

LES Legislative Update

March 29, 2016

Text in regular font is original notes from Legislative Conference Call of March 8.

Text in large bold font is notes for this update of March 29.

SB59 – Martiny Bill

- We need to express our opposition to Senate & House Commerce Committee members since this is where the bill will be heard first. Important that we CALL or schedule a meeting with them, not just send emails. We concede that if Sen. Martiny wants to push his bill it will get out of the Senate Commerce Committee since he is chairman.

We have contacted many of the Committee members along with other Senators & Reps that LES members are acquainted with. We need to continue to make contacts and spread the word of LES's opposition.

- LES Members were assigned committee members to contact, see both House and Senate lists for assignments.

A running list of contacts is being prepared to keep track – continue to make contacts.

- Need to develop Talking Points. Everyone was asked for input and Miles will compile and develop Talking Points to be distributed to group by Friday if possible.

Talking Points were generated and distributed to LES committee on March 11.

- Consider distributing Talking Points to membership and request that everyone that can, call Senator Martiny's office and express opposition. It would be most appropriate if it came from any LES members that are in Sen. Martiny's district.

Brenda sent email call to membership and all other registered engineers with Louisiana residency on March 16. From all the information we have received this effort has been effective and that the Senator has heard our message of opposition.

- We will consider what additional actions to take if the bill gets out of one or both of the committees.

LES Lobbyist Ryan Haynie met with Senator Martiny on March 28 to gauge his "mood" about SB 59. Ryan reported that Martiny is fully aware that LES (and generally the engineering profession) are opposed to the bill. This means our grassroots efforts are working. Ryan said Martiny indicated that he was not real strong on the bill, almost did not file it this session and realizes that it will not pass. He would not commit to pulling the bill but indicated that he will not put it on the agenda of his committee any time soon. Ryan said that LES should continue to work our plan to reach Senators and Representatives on the Commerce Committees.

- Will coordinate our efforts and information with ACEC and ASCE. Will ask them to help with our efforts. Chris Richard will ask NSPE to send a letter of opposition. NCEES sent a letter of opposition to the bill last year, we will run that down and ask them to do the same this year.

Miles reached out to ASCE & ACEC/L by email on March 17 informing them of what we were doing and offering to meet with them to discuss further. ACEC/L invited Miles to their legislative meeting on March 30 which he will attend.

Chris Richard coordinated with NSPE and they issued an opposition letter to Senator Martiny dated March 18 (see attached).

- ASCE contact – Chris Humphries, President. Norma Jean is National President.

Contact made on March 17

SB283 – Sharon Hewitt Military Bill

- Miles will find out where it originated from.

Craig Dooley made the request of Senator Hewitt to sponsor this legislation. She is his Senator. She seems to understand the issue and is trying to help the profession and LAPELS by promoting this fix.

- Asked that LAPELS discuss and get back to this committee – LAPELS next board meeting is 3/21 **LAPELS endorsed this legislation at their board meeting. They determined that some tweaks to the language would make it better and their Executive Director and lawyer are going to reach out to Senator Hewitt to see if she is receptive to amending the proposed bill. LES needs to consider supporting this bill.**

- **From meeting with ACEC/L & LAPELS one additional Bill of Interest may be S.B. 239 by Senator Malkovich:**

Proposed law provides that proper venue for all administrative hearings relative to the licensing, certification, discipline or registration of any regulated profession and occupation regulated by present law will be the parish wherein the licensee or certificate holder is domiciled.

LAPELS will make a determination about this bill. It appears to not be in the best interest of the public.



**National Society of
Professional Engineers®**

March 18, 2016

Chairman Danny Martiny
Louisiana Senate Commerce, Consumer Protection, and International Affairs Committee
P.O. Box 94183
Baton Rouge, LA 70804

Dear Chairman Martiny,

On behalf of the more than 31,000 members of the National Society of Professional Engineers (NSPE), I respectfully submit the following comments in opposition to Louisiana Senate Bill No. 59 *Engineers: Provides for the Qualifications of Professional Engineers*. This legislation seeks to waive the fundamentals of engineering (FE) exam when 1) an applicant possesses a degree in engineering that the Board rules acceptable, 2) the applicant possesses qualifying engineering work experience, to be determined by the Board, 3) the applicant has passed the PE exam and 4) the applicant has held an active license in another state or territory within the past five years and 5) has no history of disciplinary action.

While NSPE appreciates that the committee understands the need for licensure, this legislation will, unfortunately, have the effect of weakening licensure requirements in Louisiana, and will lower standards for applicants from other states. Most important of all, the legislation, in weakening licensure requirements, threatens the public health safety, welfare as Louisianans are constantly exposed to and depend on the work of PEs (highways, bridges, water systems, industrial facilities, and flood protection systems just to name a few).

