded licensure based off their qualifications that take no less than eight years to earn. The engineering industry has functioned this way since 1910. Kansas statute is peppered with functions of industry project oversight that can only

be legally approved by a licensed professional engineer.

Though unlicensed engineers and licensed professional engineers may work on similar scope and projects, the statutory permission given to licensed professional engineers is due to the license qualification and its accountability. SB 137's proposed instruction to the State Board of Technical Professions to measure applicants by work experience or similar scope of practice, instead of qualifications as stated in last session's bill and by current law, changes this.

KSPE is aware of such unintended consequences seen in Missouri in the first few months of enactment of their 2020 licensure reciprocity law that failed to provide the licensure board such authority. Though requirements for professional engineer licensure is very similar from state to state, there are exceptions. Documented examples show where the new Missouri law forced engineer licenses to be granted to new residents that would not have been possible for a person who began their career in Missouri.

Some states have granted licensure with exemptions to taking and passing the national exams required by Kansas. Other states grant licenses with extremely different engineering education requirements from Kansas. If work experience or a scope of practice is the measurement for Kansas licensure instead of substantial equivalent qualifications, new licenses may be granted in ways not possible for our members in Hutchinson or Salina that graduated from Kansas State University. Moreover, these individuals would be given significant authority powered by existing statute.

KSPE respectfully requests the committee to amend the bill to add the State Board of Technical Professions to subsection (s), which allows them to measure substantially equivalent qualifications, as agreed upon in the 2020 bill.

The proposed amendment is included on the following page.

If such an amendment is adopted by the committee, KSPE will communicate that our concerns with the bill have been resolved. Thank you for the opportunity to offer our thoughts on SB 137 and your consideration.

Respectfully,

Travis Lowe

Amendment Proposed by the Kansas Society of Professional Engineers

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(s) *The state board of healing arts and the state board of technical professions shall not be exempt from the provisions of this section, except that the board may deny any application for licensure, registration or certification, or decline to grant a temporary or probationary license, if the board determines the applicant's qualifications are not substantially equivalent to those established by the board.*

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(t) *This section shall apply to all licensing bodies not excluded under subsection (r), including, but not limited to:*
(1) *The abstracters' board of examiners;*
(2) *the board of accountancy;*

(3) *the board of adult care home administrators;*
(4) *the secretary for aging and disability services, with respect to K.S.A. 65-5901 et seq. and K.S.A. 65-6503 et seq., and amendments thereto;*
(5) *the Kansas board of barbering;*
(6) *the behavioral sciences regulatory board;*
(7) *the Kansas state board of cosmetology;*
(8) *the Kansas dental board;*
(9) *the state board of education;*
(10) *the Kansas board of examiners in fitting and dispensing of hearing instruments;*
(11) *the board of examiners in optometry;*
(12) *the state board of healing arts, as provided by subsection (s);*
(13) *the secretary of health and environment, with respect to K.S.A. 82a-1201 et seq., and amendments thereto;*
(14) *the commissioner of insurance, with respect to K.S.A. 40-241 and 40-4901 et seq., and amendments thereto;*
(15) *the state board of mortuary arts;*
(16) *the board of nursing;*
(17) *the state board of pharmacy;*
(18) *the Kansas real estate commission;*
(19) *the real estate appraisal board;*
(20) *the state board of technical professions; as provided by subsection (s); and*
(21) *the state board of veterinary examiners.*