



**Testimony:** Joseph V. Warino PE, PS, F.NSPE, Vice President, Legislative & Government Affairs,  
Ohio Society of Professional Engineers

**To:** Ohio Senate Government Oversight & Reform Committee

**Date:** April 11, 2018

**Regarding:** Ohio Senate Bill 255, Occupational Licensing

Good Afternoon Chairman Coley, Vice Chairman Uecker, and members of the Senate Government Oversight & Reform Committee.

My name is Joseph V. Warino. I am a registered professional engineer (PE) and registered professional surveyor (PS) in Ohio and a Fellow of the National Society of Professional Engineers. I serve as vice president of legislative and government affairs for the Ohio Society of Professional Engineers (OSPE).

**Thank you for allowing me the opportunity to testify in opposition to Senate Bill 255 which deals with occupational licensing.**

My commitment to the great State of Ohio is at the forefront of my personal and professional life as I am a lifelong resident of Ohio, a graduate of Youngstown State University, and I have given 42 years in public service most notably as chief engineer of the Youngstown Water Department, Chief Deputy Mahoning County Engineer, Mahoning County Sanitary Engineer. I recently retired in February 2018 as Canfield City Manager. I also was elected and served as a Canfield Township Trustee (2005-2009).

My opposition testimony to Senate Bill 255 is both my personal opinion as a dual registered professional engineer and surveyor in Ohio and in my official capacity as OSPE's vice president of legislative and government affairs.

OSPE – the single most powerful voice representing professional engineers in Ohio – discussed Senate Bill 255 at length at the quarterly meeting of the OSPE Board of Directors on March 16.

**As a result of that discussion, the OSPE Board of Directors accepted the recommendation of its Legislative and Government Affairs Committee and approved by unanimous vote a motion to oppose Senate Bill 255.**

Senate Bill 255 as written would threaten licensing of engineers in the state. If passed, as written, occupational licensing boards will be sunset at the end of 2023 or five years after a board is established. A board can be renewed by law upon review and demonstration of “public need” by the Common Sense Initiative Office.

Licensing boards were established to protect the health and safety of the general public by setting a baseline of tested knowledge and experience that an applicant must meet or exceed to be deemed competent. In harmony with model law set forth by the National Council of Examiners for Engineering and Surveying (NCEES), Ohio Revised Code Section 4733 defines the requirements necessary to become registered in the State of Ohio. Requirements include the completion of a bachelor’s degree in engineering from an ABET-accredited university, practical experience under the supervision of a registered PE, and examinations. Ohio does not have inordinate rules that would prevent applicants from becoming registered engineers here, and our state enjoys an effective registration board.

Adopting a policy of “least restrictive regulation” guidelines for registration could only serve to reduce the knowledge and experience necessary resulting in substandard qualified engineers to preserve the health and safety of Ohio’s residents.

The Ohio State Board of Registration for Engineers and Surveyors has fought for the streamlining and efficiency of the engineering profession by historically opposing discipline specific licensure, and has abided by the NCEES Model law.

To protect the health, safety and welfare of the public, currently all public infrastructure, which includes water treatment systems, wastewater treatment systems, water and wastewater distribution systems, highways, bridges, reservoirs, dams (the list goes on and on), must be designed by a registered PE. Just recently in the news, a proposed nuclear facility in South Carolina was shut down before it became operational due to faulty engineering design by unlicensed individuals. The use of non-licensed individuals resulted in excessive over runs and design flaws costing the residents over a billion dollars that will have to be recovered in the overall cost of their electric utility in the state.

Who among you would have an unlicensed individual operate on a loved one? Who would get on a plane with an unlicensed person flying it? Who would hand the keys to the family car over to a teenager to travel on a highway designed by an unlicensed individual? How many of you would pick up a glass of water treated (or, should I say, untreated) by an unlicensed individual? We need licensed doctors, pilots and engineers to protect us.

The practice of professional licensure has worked well over many years and it should remain in place. The whole premise of the engineer's license is to protect the health and safety of the general public.

The public may not understand what a professional engineer's obligation and service to the public include. Please allow me to explain:

- **A PE is a problem solver, a scientist, an accountant, and above all else a steward of the public's safety.**
- The PE must balance the highly technical science of materials, physics, hydraulics, and chemistry, with the real world realities of material availability, material cost, installation costs, maintenance cost, and useful life.
- PE's are bound by law and a code of ethics to help communities make the best decision for the health and safety of the general public.

Ultimately, Senate Bill 255 would remove from Ohio law the assurance of public safety with reference to the state's infrastructure:

- **Senate Bill 255, as written, would threaten the current assurances and safeguards in-place to protect the health and safety of all Ohioans.**
- **Senate Bill 255, as written, creates unnecessary burdens on the engineers' registration board, which safeguards Ohioans from unlicensed practice and works very hard to be fair and efficient in how it handles applicants who desire to enter the profession.**
- **Senate Bill 255, as written, presumes to call into question the very institution of registered professional engineering. *But PEs know that it takes professional licensure — secured through education, experience, examinations, a clean disciplinary record, a Code of Ethics, continuing education and a solid understanding of Ohio's laws and rules — to protect Ohioans. We willingly get licensed simply because it is that important.***
- **Senate Bill 255, as written, would put the health and safety of the general public at risk and into the hands of a committee that perhaps may not understand the ethical standards of professional engineering, or who may not understand the consequences that would befall Ohioans without PE licensure.**

The Ohio Society of Professional Engineers (OSPE) opposes Senate Bill 255 and its attempt to relax the safeguards currently in place for the health and safety of the public.

Thank you again for allowing me this opportunity to address the committee. I'm happy to answer any questions you may have for me.