

**KANSAS STATE BOARD OF TECHNICAL PROFESSIONS
ACTION AGENDA
LARRY GRAHAM, CHAIR**

FEBRUARY 14, 2020

10:00 A.M.

Kansas Board of Technical Professions Board meetings follow the Kansas Open Meetings Act (KOMA).

The meeting was called to order at 10:01a.m.

Members present were:

Maurice Bowersox, P.E.
Doug Louis, P.G.
William Haverkamp, P.S.
John Lilak, P.S.
Eric Wimmer, ARCH.
Wendy Ornelas, ARCH.
Larry Graham, P.E., P.S.
Jack Poole, P.E.
Carisa McMullen, L.A.
Joseph Johnson, ARCH.

Others present were:

Jessica Pierce, Public Service Administrator
Jane Weiler, Assistant Attorney General
Athena Andaya, Deputy Attorney General
Larry Karns, Executive Director
Erin Thompson, Administrative Specialist

Members absent were:

Kimberly Kramer, P.E.

I. MINUTES

A. Full Board

1. Approval of minutes of the December 13, 2019 meeting (previously distributed)
2. Publish Minutes

By motion of Mr. Poole, the Committee voted to approve and publish the minutes of the December 13, 2019 meeting (previously distributed). Mr. Johnson seconded the motion made by Mr. Poole and the motion carried.

II. ADDITIONS OR ADJUSTMENTS TO THE AGENDA

III. REVIEW AND APPROVAL OF CONSENT AGENDA

- A. Possible review of items removed from consent agenda

IV. PUBLIC COMMENTS – 10:15 AM

A. Requests for public comments

1. Marlon Vogt – NCEES Central Zone Vice President

Mr. Vogt provided the Board with an overview of NCEES day-to-day operations, future plans and volunteer opportunities.

V. EXECUTIVE SESSION

VI. REVIEW OF INQUIRIES/COMPLAINTS & ATTORNEY REPORTS

A. Complaint Committee Report – Chair Wimmer

1. Report of Case Files with Final Action Taken by the Committee
2. Receipt of Complaint Committee Report

Chair Wimmer reported that 20 cases were reviewed with 7 closed with no action, 0 closed with action, 4 open with investigations pending, 8 resulting for a post-renewal audit and 1 remain tabled. The Committee met from 2-4pm on February 13, 2020. By motion of Mr. Haverkamp, seconded by Mr. Johnson, the Board voted to accept the report.

B. Attorney Report – Athena Andaya, General Counsel

Ms. Andaya reported she has been working on regulations since the last meeting. She also asked the Board to consider two separate motions that delegate authority to either the Executive Director or Board Chair / Vice Chair to speak on behalf of the Board in the event testimony is needed in front of the House or Senate. By motion of Mr. Poole, seconded by Mr. Bowersox, the Board voted to approve motion number one as written. By motion of Mr. Poole, seconded by Mr. Bowersox, the Board voted to approve motion number two as written.

VII. COMMITTEE AND ADMINISTRATIVE REPORTS

A. ARCH/LA/PG Committee – Chair Johnson

1. Report of Committee Actions
2. Discussion of Committee Items
3. Receipt of Committee Report

Mr. Johnson reported the Committee reviewed five applications of which three were approved and two denied. Mr. Louis has made initial contact with ASBOG and will be attending the November 2020 meeting. Mr. Johnson, Ms. Ornelas and Mr. Karns will be attending the NCARB Summit in March. Ms. McMullen reported that CLARB elected a new Executive Director. By motion of Mr. Poole, seconded by Mr. Lilak, the Board voted to accept the report.

B. PE/PS Committee – Chair Poole

1. Report of Committee Actions
2. Discussion of Committee Items
3. Receipt of Committee Report

Mr. Poole reported the Committee reviewed ten applications of which eight were approved and two marked incomplete. Three exam re-take requests were approved. A motion was made to invite the Fire Marshall's office to attend a meeting to ensure active cooperation between the two agencies. By motion of Mr. Poole, seconded by Mr. Bowersox, the Board voted to accept the report.

C. Director's Report

Mr. Karns reported that he has been working on regulations with Ms. Andaya. Mr. Karns provided legislative updates to be covered under New Business. Mr. Karns reported that he has supplied testimony regarding HB2506 and recently received an email from the Representative requesting the Board's recommendations. By motion of Mr. Poole, seconded by Ms. McMullen, the Board voted to authorize Mr. Karns, Ms. Andaya and Mr. Graham to speak on behalf of the Board to include a response to exempt KSBTP from the bill; should that not be feasible, KSBTP would require more than ten days to license. The Board would also prefer if temporary licensing was not included. Mr. Karns reported that Dr. Elgin's contract for the Kansas State Specific exam has been approved.

VIII. CORRESPONDENCE

IX. UNFINISHED BUSINESS

A. KSS Exam Review Committee

Chair Graham appointed Mr. Steve Brosemer, Mr. Lilak, Mr. Haverkamp and himself to a Committee to review the Kansas State Special Exam questions. Mr. Graham will also reach out to another practicing surveyor to fill the Committee. Dr. Elgin will be contacted by Mr. Graham.

X. NEW BUSINESS

A. Open Board Positions Update

The Governor's office has reported that there are no candidates for the position. All Board Members were encouraged to reach out to their peers.

B. Review of Continuing Education & Other Proposed Regulations

The Board requested Mr. Karns update K.A.R. 66-14-2 with the prepared definition of HSPW and all other applicable areas. The Board will then review in April 2020.

C. House Bill 2428: Representative Dietrich

Mr. Karns reported that HB2428 has been passed to the House and Senate for consideration. The Board has passed a regulation adopting fees by regulation.

D. House Bill 2506 / Senate Bill 366

HB2506 and SB366 are identical in nature and would require the Board to issue reciprocal licenses within ten days. HB2506 requires an applicant who is considering moving to Kansas or is moving to Kansas be licensed within ten days. The burden of proof is placed on the Board instead of the applicant. Temporary licenses would also be required to be issued to those not initially meeting all qualifications. Mr. Karns is currently providing testimony.

E. Senate Bill 244

SB244 is a sunset provision bill in which all regulations will sunset every five years. There is a great cost estimated to occur with this bill. Mr. Karns is monitoring its progress.

F. Licensing Ceremony Discussion

Mr. Karns will contact each professional society to encourage their participation in a ceremony to be held at each societies' annual meeting for better attendance.

G. Audit Process Discussion

Until new regulations are passed, the audit process will continue as it has been in the past.

H. September 2020 Board Meeting Date

A new date of September 17-18, 2020 was established.

I. Private vs. Government E-mail Usage

Board staff will research government e-mails for each Board Member and report back in April.

XI. APPROVAL FOR ATTENDANCE AT EVENTS

By motion of Mr. Johnson, seconded by Mr. Haverkamp, the Board approved Mr. Karns to attend the AIA National Conference.

XIII. ADJOURN **Licensing Ceremony at 2:00pm in the Capitol**

By motion of Mr. Henthorne, seconded by Mr. Lilak, the Committee adjourned at 12:23 p.m.