It is the policy of the National Society of Professional Engineers that, in order to earn licensure as a PE, one must 1) graduate from an ABET/EAC accredited four year-engineering program or one assessed by ABET/EAC as substantially comparable, as the base educational requirement for licensure, 2) pass the fundamentals of engineering (FE) exam and the PE exam and 3) earn four years of experience under the supervision of a licensed PE. The FE exam is the first step in the licensure process. Therefore, passage of such legislation would seriously undermine a critical foundation of professional engineering practice. These standards have served as the backbone of the profession and public safety for decades.

We appreciate the opportunity to provide this comment and hope that you will consider withdrawing this legislation. Please contact Miles Williams, P.E., the Legislative Liaison Committee Chair of the Louisiana Engineering Society (LES) or Brenda Gajan, LES Executive Director, at brenda@les-state.org, with any comments, concerns, or questions.

Sincerely,

Timothy R. Austin, P.E., F.NSPE
President
National Society of Professional Engineers

CC: Miles Williams, P.E., Legislative Committee Chair, Louisiana Engineering Society
Brenda Gajan, Executive Director, Louisiana Engineering Society

2015-16
BOARD OF DIRECTORS/OFFICERS

Michael J. Conzett, P.E.
President

David H. Widmer, P.L.S.
Past President

Daniel S. Turner, Ph.D., P.E., P.L.S.
President-Elect

Gary W. Thompson, P.L.S.
Treasurer

Christy K. VanBuskirk, P.E.
Central Zone Vice President

Roy E. Shrewsbury II, P.S.
Northeast Zone Vice President

Theresa Hilliard Hodge, P.E.
Southern Zone Vice President

Patrick J. Tami, P.L.S.
Western Zone Vice President

Jerry T. Carter
Chief Executive Officer

March 22, 2016

Donna D. Sentell, Executive Director
Louisiana Professional Engineering and Land Surveying Board
9643 Brookline Avenue, Suite 121
Baton Rouge, LA 70809

Re: SLS 16RS-301

Dear Donna:

I have been made aware of pending legislation before the Louisiana legislature that would modify the requirements for licensure under the Louisiana Professional Engineering and Professional Surveying Act to allow individuals to be exempted from successful completion of the Fundamentals of Engineering (FE) examination under specified conditions. I am writing you to express concern about this effort and the potential harm to the general public it may cause.

The National Council of Examiners for Engineering and Surveying (NCEES) consists of the boards of all U.S. states, the District of Columbia, Guam, Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands that license and regulate the engineering and surveying professions in their respective jurisdictions. It is through this confederation of occupational licensing boards that model documents have been developed and utilized as best practices in a manner that safeguards the health, safety, and welfare of the general public.

In order to better effect mobility between jurisdictions and to provide for a fair and legally defensible method for determining minimum competence, NCEES created and began offering licensure examinations in the mid-1960s. All 55 NCEES member boards use these examinations, along with an evaluation of education and experience, to determine if an individual is qualified to be licensed in the engineering or surveying profession. These examinations are developed by thousands of licensed individuals who volunteer their time and expertise to ensure that candidates are being tested on the general theory of engineering or surveying as well as the skills and knowledge required for current professional practice. These examinations are evaluated every five to seven years to ensure that they are relevant and conform to national testing standards.

The FE examination is critical to the process of licensure because it tests for basic engineering knowledge that would be expected of anyone who is allowed to offer services to the general public. This examination can be taken as soon

Donna D. Sentell, Executive Director

March 22, 2016

Page 2

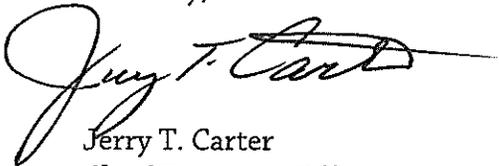
as an individual has reached senior status in an ABET-accredited engineering program or any time after graduation Experience is not required to qualify to take the FE since this is an academic examination that includes a broad range of topics and is used to demonstrate that the candidate has acquired a basic knowledge of engineering. After successful completion of the FE, a candidate is then qualified to take the Principles and Practice of Engineering (PE) examination. The PE examination is offered in 25 various disciplines of engineering, and the candidate chooses which discipline to take based on their education and progressive experience. After successful completion of both the FE and PE examinations and providing evidence of a minimum of four years of progressive engineering experience and graduation from an accredited engineering program, a candidate is then eligible for licensure as a Professional Engineer.

This process of using a combination of education, experience, and examination has been adopted by all 55 NCEES member boards as the definitive method for evaluating the qualifications of individuals seeking licensure. The FE examination is critical to this process since, once licensed as a Professional Engineer, an individual is allowed to practice in any field of engineering that he or she has the requisite education and experience. As such, it is essential that individuals are required to demonstrate their knowledge of general engineering theory and not merely a specific discipline of engineering.

It is my belief that the citizens of Louisiana would be best served if this proposed change to the Louisiana Professional Engineering and Professional Surveying Act was not enacted and candidates for licensure as a Professional Engineer continue to be required to successfully complete the FE examination as a condition of licensure.

If you have questions or require additional information, please let me know.

Sincerely,



Jerry T. Carter
Chief Executive Officer

cc: NCEES Board of Directors
Davy McDowell, P.E., Chief Operating Officer